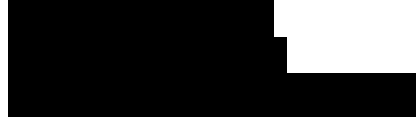




STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

March 9, 2023

Support Mountain Schools – Yes on M 2022
Ani Cuevas, Treasurer



Warning Letter: FPPC Case No. 2022-00826; Support Mountain Schools – Yes on M 2022

Dear Support Mountain Schools – Yes on M 2022 & Ms. Cuevas,

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ As you are aware, the Enforcement Division received an AdWatch referral alleging that Support Mountain Schools – Yes on M 2022 (the “Committee”) violated the campaign disclosure provisions of the Act.

The Enforcement Division has completed its review and found that on a mailing sent by the Committee, the Committee violated the Act when it failed to place the required advertising disclosure inside of a printed or drawn box with a solid white background.

Under the Act, any advertisement that is paid for by a committee, other than a political party committee or candidate-controlled committee established for an elective office of the controlling candidate, shall include the words “Ad paid for by” followed by the name of the committee.² Additionally, a print advertisement of this nature that is designed to be individually distributed shall include the required disclosure in a printed or drawn box with a solid white background at the bottom of at least one page and set apart from other printed matter.³

The Committee violated the Act by failing to include the required disclosure in a printed or drawn box with a solid white background at the bottom of at least one page of the advertisement. However, it was clear that the Committee paid for the mass mailing; the required disclosure was otherwise correct, so the violation resulted in minimal public harm; and the Committee has no history of violating this section of the Act. For these reasons, the Enforcement Division is closing this case with this warning letter.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84502(a)(1)

³ Section 84504.2(a)(1)

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If you have any questions regarding this letter, please contact Ginny Brown at 916-322-8064 or gbrown@fppc.ca.gov.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Acting Chief
Enforcement Division

CBB:gab