



September 15, 2023

**Re: No Action Closure Letter: FPPC Case No. 2020-00907, In the Matter of Unknown Respondent(s) – Anonymous Advertisements opposing Measure Z in West Sacramento, during the November 3, 2020 General Election**

To Whom It May Concern,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).<sup>1</sup> The Enforcement Division received an anonymous complaint alleging that a person or persons were organizing to oppose Measure Z, a ballot measure considered by the City of West Sacramento during the November 3, 2020 General Election. During the Election Cycle, advertisements opposing Measure Z appeared in the West Sacramento Ledger, and in the form of several yard signs were distributed in West Sacramento. These advertisements had no disclaimer regarding who had paid for the advertisement.

The Act requires that recipient committees, meaning those committees that have received at least \$2,000 in contributions, fully and accurately report all contributions and expenditures.<sup>2</sup> In addition, persons who qualify as an independent expenditure committee, meaning those persons who spend at least \$1,000 on independent expenditures in a calendar year, must also disclose activity on campaign statements.<sup>3</sup> A recipient committee that qualifies as a primarily formed ballot measure committee, such as those that are formed for the purpose of opposing a local ballot measure or a committee that makes most expenditures in opposition to a local ballot measure, must follow additional reporting and disclosure rules.<sup>4</sup> These additional disclosure requirements include but are not limited to, reporting contributions of \$1,000 or more within twenty-four hours of receipt and changing the name of the committee to reflect the primarily formed position.<sup>5</sup> In general, committees are required to include advertisement disclosures on yard signs, newspaper ads, and large banners.<sup>6</sup>

The Enforcement Division conducted an investigation but was unable to determine whether any person or persons responsible for the anonymous advertisements qualified as a committee under the Act. Therefore, there is insufficient evidence that a violation of the Act occurred. The Enforcement Division is closing this matter with this letter.

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<sup>1</sup> The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

<sup>2</sup> Sections 84213, subdivision (a) and 84200, *et seq.*

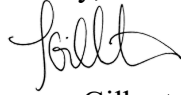
<sup>3</sup> Sections 84213, subdivision (b) and 84200, *et seq.*

<sup>4</sup> See Section 82047.5.

<sup>5</sup> See Section 82036, 84203, and 84107.

<sup>6</sup> Sections 84501, *et seq.*

Sincerely,

A handwritten signature in black ink, appearing to read 'Theresa Gilbertson', with a stylized, flowing script.

Theresa Gilbertson  
Senior Commission Counsel  
Enforcement Division