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

April 26, 2023

Stanislaus/Tuolumne Co's Central Labor Council, Committee on Political Education
Astrid Zuniga, Treasurer
[redacted]

Warning Letter Re: FPPC No. 2019-01820; Stanislaus/Tuolumne Co's Central Labor Council, Committee on Political Education and Astrid Zuniga

Dear Astrid Zuniga and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").[1] As you are aware, the Enforcement Division of the Fair Political Practices Commission (the "Commission") received a referral from the Secretary of State regarding your failure to pay the $50 annual fee and associated $150 penalty for 2018. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file semi-annual campaign statements, preelection campaign statements, and 24-hour reports.

In 2012, the Legislature passed Senate Bill 1001. SB 1001, effective January 1, 2013, became Section 84101.5 of the Political Reform Act (the "Act") and requires every recipient committee in California to pay a $50 annual fee to the SOS. Committees that fail to pay the fee on time are subject to a $150 penalty, in addition to the fee. In 2021, the Legislature passed Assembly Bill 1590, which amended Section 84101.5. The Secretary of State is now required to enforce this provision of the Act, not the Commission.

The Act requires committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.[2] In addition, depending on the committee's activity in connection with an election, the committee may also be required to file two pre-election campaign statements prior to the applicable election.[3] The obligation to file semi-annual campaign statements continues until the treasurer terminates the committee.

The Act also requires if the committee makes contributions or independent expenditures totaling $500 or more to support or oppose a candidate or measure appearing on the ballot during the pre-

[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 84200.
[3] Section 84200.5.

election reporting period, it must file pre-election statements.[4] Additionally, a general purpose committee that makes a contribution(s) totaling $1,000 or more to a candidate, candidate controlled committee, or a committee primarily formed to support or oppose a candidate or measure within 90 days before the election, or on the date of the election, to file a Form 497 within 24 hours of making of the contribution.[5]

You violated the Act by failing to file the first and second preelection campaign statements in connection with the June 7, 2022 Primary Election; the second preelection campaign statement in connection with the November 8, 2022 General Election; semi-annual campaign statements; and 24-hour reports. However, you filed the statements after you were contacted by the Enforcement Division, you reported a low amount of activity, the activity related to the 24-hour reports was timely reported by the recipient, and you have no prior history violating the Act. Based on the foregoing, and in accordance with the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload, the Enforcement Division is closing this case with this warning letter.[6] Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.[7] This resolution may not be used as a comparable case for other enforcement matters.[8]

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.

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.

Please feel free to contact Shaina Elkin at selkin@fppc.ca.gov or (916) 327-2020 with any questions you may have regarding this letter.

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[4] Section 84200.5, subdivision (a)(3).
[5] Sections 82036 and 84203.
[6] https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf
[7] Regulations 18360.1 and 18360.3.
[8] See Regulation 18361.5, subdivision (e)(3).

Sincerely,

Christopher B. Burton

Christopher B. Burton, Acting Chief
Enforcement Division

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