



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

February 23, 2024

David Girón for Assembly 2024

David Girón

Jane Leiderman, Treasurer

Via email: jane@leidermanassociates.com

Warning Letter re: FPPC No. 2024-00244; David Girón, David Girón for Assembly 2024, Jane Leiderman

Dear David Girón, Jane Leiderman, and Committee,

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to an anonymous complaint filed against you alleging that you failed to include the occupation and employer information on two 24-Hour Contribution Reports (Form 497).

The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to include the required occupation and employer information on Form 497s filed in connection with a \$13,000 loan received from the candidate’s personal funds on September 5, 2023, and a \$20,000 loan received from the candidate’s personal funds on December 29, 2023.

The Act requires candidate-controlled committees that receive a contribution(s), including a loan, totaling \$1,000 or more from a single source within 90 days before the election, or on the date of the election, to file a 24-Hour Contribution Report (Form 497) within 24 hours of receiving the contribution.² Additionally, a candidate-controlled committee for state elective office that is required to file electronically with the Secretary of State must file Form 497 to disclose the receipt of any contributions of \$5,000 or more received outside of the 90-day election cycle within 10 business days.³

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 Sections 82036 and 84203.

³ Section 85309(c).

The Act requires that specific information be included on Form 497, including the full name of the contributor, the contributor's street address, the date of the contribution, the amount of the contribution, and whether the contribution was made in the form of a loan. For contributors that are individuals, the committee must also report the contributor's occupation and employer, or if self-employed, the name of the individual's business.⁴

Your actions violated the Act because you failed to list the candidate's occupation and employer information on Form 497s filed on September 9, 2023 and December 29, 2023 as a result of loans received from the candidate's personal funds. However, for the following reasons, the Enforcement Division has decided to close this matter with this warning letter rather than a fine: you filed amendments to the Form 497s to disclose the occupation and employer information immediately after you were contacted by the Enforcement Division; the Form 497s were timely filed; and, the committee has no prior Enforcement history.

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.

If you have any questions regarding this letter, please feel free to contact Tara Stock at 916-322-8241 or tstock@fppc.ca.gov.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division

CBB:ts

⁴ Section 84203(a).