



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

August 12, 2024

Reform California
Carl Demaio

Via email: carl@carldemaio.org

Warning Letter re: FPPC Case No. 2020-00841; Reform California and Carl Demaio

Dear Committee and Carl Demaio:

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 AdWatch submission received by the Enforcement Division. The Enforcement Division has completed its review of the matter and found that you failed to include the proper disclaimer on a text message advertisement disseminated in advance of the November 3, 2020 General Election.

The Act requires text message advertisements paid for by a committee to include the words “Paid for by” or “With” followed by either the name of the committee or a hyperlink for an internet website containing the disclosures required by Sections 84502, 84503, and 84506.5.²

You violated the Act by sending a text message advertisement that did not contain the required “Paid for by” or “With” language. However, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: the “Paid for by” disclosure requirement on text messages was a recently implemented law in 2020 and there appeared to be some confusion regarding the requirements, the relevant text message advertisement included a hyperlink to a website that contained the correct disclosures, the candidate opposed in the advertisement was successful, you made changes to include the correct disclaimer on subsequent text messages, and you have no prior history of the same violation.

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 Regulations 18360.1 and 18360.2 to authorize

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 84504.7.

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 me at cburton@fppc.ca.gov or (279) 237-3769 with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher B. Burton
Assistant Chief of Enforcement
Fair Political Practices Commission