



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

December 13, 2024

No on G – Citizens Against Folsom Tax Initiative
c/o David Doherty
Via email: [REDACTED]

Warning Letter Re: FPPC No. 24/1148; No on G – Citizens Against Folsom Tax Initiative

Dear 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 AdWatch submission which alleged that you violated the advertisement disclaimer provisions of the Act. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you failed to include the required advertisement disclaimer language on your Facebook page, website, and mailers.

The Act provides that social media pages made by primarily-formed committees must include the disclaimer “Ad paid for by” followed by the name of the committee in a contrasting color that is easily readable by the average viewer and in no less than 10-point font on the cover or header photo of the committee’s profile, landing page, or similar location.² The Act requires that a website paid for by a committee to include the words “Paid for by” followed by the name of the committee.³ The Act requires that mailers include the disclosures required by Sections 84502, 84503, and 84506.5, displayed as follows: The disclosure area shall have a solid white background and shall be in a printed or drawn box on the bottom of at least one page that is set apart from any other printed matter. All text in the disclosure area shall be in contrasting color and centered horizontally in the disclosure area. The text shall be in standard Arial Regular type with a type size of at least 10-point. The top of the disclosure area shall include the disclosure required by Sections 84502 and 84503. An advertisement supporting or opposing a candidate that is paid for by an independent expenditure shall include the disclosure required by Section 84506.5, which shall be underlined and on a separate line below any of the top contributors.⁴

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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Sections 84504.6.

³ Section 84504.3, subd. (c).

⁴ Section 84504.2.

The committee violated the Act because the committee published a Facebook page that did not include the words “Ad Paid for by” followed by the name of the committee; the committee’s website was missing the words “Paid for by” followed by the name of the committee; and the mailers did not contain the required disclosure in a printed or drawn box at the bottom of the page, and failed to include the word “Ad” before the phrase “Paid for by.” However, for the following reasons, the Enforcement Division is closing this case with this warning letter rather than a fine: it was clear that the committee produced the subject Facebook page, website, and mailer; you made corrections to the disclaimer on your Facebook page and website immediately after you were contacted by the Enforcement Division; and you do not have a prior enforcement history for advertisement disclaimer violations.

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 need forms or a manual, or guidance regarding your obligations, please call the Commission’s Toll-Free Advice Line at 1-866-275-3772 or visit our website at www.fppc.ca.gov.

Please feel free to contact me at jrivera@fppc.ca.gov or at (279) 237-5913 with any questions you may have regarding this letter.

Sincerely,

Jonathan Rivera

Jonathan Rivera, Commission Counsel
Enforcement Division