



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

May 13, 2024

Bramante for City Council 2022

David Bramante, Candidate

Kayla Bramante, Treasurer

Sent via Email: [REDACTED]

Warning Letter Re: FPPC No. 2022-00960, Bramante for City Council 2022, David Bramante, Kayla Bramante

Dear Committee, David Bramante, and Kayla Bramante,

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 two anonymous complaints alleging that Bramante for City Council 2022 (“the Committee”) failed to timely file certain campaign statements. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that the Committee failed to timely file 24-Hour Contribution Reports (Form 497) by August 20, 2022 and September 13, 2022. Additionally, the Committee failed to timely file a Statement of Organization (Form 410) 10 days after qualifying as a committee on August 19, 2022.

The Act requires candidate-controlled committees that receive a contribution(s) 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 Form 497 within 24 hours of receiving the contribution.² The Act also requires recipient committees to file a Form 410 with the Secretary of State’s office to establish a committee within 10 days of meeting/exceeding a \$2,000 committee qualification threshold.³

The Committee failed to timely two 24-Hour Contribution Reports within 24 hours of receiving contributions totaling \$1,000 or more during the late reporting period and failed to file a Form 410 within 10 days of meeting/exceeding the \$2,000 committee qualification threshold.

However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because the Committee filed the two Form 497s before the November 8, 2022 General Election, the Committee filed all documents after being contacted by the Enforcement Division, the candidate was unsuccessful, the Committee terminated after the General Election,

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 Section 84203.

³ Section 84101.

and the Committee reported both late contributions on the first pre-election statement, and the Committee has no prior history of enforcement actions.

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 me at 279-237-3766 or cfelkins@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Michael C. Felkins

Michael C. Felkins, Commission Counsel
Enforcement Division