



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

April 25, 2024

Emily Andrews
o/b/o Andrew Thorburn
Via email: eandrews@olsonremcho.com

Warning Letter Re: FPPC No. 2024-00282; Andrew Thorburn

Dear Emily Andrews:

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 a complaint received from you to self-report violations of the major donor provisions of the Act on behalf of your client, Andrew Thorburn. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that your client failed to timely file two semi-annual campaign statements (Form 461), in electronic format.

The Act provides that an individual or entity that makes contributions totaling \$10,000 or more in a calendar year qualifies as a major donor committee and incurs filing obligations.² If the \$10,000 threshold is met in the first six months of the calendar year, a major donor committee must file Form 461 covering the period of January 1 through June 30 by July 31 of that calendar year. If the \$10,000 threshold is met in the second six months of the calendar year, a major donor committee must file Form 461 covering the period of January 1 through December 31 by January 31 of the following calendar year.³ The Act requires committees that file campaign statements electronically with the Secretary of State’s office to also file in paper format.⁴

Your client violated the Act by failing to file, in electronic format, Form 461 covering January 1, 2020 through June 30, 2020, by the July 31, 2020 deadline, and Form 461 covering July 1, 2020 through December 31, 2020, by the January 31, 2021 deadline. Your client also violated the Act by failing to timely file four 24-Hour Contribution Reports within 24 hours of making contributions totaling \$1,000 or more. A streamline stipulation was approved for the 24-Hour Contribution Report violations. The violations for failing to timely file the semi-annual campaign statements in electronic format are being resolved with this warning letter rather than a fine for

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 82013(c).

³ Section 84200(b).

⁴ Section 84605(f).

the following reasons: the semi-annual statements were timely filed in paper format, the contributions were timely disclosed by the committees that received the contributions, and your client has no 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.

Please feel free to contact Tara Stock at tstock@fppc.ca.gov or (279) 237-5958 with any questions you may have regarding this letter.

Sincerely,

James M. Lindsay

James M. Lindsay, Chief
Enforcement Division

JML:ts