



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

January 15, 2025

PVEA Local Issues Fund PAC
Melissa Otto
Via email: [REDACTED]

Warning Letter Re: FPPC No. 2024-00864; PVEA Local Issues Fund PAC and Melissa Otto

Dear Melissa Otto and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, the Enforcement Division received a referral from the Ventura County Elections Division regarding the Committee's failure to file semi-annual campaign statements.

The Act requires if there is a change in any of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change.² The Act also requires committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30 and January 31 for the period ending December 31.³ A treasurer of a committee may terminate the committee's status as a committee only by completing the termination section on the statement of organization declaring under penalty of perjury that the committee has ceased to receive contributions and make expenditures and does not anticipate receiving contributions or making expenditures in the future; has eliminated or has declared that it has no intention or ability to discharge all of its debts, loans received and other obligations; has no surplus funds; and has filed all required campaign statements disclosing all reportable transactions.⁴

A state or county general purpose committee that makes contributions or independent expenditures totaling \$500 or more to another state or county general purpose committee, or to support or oppose a candidate or measure appearing on the ballot at the next primary or general election, must file preelection campaign statements no later than 40 days before the election for the period ending 45 days before the election, and no later than 12 days before the election, for the period ending 17 days before the election.⁵ However, if the state or county general purpose committee makes independent expenditures of one thousand dollars or more in a calendar year,

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 84103.

³ Section 84200.

⁴ Regulation 18404.

⁵ Sections 84200.5, subd. (a)(3), and 84200.8, subd (a)-(b).

or makes contributions of ten thousand dollars or more in a calendar year to or at the behest of a candidate or committee, then the state or county general purpose committee is not required to file pre-election campaign statements.⁶

The Committee violated the Act by failing to timely file an amendment to its statement of organization and by failing to timely file semi-annual campaign statements for the periods ending June 30, 2021, December 31, 2021, June 30, 2022, December 31, 2022, June 30, 2023, December 31, 2023, and June 30, 2024. However, the Enforcement Division has decided to close this case with a warning rather than issue a fine because there was no activity reported in any of past due filings, you filed the missing statements after Enforcement contacted you, and you have no prior history of violating the Act. Also, you appear to have a low level of experience with the Act's filing requirements as you stated the Committee has been inactive and you weren't aware of the continued obligation to file campaign statements.

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 Angela Brereton at 916-322-5771 or abrereton@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Angela J. Brereton

Angela J. Brereton
Assistant Chief
Enforcement Division

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⁶ Section 84200.5, subd. (a)(3).