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8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**
9 **STATE OF CALIFORNIA**
10

11 In the Matter of:) FPPC No. 2025-01196
12)
13) **STIPULATION, DECISION, AND ORDER**
14) Date Submitted to Commission:
15) June 18, 2026
Respondent.)

16 **INTRODUCTION**
17

18 Respondent Gavin Newsom (“Newsom”) is the Governor of the State of California. Newsom
19 was elected as Governor in the November 6, 2018 General Election. The present case
20 originated from three filing officer referrals for Newsom’s failure to timely file 36 behested payment
21 reports.

22 Newsom violated the Political Reform Act (the “Act”)¹ by failing to timely file certain behested
23 payment reports in both 2024 and 2025.
24
25

26
27 ¹ The Political Reform Act is contained in Government Code §§ 81000 through 91014, and all statutory references
28 are to this code. The regulations of the Fair Political Practices Commission are contained in §§ 18104 through 18998 of Title
2 of the California Code of Regulations, and all regulatory references are to this source.

1 **SUMMARY OF THE LAW**

2 The Act and its regulations are amended from time to time. Unless otherwise noted, all legal
3 references and discussions of law pertain to the Act’s provisions as they existed at the time of the
4 violations in this case (2024 and 2025).

5 **Need for Liberal Construction and Vigorous Enforcement of the Political Reform Act**

6 When enacting the Act, the people of California found and declared that previous laws
7 regulating political practices suffered from inadequate enforcement by state and local authorities.² For
8 this reason, the Act is to be construed liberally to accomplish its purposes.³

9 Payments made at the behest of elected officials, including charitable donations, are a means by
10 which donors may seek to gain favor with elected officials. When behested payments are made, the
11 requirements of the Act ensure timely, transparent reporting of such activity, which increases public
12 awareness regarding potential attempts to influence in this manner.⁴ Another purpose of the Act is to
13 provide adequate enforcement mechanisms so the Act will be “vigorously enforced.”⁵

14 **Behested Payment Reports**

15 When an elected officer solicits a charitable donation or donations from one individual or
16 organization to another, the officer is required to disclose the payment(s) on a behested payment report,
17 Form 803, which must be filed with the officer’s agency within 30 days following the date on which
18 the payment(s) equal or exceed \$5,000 in the aggregate from the same source in the same calendar year.
19 The report is a public record, which must include the name and address of the payor, the amount of the
20 payment, the date of payment, the name and address of the payee, a brief description of the goods or
21 services provided or purchased (if any), and a description of the specific purpose or event for which the
22 payment or payments were made. Once the \$5,000 aggregate threshold from a single source has been
23 reached for a calendar year, all payments for the calendar year made by that source must be disclosed
24 within 30 days after the date the threshold was reached or the payment was made, whichever occurs

25 _____
26 ² Section 81001, subd. (h).

27 ³ Section 81003.

28 ⁴ Sections 82004.5, 82041.3, 84224 and 82015, subd. (b)(3)(B).

⁵ Section 81002, subd. (f).

1 later.⁶

2 These rules apply when the payment is “made at the behest” of the officer. This means that the
3 payment is made under one (or more) of the following circumstances:

- 4 1. at the request, suggestion, or direction of the officer (or his agent);
- 5 2. in concert with the officer (or his agent);
- 6 3. with the express, prior consent of the officer (or his agent);
- 7 4. in cooperation, consultation, or coordination with the officer (or his agent); or
- 8 5. under the control of the officer (or his agent).⁷

9 An officer “has a duty to be informed of payments made at his or her behest and must make an effort to
10 file required forms as soon as possible.”⁸

11 SUMMARY OF THE FACTS

12 Newsom was elected Governor of California in 2018 and is currently in office. The current case
13 involves behested payments made during the 2025 Los Angeles Wildfires and were related to
14 supporting recovery from the devastating fires. The Los Angeles Wildfires began on January 7, 2025
15 and were not fully contained until January 31, 2025. Newsom, as Governor, proclaimed a state of
16 emergency on January 7, 2025 and was heavily involved in the response efforts thereafter.

17 This matter involves 36 payments of \$5,000 or more made in 2024 and 2025 by various
18 companies and individuals to entities at Newsom’s behest. Thirty-four of these payments were
19 received by the California Fire Foundation, a 501(c)(3) organization which supports firefighters and
20 fire victims, after Newsom (or his staff) directed inquiries to help after the Los Angeles Wildfires to
21 this organization. For each of these payments, Newsom failed to timely file a corresponding behested
22 payment report with the Governor’s Office within 30 days and thereafter with the Fair Political
23 Practices Commission.

24 However, all 36 behested payment reports were filed prior to public discovery or Enforcement
25 Division contact. Below is a chart summarizing the late behested payment reports:

26 ⁶ Sections 84204.5, 842041.3 and 84224.

27 ⁷ Regulation 18215.3, subd. (a).

28 ⁸ See: John St. Croix Advice Letter (I-13-107), page 4.

#	Date of Payment	Payee Name	Payor Name	Payment Amount	Date Filed	Due Date	Days Late
1	11/25/24	Institute for Local Government	Schmidt Family Foundation	\$50,000	2/27/25	12/25/24	64
2	7/9/24	Institute for Local Government	Schwab Charitable Funds	\$50,000	3/25/25	8/8/24	229
3	1/11/2025	California Fire Foundation	Uber	\$20,000	9/5/2025	2/10/2025	207
4	1/14/2025	California Fire Foundation	BlackRock	\$500,000	9/5/2025	2/13/2025	204
5	1/15/2025	California Fire Foundation	PayPal	\$250,000	9/5/2025	2/14/2025	203
6	1/15/2025	California Fire Foundation	DoorDash	\$50,000	9/5/2025	2/14/2025	203
7	1/15/2025	California Fire Foundation	Sony Corporation America	\$50,000	9/5/2025	2/14/2025	203
8	1/17/2025	California Fire Foundation	Uber Eats	\$500,000	9/5/2025	2/16/2025	201
9	1/21/2025	California Fire Foundation	Lockheed Martin	\$500,000	9/5/2025	2/20/2025	197
10	1/21/2025	California Fire Foundation	Kaiser	\$100,000	9/5/2025	2/20/2025	197
11	1/21/2025	California Fire Foundation	Chuck Lorre Foundation	\$1,000,000	9/5/2025	2/20/2025	197
12	1/21/2025	California Fire Foundation	Anthem Blue Cross Foundation	\$500,000	9/5/2025	2/20/2025	197

13	1/24/2025	California Fire Foundation	Clayco	\$150,000	9/5/2025	2/23/2025	194
14	1/28/2025	California Fire Foundation	Target	\$200,000	9/5/2025	2/27/2025	190
15	1/29/2025	California Fire Foundation	Orrick	\$19,735	9/5/2025	2/28/2025	189
16	1/29/2025	California Fire Foundation	Akin Gump Strauss Hauer and Feld LLP	\$50,000	9/5/2025	2/28/2025	189
17	2/3/2025	California Fire Foundation	KPMG US Foundation	\$25,000	9/5/2025	3/5/2025	184
18	2/6/2025	California Fire Foundation	Apple	\$250,000	9/5/2025	3/8/2025	181
19	2/7/2025	California Fire Foundation	Wachtell, Lipton, Rosen & Katz Foundation	\$100,000	9/5/2025	3/9/2025	180
20	2/7/2025	California Fire Foundation	United Airlines	\$50,000	9/5/2025	3/9/2025	180
21	2/13/2025	California Fire Foundation	John & Marcia Goldman Foundation	\$25,000	9/5/2025	3/15/2025	174
22	2/14/2025	California Fire Foundation	Verizon	\$150,000	9/5/2025	3/16/2025	173
23	2/14/2025	California Fire Foundation	Universal Music Group	\$10,000	9/5/2025	3/16/2025	173
24	2/18/2025	California Fire Foundation	Annenberg Foundation	\$55,000	9/5/2025	3/20/2025	169

25	2/18/2025	California Fire Foundation	Paramount Studios	\$100,000	9/5/2025	3/20/2025	169
26	2/21/2025	California Fire Foundation	Sony Pictures Entertainment	\$7,100	9/5/2025	3/23/2025	166
27	2/24/2025	California Fire Foundation	D' Leon Consulting Engineers Corp	\$25,000	9/5/2025	3/26/2025	163
28	2/25/2025	California Fire Foundation	Klarman Family Foundation	\$25,000	9/5/2025	3/27/2025	162
29	2/26/2025	California Fire Foundation	United Airlines	\$25,000	9/5/2025	3/28/2025	161
30	2/27/2025	California Fire Foundation	American Express	\$150,000	9/5/2025	3/29/2025	160
31	3/3/2025	California Fire Foundation	Insurance Industry Charitable Foundation	\$47,418	9/5/2025	4/2/2025	156
32	3/4/2025	California Fire Foundation	Levi Strauss & Co	\$ 25,000	9/5/2025	4/3/2025	155
33	3/13/2025	California Fire Foundation	Next Era Energy	\$50,000	9/5/2025	4/12/2025	146
34	3/14/2025	California Fire Foundation	Amazon	\$200,000	9/5/2025	4/13/2025	145
35	3/17/2025	California Fire Foundation	AT&T	\$100,000	9/5/2025	4/16/2025	142
36	3/28/2025	California Fire Foundation	Estee Lauder	\$225,000	9/5/2025	4/27/2025	131

1 **VIOLATIONS**

2 Count 1: Failure to Timely File Behested Payment Report

3 Newsom failed to timely file a behested payment report for a payment of \$500,000, in violation
4 of Government Code Section 84224.

5 Count 2: Failure to Timely File Behested Payment Report

6 Newsom failed to timely file a behested payment report for a payment of \$250,000, in violation
7 of Government Code Section 84224.

8 Count 3: Failure to Timely File Behested Payment Report

9 Newsom failed to timely file a behested payment report for a payment of \$500,000, in violation
10 of Government Code Section 84224.

11 Count 4: Failure to Timely File Behested Payment Report

12 Newsom failed to timely file a behested payment report for a payment of \$500,000, in violation
13 of Government Code Section 84224.

14 Count 5: Failure to Timely File Behested Payment Report

15 Newsom failed to timely file a behested payment report for a payment of \$100,000, in violation
16 of Government Code Section 84224.

17 Count 6: Failure to Timely File Behested Payment Report

18 Newsom failed to timely file a behested payment report for a payment of \$1,000,000, in
19 violation of Government Code Section 84224.

20 Count 7: Failure to Timely File Behested Payment Report

21 Newsom failed to timely file a behested payment report for a payment of \$500,000, in violation
22 of Government Code Section 84224.

23 Count 8: Failure to Timely File Behested Payment Report

24 Newsom failed to timely file a behested payment report for a payment of \$150,000, in violation
25 of Government Code Section 84224.

1 Count 9: Failure to Timely File Behested Payment Report

2 Newsom failed to timely file a behested payment report for a payment of \$200,000, in violation
3 of Government Code Section 84224.

4 Count 10: Failure to Timely File Behested Payment Report

5 Newsom failed to timely file a behested payment report for a payment of \$250,000, in violation
6 of Government Code Section 84224.

7 Count 11: Failure to Timely File Behested Payment Report

8 Newsom failed to timely file a behested payment report for a payment of \$100,000, in violation
9 of Government Code Section 84224.

10 Count 12: Failure to Timely File Behested Payment Report

11 Newsom failed to timely file a behested payment report for a payment of \$150,000, in violation
12 of Government Code Section 84224.

13 Count 13: Failure to Timely File Behested Payment Report

14 Newsom failed to timely file a behested payment report for a payment of \$55,000, in violation
15 of Government Code Section 84224.

16 Count 14: Failure to Timely File Behested Payment Report

17 Newsom failed to timely file a behested payment report for a payment of \$100,000, in violation
18 of Government Code Section 84224.

19 Count 15: Failure to Timely File Behested Payment Report

20 Newsom failed to timely file a behested payment report for a payment of \$150,000, in violation
21 of Government Code Section 84224.

22 Count 16: Failure to Timely File Behested Payment Report

23 Newsom failed to timely file a behested payment report for a payment of \$200,000, in violation
24 of Government Code Section 84224.

25 Count 17: Failure to Timely File Behested Payment Report

26 Newsom failed to timely file a behested payment report for a payment of \$100,000, in violation
27 of Government Code Section 84224.

1 Count 18: Failure to Timely File Behested Payment Report

2 Newsom failed to timely file a behested payment report for a payment of \$225,000, in violation
3 of Government Code Section 84224.

4 **PROPOSED PENALTY**

5 This matter consists of 18 proposed counts. The maximum penalty that may be imposed is \$5,000
6 per count. Thus, the maximum penalty that may be imposed for the count charged here is \$90,000.⁹

7 This matter does not qualify for the Streamline Program.¹⁰ While the failure to timely file
8 behested payment reports is included in the Streamline Program, payments of more than \$150,000
9 excludes the violations from the Streamline Program.¹¹

10 In determining the appropriate penalty for a particular violation of the Act, the Commission
11 considers the facts of the case, the public harm involved, and the purpose of the Act. In particular, the
12 Commission considers the factors codified in Regulation Section 18361.5(e)(1)-(8): (1) The extent and
13 gravity of the public harm caused by the specific violation; (2) The level of experience of the violator
14 with the requirements of the Political Reform Act; (3) Penalties previously imposed by the Commission
15 in comparable cases; (4) The presence or absence of any intention to conceal, deceive or mislead; (5)
16 Whether the violation was deliberate, negligent or inadvertent; (6) Whether the violator demonstrated
17 good faith by consulting the Commission staff or any other governmental agency in a manner not
18 constituting complete defense under Government Code Section 83114(b); (7) Whether the violation was
19 isolated or part of a pattern and whether the violator has a prior record of violations of the Political
20 Reform Act or similar laws; and (8) Whether the violator, upon learning of a reporting violation,
21 voluntarily filed amendments to provide full disclosure.¹²

22 The public harm stemming from a violation of behested payments law is primarily the erosion of
23 public trust and governmental transparency by obscuring potential conflicts of interest. The law exists to
24 provide public disclosure of payments—made for charitable, legislative, or governmental purposes at the

25 _____
26 ⁹ Section 83116, subd. (c).

27 ¹⁰ Regulations 18360.1, subd. (a) and 18360.2, subd. (a).

28 ¹¹ Regulation 18360.2, subd. (e)(7)(D)(i).

¹² Regulation 18361.5, subd. (e)(1)-(8).

1 behest of an official—that are not campaign contributions or gifts, but which nevertheless have the
2 potential for undue influence over a public official, especially if the payor has business or proceedings
3 before that official’s agency. Failure to timely and accurately report these payments prevents the public
4 from scrutinizing the relationship between wealthy sources and political power, thereby inhibiting voters
5 from being fully informed and potentially allowing improper practices to go undetected and uninhibited.

6 Here, Newsom failed to timely report 36 behested payment reports.¹³ However, all the reports
7 were filed prior to public discovery and Enforcement Division contact and were filed within months of
8 the due date.

9 With respect to the second factor, Newsom has served in public office since 1997. Through
10 Newsom’s years of service, Newsom served on the Parking and Traffic Commission, as a member of the
11 San Francisco Board of Supervisors, as the Mayor of San Francisco, as the Lieutenant Governor of
12 California, and was elected Governor of California in 2018. Therefore, Newsom has significant
13 experience with the Act.

14 With respect to the third factor, the following cases were considered as comparable cases:

- 15 • *In the Matter of Christopher Holden; FPPC 19-429*: Holden is a member of the California
16 State Assembly, District 41. In 2017 and 2018, 94 charitable payments were made in
17 amounts of \$5,000 or more to the California Legislative Black Caucus Policy Institute (“the
18 Institute”) by over six-dozen donors. The payments were made at Holden’s behest, while Holden
19 served as the Chair of the Institute. Holden failed to timely report the 97 payments,
20 totaling \$1,567,500, in violation of Government Code Section 82015, subdivision (b)(2)(B)(iii),
21 as in effect prior to 2018, and Section 84224, as in effect after 2017 (16 counts). In March 2024,
22 the Commission approved a penalty of \$1,500 per count.

23 Here, a slightly higher penalty is justified. Like Holden, Newsom is experienced and sophisticated with
24 the Act. Newsom filed the missing behested payment reports before the Enforcement Division received
25 the referrals, making a good-faith effort to comply with the Act. Unlike *Holden*, Newsom’s behested

26 ¹³ Due to the Los Angeles fires, Newsom, via Executive Order N-17-25, and the Commission extended certain filing
27 deadlines for Los Angeles public officials during a portion of the relevant time period. However, the filing of Behested Payment
28 Reports for State public officials was not extended.

1 payments totaled substantially more at \$5,534,253. Additional information discussing the similarities in
2 how the counts are charged in this case and in *Holden* is discussed in more detail below.

- 3 • *In the Matter of Newsom for Governor 2018 and Gavin Newsom; FPPC 21-299*: Newsom is the
4 California State Governor. Between 2019 and 2024, various payors made 18 payments of \$5,000
5 or more to entities at Newsom’s behest. The total amount of behested payments was \$14,420,910.
6 In November 2024, the Commission approved seven counts of failure to timely file behested
7 payment reports.. The Commission approved a penalty of \$1,500 per behested payment count.

8 Here, a slightly higher penalty is justified. There are more late filed reports in the present case at
9 36, despite the total amount of payments being lower at \$5,534,253. More importantly, the present case
10 is a repeat violation and warrants a higher penalty of \$1,750 per count.

11 Newsom contends the Governor’s Office was first notified of the payments for two of the counts
12 after the deadline to file the reports had passed. Additionally, all behested payment reports were filed
13 prior to Enforcement Division contact - demonstrating a good faith effort to comply with the Act.
14 Newsom also substantively and fully cooperated with Enforcement Division’s investigation and there
15 was no evidence of intent to conceal. Further, none of the funds were raised for Newsom’s personal
16 benefit.

17 With respect to the seventh factor, there is evidence to suggest these violations were part of a
18 pattern of repeated violations as Newsom failed to timely file 18 behested payment reports in a previous
19 case within the past five years. However, over the course of his officeholding, Newsom and his Office
20 have timely filed hundreds of behested payment reports, which Newsom contends also shows a pattern
21 of good faith compliance.

22 With respect to the eighth factor, Newsom filed the missing behested payment reports prior to
23 Enforcement Division contact.

24 In mitigation, of all counts, Newsom filed all reports prior to Enforcement Division contact and
25 cooperated with the Enforcement Division.

26 **Recommended Number of Counts and Penalty**

27 Historically, in cases with large numbers of violations involving the failure to timely file
28

1 behested payment reports, the Enforcement Division has used thresholds of reportable activity on a case-
2 by-case basis to determine the more egregious violations with the most public harm. A recent example is
3 the *Holden* case. In *Holden*, there were 94 late behested payment reports, ranging from \$5,000 to
4 \$100,000, totaling \$1,576,500. Of the 94 potential counts, only 16 of the most egregious payments were
5 charged at \$1,500 per count for a total penalty of \$24,000. The number of counts also generally
6 represented the number of payments exceeding \$25,000 on different reporting due dates.

7 In Newsom’s previous behested payments case, payments ranged from \$5,000 to \$12,264,000.
8 Payments \$25,000 and under were not charged. Further, a few counts were dropped due to COVID.
9 Ultimately, Newsom was charged 7 counts at \$1,500 per count for a total penalty of \$10,500. Here, 18
10 payments were \$50,000 and under, so 18 counts at a higher per count penalty is justified to follow
11 precedence. The charging threshold for the stipulation was increased from \$25,000 to \$50,000 to reflect
12 the exigent circumstances under which Newsom acted during an official state of emergency. This
13 adjustment acknowledges that all but two of the payments made were directed toward critical public
14 assistance and essential recovery efforts following the devastating wildfires.

15 Therefore, the Enforcement Division recommends 18 counts at \$1,750 per count for the failure
16 to timely file behested payment reports. The total penalty for those counts is \$31,500.

17 **CONCLUSION**

18 Complainant, the Enforcement Division of the Fair Political Practices Commission, and
19 Respondent Gavin Newsom hereby agree as follows:

- 20 1. Newsom, as indicated in the respective counts, violated the Act as described in the
21 foregoing pages, which are a true and accurate summary of the facts in this matter.
- 22 2. This stipulation will be submitted for consideration by the Fair Political Practices
23 Commission at the next meeting— as soon as the matter may be heard.
- 24 3. This stipulation resolves all factual and legal issues raised in this matter—for the purpose
25 of reaching a final disposition without the necessity of holding an administrative hearing to determine
26 the liability of Newsom pursuant to Section 83116.

