



## NOTICE AND AGENDA Commission Meeting<sup>1</sup>

California Fair Political Practices Commission  
1102 Q Street, Suite 3800  
Sacramento, CA 95811

Thursday, April 20, 2023  
10:00 A.M.

Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in that article. The section further states that the portion of the teleconferenced meeting that is required to be open to the public must be audible to the public at the location specified in the notice of the meeting. Members of the public may listen to the meeting by phone by calling (877) 411-9748; access code 723284; or watch the meeting via Webinar at [YouTube](#). To participate in real time, visit <http://mediasite.fppc.ca.gov/> or call (877) 411-9748; access code 723284.

Persons who, due to a disability, need assistance in order to participate in this meeting should, prior to the meeting, contact the Commission Assistant at (916) 322-5745 (voice), [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov) (e-mail) and [ADACoordinator@fppc.ca.gov](mailto:ADACoordinator@fppc.ca.gov). TTY/TDD and Speech-to-Speech users may dial 7-1-1 for the California Relay Service to submit comments on an agenda item or to request special accommodations for persons with disabilities.

The Commission may take action on any item listed on this agenda.

### Welcome

Richard C. Miadich, Chair

### Public Comment

- 1. Public Comment for Items not on Agenda.** During this comment period, any person is invited to speak on any topic that is not listed on this agenda. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on a future agenda. Those who wish to comment on an item that has been listed on this agenda may comment when that item has been opened for consideration by the Commission and before any action is taken.

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<sup>1</sup>You can obtain further information about the meeting by contacting the Commission Assistant, 1102 Q Street, Suite 3000, Sacramento, CA, 95811, Tel. (916) 322-5745. Written comments on agenda items should be submitted to the Commission no later than 12:00 p.m. the day before the meeting in order to afford the Commissioners adequate time to fully consider the comments. Email comment letters directly to [CommAsst@fppc.ca.gov](mailto:CommAsst@fppc.ca.gov). To participate in real time, visit <http://mediasite.fppc.ca.gov/>.

The agenda and related documents are posted on the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov). Materials submitted by the public regarding each agenda item will be made available on the website.

## Approval of Commission Minutes

### 2. Approval of March 2023 Commission Hearing Minutes.

## Consent Calendar 3

Items on the consent calendar will be taken up and voted on as a group. A Commissioner may request that an item be removed from consent, in which case it will be discussed separately in the meeting.

## Campaign Late Reporter

3. **In the Matter of Dave Jones for Attorney General 2018, Dave Jones, and James Santos; FPPC No. 21/641.** Staff: Alex Rose, Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Dave Jones was an unsuccessful candidate for Attorney General in the June 5, 2018 Primary Election. Dave Jones for Attorney General 2018 was Jones' candidate-controlled committee. James Santos served as the Committee's treasurer. The Committee, Jones, and Santos failed to timely report subvendor information for expenditures totaling \$958,652 on pre-election campaign statements for the reporting periods of January 1, 2018 to April 21, 2018 and April 22, 2018 to May 19, 2018, in violation of Government Code Sections 84211, subdivision (k), and 84303 (1 count). **Total Proposed Penalty: \$4,000.**

## General Items 4-10

4. **Enforcement Division Update.** Staff: Christopher B. Burton, Acting Chief of Enforcement. An overview of the following: complaint and referral processing; AdWatch program; proactive preelection referrals; statutes of limitations for Enforcement matters; and behested payment case resolutions.
5. **Prenotice Discussion of Amendments to Regulation 18361.1** Staff: John M. Feser Jr., Senior Counsel, Legal Division. The proposed amendments to Regulation 18361.1 would modify the administrative subpoena procedure by requiring Enforcement staff to wait 21-days after a voluntary request for records before issuing an administrative subpoena for those records. Staff presents the regulation for pre-notice discussion and direction and will be presented for adoption at a subsequent Commission meeting.

### Staff Memo

#### Proposed Amendments to Regulation 18361.1

6. **Prenotice Discussion of Disclose Act Regulations.** Staff: Erika M. Boyd, Senior Counsel. Proposed amended regulations implementing changes to the Disclose Act as the result of the passage of SB 1360 in 2022, as well as proposed clarifying amendments. Staff presents the regulations for pre-notice discussion and direction; they will be presented for adoption at a subsequent Commission meeting.

### Staff Memo

- Proposed Amendments to Regulation 18402
- Proposed Amendments to Regulation 18450.3
- Proposed Amendments to Regulation 18450.4
- Proposed Amendments to Regulation 18450.6
- Proposed Amendments to Regulation 18450.8
- Proposed Amendments to Regulation 18450.9

7. **Collections Procedures.** Staff: Galena West, Executive Director and Valerie Nuding, Commission Counsel. The Commission will receive a presentation on the agency's collections procedures.

- 8. Legislative Update.** Staff: Lindsey Nakano, Senior FPPC Legislative Counsel. The Commission will review and discuss potential sponsored and other legislation. The Commission will provide direction on future legislation to be sought by the agency.

**Legislative Update**

**9. Executive Staff Reports.**

Enforcement Division. Christopher Burton, Acting Chief.  
Audits and Assistance Division. Shrdha Shah, Chief.  
Legal Division. David Bainbridge, General Counsel.  
Administration and Technology Division. Loressa Hon, Chief.  
Executive Director Update. Galena West, Executive Director.

**Executive Staff Report**

**10. Commissioner Comments and Proposed Future Agenda Items.**

Note: Although any Commissioner may identify a topic of interest, the Commission may not substantially discuss or take action on any matter raised during the meeting that is not included on this agenda, except to decide to place the matter on the agenda of a future meeting. (Government Code Sections 11125 & 11125.7(a).)