



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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Fourth Quarter Update

Campaign Reporting and Advertising Disclosure

Regulations adopted by the Commission.

The following are regulatory changes approved by the Commission during the past quarter concerning campaign reporting or advertising disclosure. To receive updates for all regulations before the Commission, please sign up for our [mailing list here](#).

Amended

[18537.1](#). Carry Over of Contributions. Effective 01/10/2024.

Advice Letters

The following are advice letters issued by the Commission's Legal Division during the past quarter concerning questions about campaign reporting or advertising disclosure. To receive the monthly report with all advice letters issued, please sign up for our [mailing list here](#).

Campaign

Amber Maltbie

[I-24-105](#)

Regulation 18521.5 does not apply to candidate-controlled ballot measure committees in jurisdictions that have adopted their own contribution limits. However, the Act's provisions defining a contribution apply to such committees. Advertisements by a candidate-controlled ballot measure committee will generally qualify as a contribution to the candidate's campaign committee where the advertisement includes express advocacy or references the candidate's candidacy, campaign, or the candidate's (or their opponent's) qualifications for office. Such contributions would not only be reportable but would also violate the Act's "one bank account rule," which requires a candidate to make all campaign expenditures from a single campaign contribution account.

Section 84308

Shante Sylvester & Gary Winuk

[A-24-129](#)

County approval of a city's issuance of private activity tax-exempt bonds constitutes a decision involving an entitlement for use proceeding for purposes of Section 84308 because the issuance of such bonds involves a contract. The county's approval is also a new proceeding involving different parties than a previously approved bond issuance. Moreover, an official disqualified under Section 84308 may not take part in a related decision to delegate authority to another county official, and the "legally required participation" exception does not apply where an alternative source of decision-making exists consistent with the purposes and terms of the statute authorizing the decision.

Melissa Blaustein[A-24-138](#)

Councilmember is not disqualified from voting to approve a nonprofit's lease of city-owned property under Section 84308. Even though the councilmember accepted over \$250 in cumulative contributions from multiple members of the nonprofit's uncompensated board of directors, contributions by the non-compensated nonprofit officers are not aggregated under Section 82015.5, and non-compensated officers do not qualify as agents under Section 84308.

Sally Bemus[A-24-110](#)

Section 84308 does not apply to proceedings permanently closing portions of downtown business areas to car traffic because the proceeding does not involve a license, permit, or other entitlement for use. Based on the facts provided, the changes will affect a diverse set of stakeholders; were not applied for, nor were they formally or informally requested by a party; and do not involve a contract between the agency and a party.

Commission Opinions

None.

Enforcement Matters

The following are summaries of significant enforcement actions approved by the Commission in the past quarter involving violations of the Act's campaign reporting and advertising disclosure provisions. To receive a monthly report of all enforcement actions, please sign up for our [mailing list here](#).

Campaign Bank Account

[In the Matter of Long Pham for Assembly 2018, Long Pham, and Mary Pham; FPPC No. 18/569.](#) Staff: Marissa Corona, Senior Commission Counsel and Ann Flaherty, Special Investigator. Long Pham was an unsuccessful candidate for State Assembly District 72 in the June 5, 2018 Primary Election. Long Pham for Assembly 2018 was Long's candidate-controlled committee. Mary Pham served as treasurer. The Committee and Mary Pham violated the Act by failing to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5, 84200.8 and 84215 (1 count), a semi-annual campaign statement, in violation of Government Code Sections 84200 (1 count), one 24-Hour Report, in violation of Government Code Sections 84203 (1 count), failed to establish a designated campaign bank account, in violation of Government Code Section 85201, subdivisions (c)(d) and (e) (2 counts), and failed to maintain adequate records, in violation of Government Code Section 84104 (3 counts). **Fine: \$38,500**

[In the Matter of Steve Grasha for Mission Springs Water District 2018, Steve Grasha for Desert Water Agency 2022, and Steve Grasha; FPPC No. 18/1268.](#) Staff: Marissa Corona, Senior Commission Counsel and Ann Flaherty, Special Investigator. Steve Grasha was a successful candidate for Mission Springs Water District Board of Directors in the November 6, 2018 and November 8, 2022 General Elections. Steve Grasha for Mission Springs Water District

2018 (the “2018 Committee”) and Steve Grasha for Desert Water Agency 2022 (the “2022 Committee”) were Grasha’s candidate-controlled committee. The 2018 Committee and Grasha failed to timely file five 24-Hour Reports, in violation of Government Code Section 84203 (1 count); two pre-election campaign statements and two semi-annual campaign statements, in violation of Government Code Sections 84200.5, 84200.8, and 84200 (1 count). The 2018 Committee also failed to establish a designated campaign bank account, in violation of Government Code Section 85201 (1 count), and include the proper advertisement disclosure on mass emails, in violation of Government Code Section 84305, subdivision (c)(1) (1 count). The 2022 Committee and Grasha failed to timely file four 24-Hour Reports, in violation Government Code Section 84203 (1 count), two pre-election campaign statements and one semi-annual campaign statement, in violation of Government Code Sections 84200.5, 84200.8, and 84200. **Fine: \$20,000.**

Campaign Late Reporter

In the Matter of Elizabeth Ontiveros-Cole and Elizabeth Ontiveros-Cole for District 4 Councilmember 2024; FPPC No. 24/224. Staff: Jenna C. Rinehart, Senior Commission Counsel. Elizabeth Ontiveros-Cole was a successful incumbent candidate for Pomona City Council in the March 5, 2024 Primary Election. Elizabeth Ontiveros-Cole for District 4 Councilmember 2024 is Ontiveros-Cole’s candidate-controlled committee. The Committee and Ontiveros-Cole failed to timely disclose the name of the individual primarily responsible for approving two contributions received from LLCs, in violation of Government Code Section 84211 and Regulation 18421.10 (2 counts). Chief Discretion was used in this matter. **Fine: \$400 (Tier One).**

In the Matter of Fresno County Prosecutors Association PAC, David Devencenzi, Lisa Marie Urrizola-Cooper, Nathan Lambert, Kyle McPherson, and Alexander Guillermo Jr.; FPPC No. 23/459. Staff Chance Felkins, Commission Counsel. Fresno County Prosecutors Association PAC is a general purpose committee. David Devencenzi serves as the principal officer and Kyle McPherson served as the former principal officer. Lisa Urrizola-Cooper serves as the current treasurer and Aleander Guillermo Jr. and Nathan Lambert served as former treasurers. The Committee, Devencenzi, and Urrizola-Cooper failed to timely file a pre-election statement, in violation of Government Code Sections 84200.5 and 84211 (1 count). The Committee, McPherson, and Guillermo Jr. failed to timely file a pre-election statement, in violation of Government Code Sections 84200.5 and 84211 (1 count), three semi-annual statements, in violation in Government Code Sections 84200 and 84211 (3 counts), and eight 24-Hour Reports, in violation of Government Code Sections 84200.5 and 84211 (8 counts). The Committee and Lambert failed to timely file one 24-Hour Report, in violation of Government Code Sections 84200.5 and 84211 (1 count) and two semi-annual statements, in violation of Government Code Sections 84200 and 84211 (2 count). Certain violations are eligible for a Warning Letter and are included in the streamline stipulation as a \$0 penalty. Chief Discretion was used in this matter to include one count in Tier One. **Fine: \$2,177 (Tier One).**

In the Matter of Sandy Genis for Costa Mesa City Council 2016, Sandy Genis for Costa Mesa Mayor 2018, Sandy Genis for Costa Mesa Mayor 2020, and Sandy Genis; FPPC No. 18/1359.

Staff: Marissa Corona, Senior Commission Counsel. Sandy Genis was a successful candidate in the November 8, 2016 General Election, and an unsuccessful candidate in the November 6, 2018 and November 3, 2020 General Elections. Sandy Genis for Costa Mesa City Council 2016 (the “2016 Committee”), Sandy Genis for Costa Mesa Mayor 2018 (the “2018 Committee”), and Sandy Genis for Costa Mesa Mayor 2020 (the “2020 Committee”) were Genis’ candidate-controlled committees. The 2016 Committee and Genis failed to timely file two pre-election campaign statements, in violation of Government Code Section 84200.5 and 84200.8 (1 count), and eight semi-annual campaign statements in violation of Government Code Section 84200 (5 counts). The 2018 Committee and Genis failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 (1 count), and nine semi-annual campaign statements, in violation of Government Code Section 84200 (5 counts). The 2020 Committee and Genis failed to file an amended Statement of Organization, in violation of Government Code Section 84101 (1 count); failed to report contributor information, in violation of Government Code Section 84211 (1 count); failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 (1 count), and seven semi-annual campaign statements, in violation of Government Code Section 84200 (5 counts). **Fine: \$68,000.**

In the Matter of Rialto Professional Firefighters Local 3688 PAC, Dustin Fujiwara and Hector Ter-Veen; FPPC No. 19/985.

Staff: Marissa Corona, Senior Commission Counsel. Rialto Professional Firefighters Local 3688 PAC is a local general purpose committee. Dustin Fujiwara and Hector Ter-Veen served as the Committee’s treasurers. The Committee, Fujiwara, and Ter-Veen failed to timely file two semi-annual campaign statements, in violation of Government Code Section 84200 (2 counts) and two pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 (2 counts). The Committee, Fujiwara, and Ter-Veen also failed to timely report contributions on three semi-annual campaign statements and two pre-election statements and failed to timely report expenditures on one pre-election campaign statement, in violation of Government Code Section 84211 (6 counts). Certain violations are eligible for a Warning Letter and are included in the streamline stipulation as a \$0 penalty. **Fine: \$2,680 (Tiers One and Two).**

Campaign Late Filer

In the Matter of Dianne Giancarlo; FPPC No. 24/867. Staff: James M. Lindsay, Chief of Enforcement and Vanessa Greer, Political Reform Consultant. The respondent was represented by Emily Andrews of Olson Remcho LLP. Dianne Giancarlo, a state major donor committee for the calendar years 2019 through 2023, failed to timely file five semi-annual campaign statements, and two 24-Hour Reports, in violation of Government Code Sections 84200(b) and 84203 (7 counts). **Fine: \$1,400 (Tier One).**

In the Matter of Pilipino American Los Angeles Democrats and Jaime Geaga; 24/862. Staff: James M. Lindsay, Chief of Enforcement and Vanessa Greer, Political Reform Consultant. Pilipino American Los Angeles Democrats is a local general purpose committee. Jaime Geaga serves as the Committee’s treasurer. The Committee and Geaga failed to timely file a semi-

annual campaign statement and a 24-Hour Report, in violation of Government Code Sections 84200 and 84203 (2 counts). **Fine: \$662 (Tier One).**

[In the Matter of Karen Paz Dominguez, Karen Paz Dominguez for Auditor-Controller 2018, and Re-Elect Karen Paz Dominguez for Auditor Controller 2022; FPPC No. 19/1534.](#)

Staff: Cinthya Bernabé, Commission Counsel. Karen Paz Dominguez was a successful candidate for Auditor-Controller of Humboldt County in the June 5, 2018 election, and an unsuccessful candidate in the June 7, 2022 re-election. Karen Paz Dominguez for Auditor-Controller 2018 and Re-Elect Karen Paz Dominguez for Auditor-Controller 2022 were Dominguez's candidate-controlled committees. The Committee and Dominguez failed to timely file nine semi-annual campaign statements, in violation of Government Code Section 84200 (9 counts), two 24-Hour Reports, in violation of Government Code Section-84203 (1 count), and one pre-election campaign statement, in violation of Government Code Sections 84200.5 and 84200.8 and Regulation 18405 (1 count). **Fine: \$13,000.**

[In the Matter of Black Los Angeles Young Democrats and Bailey Swain; FPPC No. 20/508.](#)

Staff: Jonathan Rivera, Commission Counsel. Black Los Angeles Young Democrats is a local general purpose committee. Bailey Swain serves as the Committee's treasurer. The Committee and Swain failed to timely file a Statement of Organization, in violation of Government Code Section 84101 (1 count); eight semi-annual campaign statements, in violation of Government Code Section 84200 (8 counts); and one 24-Hour Report, in violation of Government Code Section 84203 (1 count). Certain violations are eligible for a Warning Letter are included in the streamline stipulation as a \$0 penalty. Chief discretion was used in this matter to include counts 1-6 in Tier One. **Fine: \$2,546 (Tier One).**

[In the Matter of Nadia Renner for Board of Supervisors 2022, Nadia Renner, and Yila Renner; FPPC No. 23/364.](#)

Staff: James M. Lindsay, Chief of Enforcement and Tara Stock, Intake Manager. Nadia Renner was an unsuccessful candidate for San Bernardino County Supervisor in the June 7, 2022 Primary Election. Nadia Renner for Board of Supervisors 2022 was Renner's candidate-controlled committee. Yila Renner served as the Committee's treasurer. The Committee, Nadia Renner, and Yila Renner failed to timely file a pre-election campaign statement, in violation of Government Code Section 84200.5 (1 count), and failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). **Fine: \$1,388 (Tiers One and Two).**

Advertisements

[In the Matter of Menlo Park Firefighters Legislative Action Group and Walter Vidosh; FPPC No. 20/931.](#)

Staff: Laura Columbel, Commission Counsel and Alethea Perez, Special Investigator. Menlo Park Firefighters Legislative Action Group is a general purpose committee. Walter Vidosh serves as current treasurer of the Committee. The Committee and Vidosh failed to timely file five 24-Hour Reports, in violation of Government Code Section 84203 (1 count) and 84204 (4 counts). Additionally, the Committee and Vidosh failed to include the "not authorized by" disclaimer on three mass mailings, in violation of Government Code Section 84506.5 (3 counts). **Fine: \$2,095 (Tier One).**

In the Matter of The People’s Referendum to Save Our Wildlife and Way of Life and Kate Marianchild; FPPC No. 21/1021. Staff: Marissa Corona, Senior Commission Counsel and Kaitlin Osborn, Special Investigator. The People’s Referendum to Save Our Wildlife and Way of Life is a primarily formed committee that supported qualifying a measure for the ballot that never qualified. Kate Marianchild served as treasurer. The Committee and Marianchild failed to include the proper advertisement disclosure on one mass mailing, in violation of Government Code Section 84505.2 (1 count), accepted a cash contribution of \$100 or more, in violation of Government Code Section 84300 (1 count), failed to timely report contributions one semi-annual campaign statement and one quarterly statement, in violation of Government Code Section 84211 (2 counts), failed to timely amend a Statement of Organization, in violation of Government Code Section 84103 (1 count) and failed to timely file a semi-annual campaign statement and one quarterly statement, in violation of Government Code Sections 84200 and 84202.3 (2 counts). Two of these counts are eligible for a warning letter and are included in the streamline stipulation as a \$0 penalty. **Fine: \$773 (Tier One and Two).**

In the Matter of Safe & Affordable San Francisco; Voters for a Real Change, Opposing Mark Leno for Mayor 2018; Tony Winnicker; Kim Lutz; Derek Jansen; Sonia Hidalgo; and Robb Birkhead; FPPC No. 18/341. Staff: Neal Bucknell, Senior Commission Counsel and Ann Flaherty, Special Investigator. Respondents are represented by Tom Willis of Olson Remcho LLP. In 2018, Safe & Affordable San Francisco (the SASF PAC) qualified as a city general purpose committee. Kim Lutz was the SASF PAC treasurer, and Derek Jansen was a principal officer of the SASF PAC. That same year, Voters for a Real Change, Opposing Mark Leno for Mayor 2018 (the VFRC PAC) qualified as a committee primarily formed to oppose Mark Leno for Mayor of San Francisco in the special mayoral election held June 5, 2018. Sonia Hidalgo was the VFRC PAC treasurer, and Robb Birkhead was a principal officer of the VFRC PAC. Tony Winnicker was an advisor/fundraiser for the SASF PAC and also an advisor to the VFRC PAC. In this matter, the SASF PAC, Lutz, and Jansen: failed to file required 24-Hour Reports with the San Francisco Ethics Commission (SF Ethics), in violation of Government Code Section 84203 (1 count); failed to timely file a Statement of Organization with SF Ethics, in violation of Government Code Section 84101, subdivision (a) (1 count); and failed to timely file a pre-election campaign statement with SF Ethics for the reporting period ending May 19, 2018, in violation of Government Code Section 84200.5, subdivision (e) (1 count). The VFRC PAC, Hidalgo, Winnicker, and Birkhead failed to timely file a Statement of Organization with SF Ethics, in violation of Government Code Section 84101, subdivision (a) (1 count). Additionally, Winnicker, the VFRC PAC, the SASF PAC, Birkhead, Lutz, and Jansen avoided required top contributor advertising disclosures, in violation of Government Code Section 84505, subdivision (a) (2 counts). **Fine: \$18,000.**

In the Matter of MH Voters for Public Health & Safety and Doug Chloupek; FPPC No. 21/363. Staff: Alex Rose, Senior Commission Counsel. Respondents are represented by James Anthony of Anthony Law Group. MH Voters for Public Health & Safety was a primarily formed ballot measure committee in support of a cannabis measure that never appeared in the November 3, 2020 General Election. Doug Chloupek was the Committee’s treasurer. The Committee and Chloupek failed to timely file two semi-annual campaign statements, in violation of Government Code Section 84200 (2 counts), a 24-Hour Report, in violation of Government Code Section 84204 (1 count); failed to include the proper advertisement disclosures on a mass mailing, in

violation of Government Code Section 84506.5 (1 count); and failed to timely report contributor's information for a \$20,000 contribution received during the reporting period ending on June 30, 2020, in violation of Government Code Section 84211 (1 count). Chief discretion was used in this matter to include count 4 in Tier One. **Fine: \$3,178 (Tiers One and Two).**

Behested Payment

In the Matter of Newsom for Governor 2018 and Gavin Newsom; FPPC Nos. 21/299 and 21/644. Staff: Marissa Corona, Senior Commission Counsel. Respondents were represented by Tom Willis of Olson Remcho LLP. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Gavin Newsom was a successful candidate for Governor of California in the November 6, 2018 General Election. Newsom for Governor 2018 was Newsom's candidate-controlled committee. The Committee and Newsom failed to timely report subvendor payments on a pre-election campaign statement, in violation of Government Code Sections 84303, and 84211, subdivision (k) (1 count). Between 2019 and 2024, Newsom failed to timely file behested payment reports from various payors, in violation of Government Code Section 84224 (7 counts). **Fine: \$13,000.**

Legislation

None.