

California Lobbyist and Firm Fined for Coalition Letter

January 2013

In December 2012, the California Fair Political Practices Commission (FPPC) fined lobbyist Lori Kammerer and her firm Kammerer and Company for violations of California law related to a letter sent to state legislators in 2011. Kammerer sent the letter on behalf of the Coalition of Small and Disabled Businesses, urging legislators to support an Executive Order preventing the California Prison Industry Authority (PIA) from providing its Food Enterprise program in areas where contracts had been granted to small and disabled veteran-owned businesses. Kammerer and her firm were listed on the letter as contacts.

Since the Coalition of Small and Disabled Businesses did not have 10 or more paying members at the time it began filing lobbying reports, it did not qualify as a coalition as defined under California law. The FPPC took the position that the letter was therefore a communication with elected officials in the name of a fictitious person, which is a violation of California law.

Although the FPPC could have imposed a fine of up to \$5,000, it imposed a fine of \$2,000 since Kammerer cooperated with the FPPC's inquiry, had not previously formed a coalition, and took corrective action after being contacted by the FPPC. However, the fact that the coalition had filed incorrectly for two years was an aggravating factor.

Authors

Caleb P. Burns

Partner

202.719.7451

cburns@wiley.law

Andrew G. Woodson

Partner

202.719.4638

awoodson@wiley.law