

Carlos A. Bristol, CD #42 (2009)

1. Accepting a corporate contribution \$100

Candidates are prohibited from accepting contributions from corporations. See Admin. Code § 3-703(1)(l), Board Rule 1-04(e). When a candidate has received a prohibited contribution, the candidate must promptly refund the contribution by bank check or certified check made out to the contributor. See Board Rule 1-04(c)(1).

On May 17, 2008, AC Processing, a corporation, contributed \$20 to the Campaign. The CFB notified the Campaign of the prohibited contribution on September 9, 2008, and the Campaign had a deadline of November 6, 2008 to promptly make a refund. On April 17, 2009, the Campaign refunded the contribution.

The Board assessed a penalty of \$100 for this violation.

2. Failing to provide bank statements \$250

Campaigns are required to provide bank records, including periodic bank statements. See Admin. Code §§ 3-703(1)(d), (g), and Board Rules 4-01(a), (f).

The Campaign did not submit certain bank statements.

The Board assessed a penalty of \$250 for this violation.

3. Failing to demonstrate spending was in furtherance of the campaign \$100

Campaigns may only spend campaign funds for items that further the candidate's election. Expenditures for purposes other than the candidate's election are considered "non-campaign related." The Act enumerates types of expenditures that are presumed to be campaign related and non-campaign related. See Admin. Code § 3-702(21). In determining whether an expenditure is in furtherance of a campaign, the Board considers, among other things, the timing of the expenditure, its purpose, and its cost. *Id.*; see also Advisory Opinion No. 2007-3 (March 7, 2007).

The Campaign failed to provide an explanation and documentation demonstrating that a \$76.20 expenditure to Verizon Wireless on August 31, 2009 was in furtherance of the Campaign.

The Board assessed a penalty of \$100 for this violation.

4. Failing to respond to the Draft Audit Report \$4,116

Candidates must timely furnish any information the Board requests relating to campaign expenditures and contributions, including a response to post-election audit notices. See Admin. Code §§ 3-703(1)(d), (g), 3-710(1); Board Rule 4-05(a).

CFB staff sent the Campaign the Draft Audit Report on May 12, 2011, with a due date of June 13, 2011. The Campaign requested several extensions but did not respond.

The Board assessed a penalty of \$4,116 for this violation.