



Summary of Final Board Determination

Justin Brannan

Candidate, EC2017, City Council District 43

Program participant: \$200,200 public funds received

Melissa Bertoncini, Treasurer of Friends of JB

The Board determined that the Campaign substantially complied with the Campaign Finance Act and Board rules and assessed violations and penalties as detailed below.

1. Failing to report transactions in daily pre-election disclosure statements \$250

All aggregate contributions and/or loans from a single source in excess of \$1,000, and all aggregate expenditures to a single vendor in excess of \$20,000, received or made within 14 days of an election, must be disclosed to the Board within 24 hours. See Admin. Code §§ 3-703(6), (12), 3-708(8); Board Rules 1-08(b), 1-09, 3-02(e).

The Campaign did not file the required daily disclosures to report two contributions totaling \$5,500. Additionally, the Campaign did not file the required daily disclosures to report five expenditures totaling \$75,981.98.

The Board assessed total penalties of \$250 for these violations.

2. Accepting over-the-limit doing business contributions \$437

Campaigns are prohibited from accepting contributions (monetary or in-kind) in excess of the applicable contribution limit. See Admin. Code §§ 3-702(8), 3-703(1)(f), (1-a), (1-b), (11); Board Rules 1-04(c)(1), (h), 1-07(c). In addition, campaigns may not accept contributions in excess of the “doing business” contribution limits from individuals or entities that have business dealings with the City. See Admin. Code §§ 3-702(8), (18), (20), 3-703 (1-a), (1-b); Board Rules 1-04(c)(1), (h).

The Campaign accepted and untimely refunded three over-the-limit Doing Business contributions.

The Board assessed total penalties of \$437 for these violations.

3. Making impermissible post-election expenditures \$153

After an election and before repaying leftover campaign funds to the Board, participants may spend campaign funds only to pay campaign-related expenses incurred in the preceding election and for “routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit.” See Admin. Code §§ 3-702(21)(a)(8), 3-703(1)(d), (g), (6), (11), 3-710(2)(c); Board Rules 1-03(a), 1-08(b), 5-03(e)(2).



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The Campaign made expenditures totaling \$613.78 that, based on their timing, are impermissible post-election expenditures.

The Board assessed total penalties of \$153 for these violations.

4. Exceeding the expenditure limit

\$1,116

Candidates who participate in the Campaign Finance Program may not spend in excess of the expenditure limits. See Admin. Code §§ 3-703(1)(i), (11), 3-706, 3-711(2)(a); Board Rules 1-08(c), (d), (l), 7-05(b).

The Campaign exceeded the general election expenditure limit by \$1,116.69.

The Board assessed total penalties of \$1,116 for these violations.