NOTICE OF PUBLIC MEETING
AND POSSIBLE EXECUTIVE SESSION OF THE
STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

Location: **Citizens Clean Elections Commission**

1110 W. Washington, Suite 250

Phoenix, Arizona 85007

Date: **Tuesday, October 7, 2025**

Time: **1:30 p. m.**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Commissioners of the Citizens Clean Elections Commission and the general public that the Citizens Clean Elections Commission will hold a regular meeting, which is open to the public on October 7, 2025. This meeting will be held at 1:30 p.m. **This meeting will be held virtually. The Zoom meeting room will be open by 1:15 p.m. at the latest**. Instructions on how the public may participate in this meeting are below. For additional information, please call (602) 364-3477 or contact Commission staff at ccec@azcleanelections.gov.

The meeting may be available for live streaming online at https://www.youtube.com/c/AZCCEC. You can also visit https://www.azcleanelections.gov/clean-elections-commission-meetings. Members of the Citizens Clean Elections Commission may attend in person, by telephone, video, or internet conferencing.

Join Zoom Meeting

https://us02web.zoom.us/j/81621047278

Meeting ID: 816 2104 7278

One tap mobile

+1-669-444-9171,,81621047278# US

Please note that members of the public that choose to use the Zoom video link must keep their microphone muted for the duration of the meeting. If a member of the public wishes to speak, they may use the Zoom raise hand feature and once called on, unmute themselves on Zoom once the meeting is open for public comment.

Members of the public may participate via Zoom by computer, tablet or telephone. A dial-in option is also available but you will not be able to use the Zoom raise hand feature, so the meeting administrator will assist phone attendees. Please keep yourself muted unless you are prompted to speak.

The Commission may allow time for public comment on any item on the agenda. Commission members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing Commission staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item listed on the agenda, pursuant to A.R.S. § 38-431.03 (A)(3). The Commission reserves the right at its discretion to address the agenda matters in an order different than outlined below.

Any person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission at (602) 364-3477. Requests should be made as early as possible to allow time to arrange accommodations.

The agenda for the meeting is as follows:

I. Call to Order.

II. Discussion and Possible Action on Hector Jaramillo, 2024 legislative candidate, Repayment Order issued March 2025 and Office of Administrative Hearings, Case No. 25-01-CCE.

III. Discussion and Possible Action on MUR 25-01 Hector Jaramillo, including Executive Director's recommendation on Reason to Believe that Violation(s) of the Clean Elections Act and Rules have occurred.

IV. Public Comment.

This is the time for consideration of comments and suggestions from the public. Action taken as a result of public comment will be limited to directing staff to study the matter or

rescheduling the matter for further consideration and decision at a later date or responding to criticism

V. Adjournment.

This agenda is subject to change up to 24 hours prior to the meeting. A copy of the agenda background material provided to the Commission (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission's office, 1110 W Washington St, #250, Phoenix, AZ 85007.

Dated this 6th day of October, 2025
Citizens Clean Elections Commission
Thomas M. Collins, Executive Director

Thomas M. Collins
Executive Director

State of Arizona
Citizens Clean Elections Commission

1110 W. Washington St. - Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

March 27, 2025

Via Overnight Mail and E-Mail

Hector Jaramillo
6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com
Phone: (623) 986-4192

Dear Mr. Jaramillo,

Attached is a repayment order signed by the Commission today.

You may "dispute[] the Commission's repayment determination, [by] request[ing] an administrative appeal of the determination in accordance with A.R.S. § 41-1092 et. seq." Ariz. Admin. Code § R2-20-704(D)(2). Please consult those legal provisions regarding your rights.

Sincerely

S/Thomas M. Collins
Executive Director

Enclosure

ITEM II

" FINAL "

Final 3-27

STATE OF ARIZONA

CITIZENS CLEAN ELECTIONS COMMISSION

In the Matter of: Hector Jaramillo, Respondent	**Repayment Order (RO25-01)**

Pursuant to ARS § 16-956(A)(7) (providing that the Commission shall "[e]nforce this article, ensure that money from the fund is placed in candidate campaign accounts or otherwise spent as specified in this article and not otherwise, monitor reports filed pursuant to this chapter and financial records of candidates as needed and ensure that money required by this article to be paid to the fund is deposited in the fund.") and Ariz. Admin. Code §§ R2-20-702, R2-20-703 and R2-20-704 (providing for the repayment of funds), the Citizens Clean Elections Commission (the "Commission"), hereby orders Hector Jaramillo ("Respondent"), a participating candidate for Legislature in 2024, to repay the amount of $31,760. This order is effective upon approval of the Commission and is based on the following legal and factual reasons:

A. Respondent applied for certification as a participating candidate on June 24, 2024. Exhibit 1.

B. Respondent provided sufficient qualifying contributions to meet the statutory requirements for clean elections funding on July 22, 2024. Exhibit 2.

C. Respondent reallocated a portion of clean elections funding to the primary election period pursuant to A.R.S. § 16-952. Exhibit 3. Consequently, Respondent received $31,760 in clean elections funding. *Id.*

D. Respondent ceased filing periodic campaign finance reports after his pre-primary report on July 23, 2024. Exhibit 4. Consequently, Respondent has never reported the acceptance of the clean elections funding nor any expenditure of those funds.

E. Respondent ignored efforts to contact him made by Clean Elections designated auditors and Clean Elections staff members. Exhibit 5. As a result of Respondent's actions, the Clean Elections auditors were "unable to review any of the expenses, contributions, or perform any other procedure as required for our testing of the [Respondent's] Clean Elections funding." *Id.*

F. Respondent has provided no evidence funds were used for direct campaign expenses to the auditors or staff.

G. Respondent bears the burden of showing that expenditures of clean elections funding are for direct campaign purposes. Ariz. Admin. Code §§ R2-20-702, R2-20-703.

H. Respondent agreed to these conditions in his application for certification. Exhibit 1.

I. Respondent has not met his burden because he has failed to provide ~~to~~ documentation, failed to provide required reports and failed to respond~~ent~~ to staff and auditor's requests for information.

J. Because Respondent has provided no evidence regarding his use of clean elections funding the Commission orders repayment of the entire amount on the following two independent grounds:

a. Use of funds not for direct campaign expenses. Respondent had the burden of proving expenditures were for direct campaign purposes. Respondent has failed to any evidence clean elections funds were used for direct campaign expenses. Therefore, the Commission concludes that the funds were not used for direct campaign expenses and determines that the full amount of $31,760 must be returned. Ariz. Admin. Code § R2-20-704(B)(2).

b. Expenditures were not documented in accordance with campaign finance reporting requirements. Respondent has not provided ~~no~~ documentation of expenditures

~~has been provided~~ and has not filed ~~no~~ campaign finance reports relating to the funds. Therefore, the Commission determines the full amount of $31,760 must be returned. Ariz. Admin. Code § R2-20-704(B)(3).

WHEREFORE, the Commission enters the following orders in addition to any other action regarding this matter:

1. The Commission has jurisdiction over Respondent pursuant to A.R.S. § 16-956(A)(7) and the Arizona Administrative Code, Title 2, Chapter 20.
2. The Commission orders Respondent to repay $31,760 immediately.
3. All payments shall be made from Respondent's personal funds by check or money order payable to the Citizens Clean Elections Fund and delivered to the Citizens Clean Elections Commission, 1110 W. Washington St. Ste. 250, Phoenix, AZ 85007.
4. Interest shall accrue and becomes immediately payable on any amount that remains unpaid thirty days after the date of this Order. Interest shall accrue at the statutory rate of prime plus one (1) percent (8.5%) pursuant to A.R.S. § 44-1201(A).
5. This Order constitutes a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and not compensation for actual pecuniary loss; and pursuant to 11 USC § 523 such obligations are not subject to discharge in bankruptcy.
6. In the event legal action is necessary to enforce collection hereunder, Respondent shall additionally pay all costs and expenses of collection, including without limitation, reasonable attorneys' fees ~~in an amount equal to thirty-five percent (35%) of monies recovered~~.
7. In the event that any paragraph or provision of this Order shall be ruled unenforceable, all other provisions hereof shall be unaffected thereby.
8. This Order does not prevent additional penalties against and repayments from Respondent.

9. If Respondent disputes the Commission's repayment determination, he may request an administrative appeal of the determination in accordance with A.R.S. § 41-1092, et. seq., Ariz. Admin. Code § R2-20-704(C)(2).

Dated this 27 day March 2025.

By: _____

Citizens Clean Elections Commission

Katie Hobbs
Governor

Thomas M. Collins
Executive Director

Mark S. Kimble
Chair

Steve M. Titla
Galen D. Paton
Christina Werther
Sam Crump
Commissioners

State of Arizona
Citizens Clean Elections Commission

1110 W. Washington St. - Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

Via E-Mail

October 2, 2025
Clean Elections Commissioners
1110 W. Washington St.
Suite 250
Phoenix, AZ 85007

Dear Commissioners:

I am writing to confirm a special meeting on October 7 at 1:30 p.m. remotely via a video conferencing platform**. I am copying Respondent Hector Jaramillo on this communication.**

At this meeting I will be making two recommendations, 1) to vacate the repayment order against Mr. Jaramillo entered on March 27, 2025 and 2) to make a reasonable to believe determination regarding Mr. Jaramillo's late filing.

First, with respect to 2024 legislative candidate Hector Jaramillo's repayment order I will be recommending that the order you entered on March 27, 2025 be vacated. The Repayment Order is attached for your review.

I am recommending this because based on the audit report you received in August as part of the conciliation draft, I do not believe that this repayment order is necessary at this time. At the time of the order Mr. Jaramillo had been unresponsive to efforts by the Staff and Auditors to reach him. My decision to seek a Repayment Order first was based on the clear duty the statute assigns the agency with respect to the Clean Elections Fund.

Mr. Jaramillo became responsive thereafter. He also filed an appeal from the order to the Office of Administrative Hearings. In view of the audit, I do not think it would be a good use of resources to keep the Repayment Order in place during an appeal of that Order while working the issues discussed below. We have a deadline of October 17, 2025 to report to the Administrative Law Judge.

Second, with respect to Mr. Jaramillo's late filing, I will be providing the Commission with a recommendation that you make a determination that there is reason to believe a violation may have occurred. In March, as noted above, I exercised my discretion in bringing the Repayment Order first because it addressed an immediate concern. As you know, I have been working to reach a conciliation in this matter. I do not have reason to believe that a conciliation will be resolved before October 17, so I will be asking the Commission to make a reason to believe determination with respect to the late filings on October 7.

Commissioners: If you have procedural questions regarding this course of action, I would recommend you contact your independent counsel Craig Morgan.

We will circulate the formal agenda on Monday October 6. It will have the appropriate information for joining the meeting. The meeting room online will open at 1:15 p.m.

The document recommending reason to believe will be available as soon as possible.

Sincerely,

Thomas M. Collins
Executive Director

cc: Hector Jaramillo
Paula Thomas
Craig Morgan

STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION
MUR 25-01
Hector Jaramillo
STATEMENT OF REASONS OF THE EXECUTIVE DIRECTOR

The Executive Director hereby provides the following Statement of Reasons why there may be reason to believe that a violation of the Citizens Clean Elections Act and Commission rules (collectively, the "Act") may have occurred.

Summary of Recommendation

Hector Jaramillo ("Respondent") chose to become a participating candidate for the 2024 election cycle. He qualified for funding by collecting qualifying contributions from registered voters and submitting them to the Secretary of State for review by the county recorder's office. The Clean Elections Fund provided $31,760 for his campaign. Because he did not file the campaign finance reports required by the Act and Rules in a timely manner and failed to respond to multiple efforts from Clean Elections staff and auditors to obtain evidence accounting for his use of funds until after the Commission entered a repayment order against him, there is reason to believe he violated multiple provisions of the Clean Elections Act and Rules.

I. Factual Background

Respondent applied for certification as a participating candidate on June 24, 2024. Respondent provided sufficient qualifying contributions to meet the statutory requirements for clean elections funding on July 22, 2024. Respondent reallocated

a portion of clean elections funding to the primary election period pursuant to A.R.S. § 16-952. Consequently, Respondent received $31,760 in clean elections funding for the primary. *Id.* Respondent did not advance\ to the general election.

Respondent ceased filing periodic campaign finance reports after filing a pre-primary report three days late on July 23, 2024.

The Executive Director issued a Complaint against Respondent on January 8, 2025 along with a copy of the audit report. See Complaint Attached. Respondent did not respond or acknowledge the Complaint. In March the Executive Director recommended that the Commission order repayment of the full funding amount. See Attached Repayment Order. On around the date of the Commission's hearing on the Repayment Order, Respondent first responded to Commission staff and began filing campaign finance reports.

II. Alleged Violations

A. Failure to file campaign finance reports.

Candidates are required to file campaign finance reports "that include all receipts and disbursements for their current campaign account." Ariz. Admin. Code R2-20-110(A). "In addition to any other penalties imposed by law, the civil penalty for a violation by . . . any candidate of any reporting requirement imposed by [Chapter 6 of Title 16] shall be [$210] per day for candidates for the legislature" up to a statutory maximum limit based on the amount of money not reported.

A.R.S. § 16-942(B). Table 1 indicates the status of Respondent's filings as of January 8, 2025.

Table 1 (January 8, 2025)

(Indicates Amended Reports Exist)

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Page 1 of 2

Report Due Date		Date Filed	Report Name	Repo
11/12/2024		2024 - General Recap Report		51 Day(s) Late
10/26/2024		2024 - Pre-General Election		68 Day(s) Late Fines Due $1475.00
10/15/2024		2024 - Post-Primary Election (Q3)		79 Day(s) Late Fines Due $1750.00
08/12/2024		2024 - Primary Recap Report		143 Day(s) Late
08/05/2024		2024 - Qualifying Period Recap Report		150 Day(s) Late
07/20/2024	07/23/2024	2024 - Pre-Primary Election	PDF (https://seethemoney.az.gov/PublicReports/2024/4B3EE06B-DC6C-467F-BA31-2E840807D480.pdf)	3 Day(s) Late Fines Due $30.00
07/15/2024	07/15/2024	2024 - Quarter 2	PDF (https://seethemoney.az.gov/PublicReports/2024/ACF1ECCF-64CC-4025-803E-79E93EF12E3F.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/FE8D9E67-7FDE-446E-A8FC-13CCBBA85637.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/5B369055-7D52-4B3C-8C5B-13739971F4EB.pdf) (https://Seethemoney.az.gov/Reporting/AmendedReports/?CommitteeReportId=284106)	On Time

Table 2 represents the state of filing as of the October 5, 2025.

Table 2 (October 5, 2025)

Reports Previously Filed

(Indicates Amended Reports Exist) Show 10 entries

CSV Print Column visibility

Page 1 of 2

Report Due Date	Date Filed	Report Name	Report Filings	Status
01/15/2025		2024 - Post-General Election (Q4)		263 Day(s) Late Fines Due $6350.00
11/12/2024		2024 - General Recap Report		327 Day(s) Late
10/26/2024		2024 - Pre-General Election		344 Day(s) Late Fines Due $8375.00
10/15/2024		2024 - Post-Primary Election (Q3)		355 Day(s) Late Fines Due $8650.00
08/12/2024	03/27/2025	2024 - Primary Recap Report	PDF	227 Day(s) Late
08/05/2024	03/27/2025	2024 - Qualifying Period Recap Report	PDF	234 Day(s) Late
07/20/2024	07/23/2024	2024 - Pre-Primary Election	PDF	3 Day(s) Late Fines Due $30.00
07/15/2024	07/15/2024	2024 - Quarter 2	PDF	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF	On Time

Showing 1 to 10 of 19 entries

Page 1 of 2

(: Note: The liability amounts indicated above are derived by the Secretary of State's Campaign Finance Reporting System based on the schedule established in A.R.S. § 16-927. The Clean Elections Act provides for an "additional penalty" beyond those otherwise imposed by law.).

Because Respondent failed to file timely reports, there is reason to believe that he has violated the Clean Elections Act and Rules.

B. Failure to provide records

The Clean Elections Act and Rules contain multiple provisions to prevent misuse of monies from the Clean Elections Fund. Most of these requirements reflect common-sense financial management practices that any campaign or small business project would follow.

In addition to the reporting requirements described above, candidates are required to maintain books and records. Ariz. Admin. Code R2-20-115(A)-(B). Audits are intended to ensure that these steps are taken. Additionally, reports and accounting requirements help verify that you have properly returned monies as required by A.R.S. § 16-953 (relating to return of monies).

As a check on the use of funds, Ariz. Admin. Code R2-20-104(C) requires candidates to provide records to the Commission and its auditors. See Exhibit 3 to the Attached Complaint (Respondent's agreement to abide by these terms) and Figure 1 (excerpt from signed agreement). Similarly Ariz. Admin. Code R2-20-403 requires candidates to cooperate with Commission auditors.

Figure 1

7. I am subject to all enforcement actions by the Commission as authorized by the Act and Commission rules.
8. I have the burden of proving that expenditures made by or on behalf of the candidate were for direct campaign purposes.
9. I will keep and furnish to the Commission all documentation relating to expenditures, receipts, funding, books, records (including bank records for all accounts), and supporting documentation and other information that the Commission may request in accordance with Commission rules.
10. I will permit an audit and examination of all receipts and expenditures including those made by the candidate, the candidate's authorized committee, or any agent or person authorized to make expenditures on behalf of the candidate or committee. The candidate and the candidate's authorized committee shall also provide any material required in connection with an audit, investigation, or examination conducted by the Commission. The candidate and authorized committee shall facilitate the audit and examination and shall pay any amounts required to be repaid

Because Respondent did not comply with requests for records or respond to auditors until after the repayment order issued, there is reason to believe a violation of R2-20-104 and R2-20-403 occurred.

Recommendation

If the Commission determines there is a reason to believe that a violation of a statute or rule over which the Commission has jurisdiction may have occurred, an investigation shall be conducted. Ariz. Admin. Code R2-20-209(A). If the Commission determines there is reason to believe, the Executive Director may, in the Executive Director's discretion, subpoena Respondent's records documenting disbursements, debts, or obligations to the present, and may authorize an audit.

Upon expiration of fourteen (14) days, if the Commission finds that the alleged violator remains out of compliance, the Commission shall make a public finding to that effect and issue an order assessing a civil penalty in accordance with A.R.S. § 16-942, unless the Commission publishes findings of fact and conclusions of law expressing good cause for reducing or excusing the penalty. A.R.S. § 16-957(B).

After fourteen (14) days and upon completion of the investigation, the Executive Director will recommend whether the Commission should find probable cause to believe that a violation of a statute or rule over which the Commission has jurisdiction has occurred. Ariz. Admin. Code R2-20-214(A). Upon a finding of probable cause that the alleged violator remains out of compliance, by an

affirmative vote of at least three (3) of its members, the Commission may issue an order and assess civil penalties pursuant to A.R.S. § 16-957(B). Ariz. Admin. Code R2-20-217.

Dated this 5th day of October 2025

S/Thomas M. Collins
Thomas M. Collins, Executive Director

Complaint

Thomas M. Collins
Executive Director

State of Arizona
Citizens Clean Elections Commission
1110 W. Washington St. - Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

NOTICE OF COMPLAINT AND PRELIMINARY AUDIT REPORT AND RESPONSE OPPORTUNITY
Via Overnight Delivery and E-mail

January 8, 2025

Hector Jaramillo
6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com
Phone: (623) 986-4192

RE: CEC MUR 25-01

Dear Mr. Jaramillo,

This letter represents notice of a complaint against you by the Executive Director of the Arizona Citizens Clean Elections Commission and well as to provide you a copy of a preliminary audit report. You have an opportunity to respond to both as discussed below.

According the Arizona Campaign Finance Reporting System, you stopped filing periodic reports beginning with your qualifying period recap report. *See* Exhibit 1. Additionally, you have refused to participate in required auditing under the Citizens Clean Elections Act and Rules, as reflected in the attached report. *See* Exhibit 2.

The Clean Elections Act and Rules require participating candidates to file periodic reports of their campaign financial activities, conduct all activities through a single campaign account, ensure that funds are expended in accordance with the Act and Rules, and permit an audit to confirm compliance with those requirements.

Your failure to file campaign finance reports and failure to respond to a required audit logically support the conclusion you have acted knowingly in failing to meet these obligations. Indeed, the available records indicate your campaign ceased to provide any required financial information despite its legal obligations and the application for certification that you signed and filed. *See* Exhibit 3.

Campaign finance reports and audits are the primary mechanism by which Clean Elections ensures that you are abiding by the terms of the Act to which you have agreed.

The absence of proper reporting and ignoring the audit raises concerns that other important restrictions you agreed to as a participating candidate may not have been abided by.

Consequently, you and your campaign may be in violation of A.R.S. §§ 16-941(A)(1) (limiting contributions), -941(A)(2) (limiting personal expenditures), -941(A)(3)(primary spending limit), -941(A)(4) (general spending limit), -941(A)(5)(campaign accounts and return of monies) and -948 (campaign accounts).

Failure to file reports can lead to penalties under A.R.S. § 16-942 (including daily penalties of $210 per day for violations for failure to follow reporting requirements).

Additionally, reports help verify that you have properly returned monies as required by A.R.S. § 16-953 (relating to return of monies). The absence of the reports supports an inquiry into what monies ought to have been returned.

Absent reports, we also consider that you may have violated Ariz. Admin. Code R2-20-110 (participating candidates reporting requirements) and Ariz. Admin. Code R2-20-115(books and recordkeeping requirements) and have failed to establish that you have fulfilled your obligation to show compliance with Ariz. Admin. Code R2-20-702 (use of funds), Ariz. Admin. Code R2-20-702.01(use of assets), Ariz. Admin. Code R2-20-703(documentation of expenditures), Ariz. Admin. Code R2-20-703.01(consultants). Again, in each of these instances, absent reports and compliance with the audit requirements, we must consider these possible violations.

This is a serious matter. Violations of the above requirements can trigger penalties under A.R.S. §§ 16-942, -943, and -957, as well as Ariz. Admin. Code R2-20-222. Candidates can also be subjected to repayment under Ariz. Admin. Code R2-20-704. Additionally, "if the candidate fails to provide adequate office space, personnel or records, the Commission may seek judicial intervention to enforce the request or assess other penalties." Ariz. Admin. Code R2-20-403(C).

The Commission's rules provide that you "be afforded an opportunity to demonstrate that no action should be taken on the basis of a complaint by submitting, *within five days from receipt of a written copy of the complaint*, a letter or memorandum setting forth reasons why the Commission should take no action." Ariz. Admin. Code R2-20-205(A). Please respond to this notice and complaint by the close of business on January 16, 2025.

Additionally, if you have any response to the enclosed audit report you have 10 days to provide that response. Ariz. Admin. Code.R2-20-404(B).

Your response must be notarized, or the Commission will not consider it. Ariz. Admin. Code R2-20-205(C). Failure to respond to this complaint within five days may be viewed as an admission to the allegations. *Id.*

The rule states that we are to provide you with an advisement of Commission compliance procedures. Those procedures are set forth in Article 2 of the Commission's Rules (Arizona Administrative Code Sections R2-20-201 to R2-20-228). *See* Exhibit 4.

This matter is in the initial stages of review. A finding will be made only after the Commission has fully reviewed this matter. Please contact me if you have any questions at (602) 364-3477 or by e-mail at thomas.collins@azcleanelections.gov .

Sincerely,

S/Thomas M. Collins

Executive Director
Citizens Clean Elections Commission

Enclosures

Complaint

Hector Jaramillo For State Representative - District 24

Transactions

Demographic Information

Filer Name:

Hector Jaramillo for State Representative - District 24

Status:

Active

Filer ID:

101580

Filer Type:

Candidate (participating in Clean Elections)

Registration Date:

02/04/2024

Last Amended Date:

02/04/2024

County:

Last Reported:

Mailing Address:

6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com
Phone: (623) 986-4192

Filer Address:

6926 N 74th Ave
Glendale AZ 85303

Chairman:

Serna, Ricardo

Treasurer:

Abeytia, Anna

Candidate:

Jaramillo, Hector
Email: treasury4azhec@gmail.com
Phone: (623) 986-4192

Designee:

Office Sought:

State Representative - District 24

Party Affiliation:

Reports Previously Filed

(Indicates Amended Reports Exist)

CSV | Print | Column visibility

Report Due Date		Date Filed	Report Name	Repo
11/12/2024		2024 - General Recap Report		51 Day(s) Late
10/26/2024		2024 - Pre-General Election		68 Day(s) Late Fines Due $1475.00
10/15/2024		2024 - Post-Primary Election (Q3)		79 Day(s) Late Fines Due $1750.00
08/12/2024		2024 - Primary Recap Report		143 Day(s) Late
08/05/2024		2024 - Qualifying Period Recap Report		150 Day(s) Late
07/20/2024	07/23/2024	2024 - Pre-Primary Election	PDF (https://seethemoney.az.gov/PublicReports/2024/4B3EE06B-DC6C-467F-BA31-2E840807D480.pdf)	3 Day(s) Late Fines Due $30.00
07/15/2024	07/15/2024	2024 - Quarter 2	PDF (https://seethemoney.az.gov/PublicReports/2024/ACF1ECCF-64CC-4025-803E-79E93EF12E3F.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/FE8D9E67-7FDE-446E-A8FC-13CCBBA85637.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/5B369055-7D52-4B3C-8C5B-13739971F4EB.pdf) (https://Seethemoney.az.gov/Reporting/AmendedReports/?CommitteeReportId=284106)	On Time
06/21/2024	06/21/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/F3C9EF3E-A63B-455D-B470-26A4C65D074B.pdf) (https://Seethemoney.az.gov/Reporting/AmendedReports/?CommitteeReportId=284105)	On Time

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Paid for by the Arizona Secretary of tate's Office and with Voter Approved Funding from the Clean Elections Fund

ADRIAN FONTES
SECRETARY OF STATE
STATE OF ARIZONA

;

Complaint

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

Hector Jaramillo
Participating Candidate for
State Representative - District 24
Primary Election 2024

Complaint

FESTER & CHAPMAN PLLC
CERTIFIED PUBLIC ACCOUNTANTS

Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Hector Jaramillo's (the Candidate)'s 2024 Qualifying Period Recap (QPR) Report which covers the period from August 1, 2023 through July 30, 2024 (the reporting period) was prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are presented on the subsequent pages.

We were engaged by the Commission to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Hector Jaramillo. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Commission and the Candidate and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

December 9, 2024

Address • 9019 East Bahia Drive Suite 100 • Scottsdale, AZ 85260 | **Phone** • (602) 264-3077 | **Fax** • (602) 265-6241

Summary of Procedures and Findings

1. Preliminary Procedures

a) Contractor will obtain a copy of the candidate's campaign finance report for the reporting period.

Finding
We reached out to Hector Jaramillo (the Candidate) via email on August 7, 2024, and again on August 21, 2024; neither of which received a response. On September 18, 2024, we called the number listed on the Candidate's campaign finance report and left a message, again not receiving any type of response. We called again on October 2, 2024 and spoke to someone, who did not identify themselves. We introduced ourselves and said that we were calling about the Clean Elections audit, but the individual said they were in a meeting and would call back soon. We never received a call back. On October 22, 2024, Mike Becker with Arizona Citizens Clean Elections Commission reached out to the Candidate's Treasurer. The Candidate's Treasurer spoke with Mike and said that the Candidate would meet with the campaign manager that night and the provide us with the information that was requested. That was the last time we heard from anyone associated with the Candidate. It should also be noted that the Candidate never filed their Qualifying Period Recap Report with the Arizona Secretary of State and as such, does not show up on the See The Money website (https://seethemoney.az.gov/). Therefore, we are unable to review any of the expenses, contributions, or perform any other procedure as required for our testing of the Candidate's Clean Elections funding.

b). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding
We attempted to contact the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed as described in step 1.a)., but we were unable to communicate with the Candidate.

2. Fieldwork Procedures

a) Contractor will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 2024 Qualifying Period Recap Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding
Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate through a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

b) The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding
See comment in a) above.

c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(i) Review bank statements one month prior to the election date (beginning on the first of the month), the month including the election day, and one month after the election day (ending on the last of the month) in the reporting period and perform the following:

- Select five (5) samples of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

  Finding
  We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- Perform a proof of receipts and disbursements for the reporting period, which is defined as reporting the ending balances of the July 2024 bank statement and the 2024 Qualifying Period Recap Report.

  Finding
  We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

d) Using the dates and limits defined in the Arizona Citizens Clean Elections Guide, review the receipts reported in the candidate's campaign finance reports to determine the following:

(i) The candidate accepted contributions only from individuals.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(ii) None of the contributions received from individuals exceed the early contribution limit.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(iii) Check compliance with the maximum early contribution limits.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(iv) Check compliance with the maximum personal contribution limits.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

e) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) contributions reported in the candidate's campaign finance report (not including the $5 qualifying contributions) and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than $100, which reflects the contributor's address, occupation and employer.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

f) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) of cash expenditures reported in the candidate's campaign finance report and perform the following:

(i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- Agree the amount of the expenditure to the campaign account bank statement.

  Finding
  We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

  Finding
  We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

g) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of $1,800.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

(i) If applicable, for both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) candidate's petty cash fund expenditures and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the $210 limit on petty cash expenditures.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

h) Determine if the candidate/campaign incurred any debt. If so, report all debt.

Finding
We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

i) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding
We reported our findings to the Candidate and the Candidate did not provide responses to our findings.

Complaint

FILED
JUN 24 2024
ARIZONA SECRETARY OF STATE

0000562081

☐ Initial Application
☐ Amended Application

STATE OF ARIZONA
APPLICATION FOR CERTIFICATION AS A PARTICIPATING CANDIDATE

Pursuant to Arizona Revised Statutes §§16-947 and 948 and AAC R2-20-104 (D)

COMMITTEE ID NUMBER 101580				
NAME OF CANDIDATE HECTOR JARAMILLO			DATE 06/21/2024	
OFFICE SOUGHT STATE REPRESENTATIVE - DISTRICT 24	PARTY AFFILIATION	ELECTION CYCLE 2024		
CANDIDATE'S ADDRESS 6926 N 74TH AVE		CITY GLENDALE	STATE AZ	ZIP 85303
CANDIDATE'S TELEPHONE # (623) 986-4192	CANDIDATE'S FAX #	CANDIDATE'S EMAIL ADDRESS TREASURY4AZHEC@GMAIL.COM		
NAME OF POLITICAL COMMITTEE HECTOR JARAMILLO FOR STATE REPRESENTATIVE - DISTRICT 24				
COMMITTEE ADDRESS 6926 N 74TH AVE		CITY GLENDALE	STATE AZ	ZIP 85303
COMMITTEE MAILING ADDRESS (if different from above) 6926 N 74TH AVE		CITY GLENDALE	STATE AZ	ZIP 85303
COMMITTEE TELEPHONE # (623) 986-4192	COMMITTEE FAX #	COMMITTEE EMAIL ADDRESS HEC4AZ@GMAIL.COM		
~~NAME OF DESIGNATED INDIVIDUAL WITH AUTHORITY TO WITHDRAW FUNDS (IF APPLICABLE) (A.R.S. §16-948)~~				
~~DESIGNATED INDIVIDUAL'S ADDRESS~~		CITY	STATE	ZIP
~~DESIGNATED INDIVIDUAL'S TELEPHONE #~~	~~DESIGNATED INDIVIDUAL'S FAX #~~	DESIGNATED INDIVIDUAL'S EMAIL		
LIST THE NAME OF THE FINANCIAL INSTITUTION FROM WHICH THE CANDIDATE AND THE DESIGNATED INDIVIDUAL WILL CONDUCT ALL FINANCIAL ACTIVITY FOR THE CANDIDATE'S CAMPAIGN COMMITTEE (Do not list account numbers). (A.R.S. §16-948(A))				
NAME OF FINANCIAL INSTITUTION MARISOL				

DESIGNATED CANDIDATE'S STATEMENT (if applicable) **(A.R.S. §16-948(B)): I hereby designate_____ as my duly authorized Designated Individual, with the authority to withdraw funds and make expenditures from my campaign account on my behalf.**

Candidate's Signature

Date 6/24/24

Office Revision 9/07

Complaint

Committee ID:	101580
Date:	06/21/2024
Form ID:	0000562081

Application for Certification – Part II

CANDIDATE AND DESIGNATED INDIVIDUAL'S STATEMENT (*A.R.S. §16-947*):
I, the undersigned, upon my oath and under penalty of perjury, certify that the following statements are true and accurate to the best of my knowledge and belief:

1. I have complied with the restrictions of A.R.S. §16-941 (A) during the election cycle to date, which are as following:
   a) Not accepted contributions other than early contributions as specified in A.R.S. §16-945;
   b) Not made expenditures that exceed the candidate's personal money limit; and
   c) Conducted all financial activity through a single campaign account.
2. I will continue to comply with the restrictions in paragraph 1 during the remainder of the election cycle and will:
   a) Not make expenditures in the primary election period in excess of the adjusted primary election spending limit;
   b) Not make expenditures in the general election period in excess of the adjusted general election spending limit; and
   c) Return unused monies to the fund in accordance with A.R.S. § 16-953.
3. I have filed all campaign finance reports required under Title16, Chapter 6, Article I, during the election cycle to date, and the reports are complete and accurate.
4. I agree to use all Clean Election funding for direct campaign purposes only.
5. I will file, with this application, a campaign finance report showing all campaign activity to date in the current election cycle.
6. I will comply with all requirements of the Act and Commission rules.
7. I am subject to all enforcement actions by the Commission as authorized by the Act and Commission rules.
8. I have the burden of proving that expenditures made by or on behalf of the candidate were for direct campaign purposes.
9. I will keep and furnish to the Commission all documentation relating to expenditures, receipts, funding, books, records (including bank records for all accounts), and supporting documentation and other information that the Commission may request in accordance with Commission rules.
10. I will permit an audit and examination of all receipts and expenditures including those made by the candidate, the candidate's authorized committee, or any agent or person authorized to make expenditures on behalf of the candidate or committee. The candidate and the candidate's authorized committee shall also provide any material required in connection with an audit, investigation, or examination conducted by the Commission. The candidate and authorized committee shall facilitate the audit and examination and shall pay any amounts required to be repaid.
11. I will submit the name and mailing address of the person who is entitled to receive equalizing fund payments on behalf of the candidate and the name and address of the campaign depository designated by the candidate. Changes in the information required by this paragraph shall not be effective until submitted to the Commission in a letter signed by the candidate or the committee treasurer.
12. I will pay any civil penalties included in a conciliation agreement or otherwise imposed against the candidate.
13. I will file all campaign finance reports with the Secretary of State in an electronic format in a timely manner.

State of Arizona)
County of Maricopa)) ss.

Candidate's Signature

SUBSCRIBED AND SWORN TO before me this 24th day
of June 20 24.

Notary Public

State of Arizona)
County of_____)) ss.

Designated Individual's Signature

SUBSCRIBED AND SWORN TO before me this_____day
of_____20_____.

Notary Public

MARYN R. HERBERG
Notary Public - State of Arizona
MARICOPA COUNTY
Commission # 649487
Expires July 2, 2027

Repayment Order

" FINAL "

Final 3-27

STATE OF ARIZONA

CITIZENS CLEAN ELECTIONS COMMISSION

In the Matter of: Hector Jaramillo, Respondent	**Repayment Order (RO25-01)**

Pursuant to ARS § 16-956(A)(7) (providing that the Commission shall "[e]nforce this article, ensure that money from the fund is placed in candidate campaign accounts or otherwise spent as specified in this article and not otherwise, monitor reports filed pursuant to this chapter and financial records of candidates as needed and ensure that money required by this article to be paid to the fund is deposited in the fund.") and Ariz. Admin. Code §§ R2-20-702, R2-20-703 and R2-20-704 (providing for the repayment of funds), the Citizens Clean Elections Commission (the "Commission"), hereby orders Hector Jaramillo ("Respondent"), a participating candidate for Legislature in 2024, to repay the amount of $31,760. This order is effective upon approval of the Commission and is based on the following legal and factual reasons:

A. Respondent applied for certification as a participating candidate on June 24, 2024. Exhibit 1.

B. Respondent provided sufficient qualifying contributions to meet the statutory requirements for clean elections funding on July 22, 2024. Exhibit 2.

C. Respondent reallocated a portion of clean elections funding to the primary election period pursuant to A.R.S. § 16-952. Exhibit 3. Consequently, Respondent received $31,760 in clean elections funding. *Id.*

D. Respondent ceased filing periodic campaign finance reports after his pre-primary report on July 23, 2024. Exhibit 4. Consequently, Respondent has never reported the acceptance of the clean elections funding nor any expenditure of those funds.

E. Respondent ignored efforts to contact him made by Clean Elections designated auditors and Clean Elections staff members. Exhibit 5. As a result of Respondent's actions, the Clean Elections auditors were "unable to review any of the expenses, contributions, or perform any other procedure as required for our testing of the [Respondent's] Clean Elections funding." *Id.*

F. Respondent has provided no evidence funds were used for direct campaign expenses to the auditors or staff.

G. Respondent bears the burden of showing that expenditures of clean elections funding are for direct campaign purposes. Ariz. Admin. Code §§ R2-20-702, R2-20-703.

H. Respondent agreed to these conditions in his application for certification. Exhibit 1.

I. Respondent has not met his burden because he has failed to provide ~~to~~ documentation, failed to provide required reports and failed to respond~~ent~~ to staff and auditor's requests for information.

J. Because Respondent has provided no evidence regarding his use of clean elections funding the Commission orders repayment of the entire amount on the following two independent grounds:

a. Use of funds not for direct campaign expenses. Respondent had the burden of proving expenditures were for direct campaign purposes. Respondent has failed to any evidence clean elections funds were used for direct campaign expenses. Therefore, the Commission concludes that the funds were not used for direct campaign expenses and determines that the full amount of $31,760 must be returned. Ariz. Admin. Code § R2-20-704(B)(2).

b. Expenditures were not documented in accordance with campaign finance reporting requirements. Respondent has not provided ~~no~~ documentation of expenditures

~~has been provided~~ and has not filed ~~no~~ campaign finance reports relating to the funds. Therefore, the Commission determines the full amount of $31,760 must be returned. Ariz. Admin. Code § R2-20-704(B)(3).

WHEREFORE, the Commission enters the following orders in addition to any other action regarding this matter:

1. The Commission has jurisdiction over Respondent pursuant to A.R.S. § 16-956(A)(7) and the Arizona Administrative Code, Title 2, Chapter 20.
2. The Commission orders Respondent to repay $31,760 immediately.
3. All payments shall be made from Respondent's personal funds by check or money order payable to the Citizens Clean Elections Fund and delivered to the Citizens Clean Elections Commission, 1110 W. Washington St. Ste. 250, Phoenix, AZ 85007.
4. Interest shall accrue and becomes immediately payable on any amount that remains unpaid thirty days after the date of this Order. Interest shall accrue at the statutory rate of prime plus one (1) percent (8.5%) pursuant to A.R.S. § 44-1201(A).
5. This Order constitutes a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and not compensation for actual pecuniary loss; and pursuant to 11 USC § 523 such obligations are not subject to discharge in bankruptcy.
6. In the event legal action is necessary to enforce collection hereunder, Respondent shall additionally pay all costs and expenses of collection, including without limitation, reasonable attorneys' fees ~~in an amount equal to thirty-five percent (35%) of monies recovered~~.
7. In the event that any paragraph or provision of this Order shall be ruled unenforceable, all other provisions hereof shall be unaffected thereby.
8. This Order does not prevent additional penalties against and repayments from Respondent.

9. If Respondent disputes the Commission's repayment determination, he may request an administrative appeal of the determination in accordance with A.R.S. § 41-1092, et. seq., Ariz. Admin. Code § R2-20-704(C)(2).

Dated this 27 day March 2025.

By: _____

Citizens Clean Elections Commission