FAIR POLITICAL PRACTICES COMMISSION
428 J Street • Suite 620 • Sacramento, CA 95814-2329
(916) 322-5660 • Fax (916) 322-0886

November 5, 2010

Mr. Glenn Backes
Redacted

Warning Letter Re: FPPC No. 10/854 Glenn Backes

Dear Mr. Backes:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act"),[1] found in Government Code section 81000, et seq. This letter is in response to a referral from the California Secretary of State alleging you violated the Act's lobbying reporting provisions by failing to timely a file required report.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you violated the Act by failing to timely file your Form 615 for the time period covering January 1, 2009 through March 31, 2009.

Section 86113 of the Act provides that lobbyists must file periodic reports. Section 82039 of the Act defines a lobbyist as "any individual who receives two thousand dollars ($2,000) or more in economic consideration in a calendar month, other than reimbursement for reasonable travel expenses, or whose principal duties as an employee are, to communicate directly or through his or her agents with any elective state official, agency official, or legislative official for the purpose of influencing legislative or administrative action."

You were required to file your Form 615 by April 30, 2009. However, you filed on October 13, 2010. You do not have a history of violating the Act. Therefore, we are closing this case without further action.

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[1] The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to $5,000 for each violation.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

If you have further questions regarding this matter, please contact Jennifer Reimer at 916-322-8222.

Sincerely,

Redacted

Gary S. Winuk, Chief
Enforcement Division

cc: Gloria Gilmore
Political Reform Division
California Secretary of State

GSW/jr