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

September 20, 2011

San Benito County Republican Central Committee

REDACTED

Mr. Marvin Jones
Chairman, San Benito County Republican Central Committee

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Re: **Warning Letter**
Re: FPPC No. 10/0091; San Benito County Republican Central Committee, and Marvin Jones

Dear Mr. Jones:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),[1] found in Government Code section 81000, et seq. This letter is in response to a non-filer referral by the County of Los Angeles Registrar-Recorder/County Clerk that alleged the San Benito County Republican Central Committee ("SBCRCC") failed to file a semi-annual campaign disclosure statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that the SBCRCC filed the semi-annual statement for the period covering July 1, 2008 through December 31, 2008 with the Secretary of State on July 31, 2009, but failed to file a copy of the semi-annual campaign statement for the period covering July 1, 2008 through December 31, 2008 with the County of Los Angeles Registrar-Recorder/County Clerk ("County"). As a county central committee, the SBCRCC had an obligation to file the 2008 semi-annual campaign statement with the County, in addition to filing with the Secretary of State. (Section 84215.)[2]

Your actions violated the Act because you failed to timely file the semi-annual campaign statement noted above with the proper filing officer/official.

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[1] The Political Reform Act is contained in Government Code sections 81000 through 92014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 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.

[2] Section 84215 was amended in 2011 to specify state committees, including county central committees, only file with the Secretary of State's office.

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. We are closing this matter with a warning letter because you filed the original with the filing officer, the Secretary of State and a copy has since been forwarded to the County.

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.

You are obligated to continue filing campaign statements until you officially terminate your committee. If your committee is no longer active, you may want to terminate your committee at this time as well. Failure to do so is a violation of the Act. Please be advised that after every filing deadline, your local filing officer refers non-filers to the Enforcement Division. Any future failure to file your campaign statements will automatically be brought to our attention.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer/official. (Gov. Code § 91013.)

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at (916) 327-2018 with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk
Chief, Enforcement Division

GSW/tr

Cc: County of Los Angeles Registrar Recorder/County Clerk