



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

January 12, 2023

Greg Martinez

Greg Martinez for City Treasurer 2017



Warning Letter Re: FPPC No. 2019-01298; Greg Martinez for City Treasurer 2017, Greg Martinez

Dear Greg Martinez:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the "Act").¹ As you are aware, the Enforcement Division received a referral from the Secretary of State regarding your failure to pay annual fees and penalties since 2018.

The Enforcement Division has completed its review of the facts in this case. In addition, we found that you failed to timely file the semi-annual campaign statement for the reporting period of July 1, 2017 through December 31, 2017, by the January 31, 2018 due date; January 1, 2018 through June 30, 2018, by the July 31, 2018 due date; July 1, 2018 through December 31, 2018, by the January 31, 2019 due date; January 1, 2019 through June 30, 2019, by the July 31, 2019 due date; July 1, 2019 through December 31, 2019, by the January 31, 2020 due date; January 1, 2020 through June 30, 2020, by the July 31, 2020 due date; July 1, 2020 through December 31, 2020, by the January 31, 2021 due date; January 1, 2021 through June 30, 2021, by the July 31, 2021 due date; July 1, 2021 through December 31, 2021, by the January 31, 2022 due date; and January 1, 2022 through June 30, 2022, by the July 31, 2022 due date.

The Act requires committees to file semi-annual campaign statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.² The obligation to file semi-annual campaign statements continues until the candidate or treasurer terminates the committee. Controlling candidates and committee treasurers are jointly and severally liable for violations by the committee.³ Additionally, the Act requires

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Section 84200.

³ Sections 83116.5 and 91006.

candidate-controlled committees to file 24-Hour Contribution Reports if the committee receives a contribution(s) totaling \$1,000 or more from a single source during the 90 days preceding the applicable election or on the date of the election.⁴ A loan is considered a “contribution” under the Act.⁵

Your actions violated the Act because you failed to timely file the semi-annual campaign statements by the due dates of January 31, 2018; July 31, 2018, January 31, 2019; July 31, 2019; January 31, 2020; July 31, 2020; January 31, 2021; July 31, 2021; January 31, 2022; and July 31, 2022. Your actions also violated the Act because you failed to timely file a 24-Hour Contribution Report for a loan totaling \$1,000 or more. However, the Enforcement Division has decided to close this case with this warning letter rather than a fine because you raised and spent a low amount regarding the March 7, 2017 election, the loan was from the candidate, your last campaign statement had an ending cash balance of \$1,003.78, you paid all outstanding annual fees and penalties to the Secretary of State, the committee has been terminated, have no history of violating this section of the Act, and you lost reelection. Please note that while the Enforcement Division is closing this matter without a fine, your filing officer may assess late filing penalties.

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 Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. 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 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 Enforcement Division 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 Commission’s website ten (10) days from the date of this letter.

Please feel free to contact Vanessa Greer at vgreer@fppc.ca.gov or 916-322-2043 with any questions you may have regarding this letter.

⁴ Sections 82036 and 84203

⁵ Section 82015

Sincerely,

Angela J. Brereton

Angela J. Brereton, Chief
Enforcement Division

AJB: vg