



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3050 • Sacramento, CA 95811

February 3, 2025

Martin Huberty
Martin Huberty for District 3 Supervisor 2022
Via Email: MHuberty@calaverascounty.gov

Warning Letter Re: FPPC No. 2023-00471; Martin Huberty; Martin Huberty for District 3 Supervisor 2022

Dear Martin Huberty and Committee:

The Enforcement Division of the Fair Political Practices Commission enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to a complaint alleging violations of disclosure provisions on filed Statements of Economic Interests (“SEI”) for your position as a Calaveras County Supervisor. The Enforcement Division has completed its review of the facts in this case. Specifically, we found that you and the Committee failed to timely file eight 24-hour reports and four semi-annual campaign statements. Additionally, you and the Committee failed to file an Amended Statement of Organization with the Secretary of State (“SOS”) upon qualification and termination of the Committee. Lastly, you failed to timely report income on your Candidate and Assuming Office SEIs.

The violations regarding failure to timely disclose economic interests on your SEIs have been resolved with successful completion of the Commission’s Political Reform Education Program (“PREP”) course regarding SEIs. In addition, you filed amendments to your Candidate and Assuming Office SEIs. Therefore, the SEI violations are closed with no action.

The remaining violations for failing to timely file campaign statements and reports are resolved with this warning letter, as detailed below.

The Act requires a candidate controlled committee to file an original copy of the Statement of Organization (Form 410) within 10 days after the committee has qualified with the SOS, and to file a subsequent Statement of Organization with the SOS upon terminating a committee.²

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 18104 through 18998 of Title 2 of the California Code of Regulations, and all regulatory references are to this source.

² Sections 84101, 84103, & 84214.

Additionally, the Act requires a candidate controlled committee to file two 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 31.³ Finally, each candidate or committee that makes or receives a “late contribution” must file a 24-hour contribution report (“Form 497”) within 24 hours of making or receiving the contribution.⁴ In the case of a candidate who is on the ballot, a “late contribution” includes any contribution of \$1,000 or more that is received by the candidate or committee during the 90 days leading up to the election.⁵

Your actions violated the Act because you failed to file an Amended Statement of Organization within 10 days of qualifying as a committee on March 1, 2022 with the SOS and your local filing officer. Furthermore, you failed to file a Statement of Organization terminating the Committee with the SOS in addition to your local filing officer, so your Committee remains active. As a result, you failed to timely file four semi-annual campaign statements for the reporting periods ending on January 31, 2023; July 31, 2023; January 31, 2024; and July 31, 2024. Furthermore, you failed to timely file eight 24-hour reports for contributions totaling \$1,000 or more 90 days prior to the June 7, 2022, Primary Election. However, the Enforcement Division has decided to close this case with a warning letter for the following reasons: the Committee disclosed the late contributions on timely filed campaign statements, the late-filed campaign statements did not have any activity during their respective reporting periods, the late campaign statements were unrelated to the relevant election, and you were inexperienced with the requirements of the Act. Additionally, neither you nor the Committee have a history of violating the Act.

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

³ Section 84200, subd. (a).

⁴ Section 84203.

⁵ Section 82036.

receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

If you need guidance regarding your obligations in the future, please visit our website at www.fppc.ca.gov/advice.html or call the Commission's Toll-Free Advice Line at 1-866-ASK-FPPC (1-866-275-3772).

If you have any questions regarding this letter, please contact me at (279) 237-5974 or LColumbel@fppc.ca.gov.

Sincerely,

Laura Columbel

Laura Columbel
Commission Counsel
Enforcement Division