



FAIR POLITICAL PRACTICES COMMISSION

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

November 5, 2014

✓ Benjamin T. Reyes II
Committee to Revitalize Our School: Yes on Measure I

Warning Letter Re: FPPC Case No. 14/1165; In the Matter of Committee to Revitalize Our School: Yes on Measure I and Benjamin T. Reyes II, Treasurer

Dear Mr. Reyes:

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 the resolution to a complaint previously sent to you. The FPPC has completed its investigation of the facts in this matter. Specifically, the FPPC found that you violated the Act's campaign disclosure provisions with regard to the naming requirement that applies to a primarily formed ballot measure committee.

The Act provides that within 30 days of the designation of the numerical order of propositions appearing on the ballot any committee that is primarily formed to support or oppose a ballot measure must include a statement indicating the committee is for or against that measure in any reference to the committee required by law. (GC Sec. 84107.) Your actions violated the Act because a statement to the effect of "a committee to support Measure I" was not included in the name of your committee by the 30-day deadline.

However, because you have no prior cases with our Enforcement Division and because you amended quickly after receiving the forwarded complaint, we are closing your case with this warning letter. 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

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 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.

up to \$5,000 for each violation. Although the FPPC is not seeking a penalty in the current matter, your client is responsible for any late filing fees assessed by Secretary of State. (Section 91013.)

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. 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. (Section 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 or visit our website at www.fppc.ca.gov.

Please feel free to contact Adrienne Korchmaros at (916) 322-8241 with any questions you may have regarding this letter.

Sincerely,

A black rectangular redaction box covers the signature of Gary S. Winuk.

Gary S. Winuk
Chief, Enforcement Division

GSW:AK:ak