



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

January 10, 2023

Committee to Elect Paul Marsh 2020 Victorville City Council
Paul Marsh, Candidate and Treasurer



**Warning Letter Re: FPPC No. 2021-01078; Committee to Elect Paul Marsh 2020
Victorville City Council; Paul Marsh**

Dear Paul Marsh:

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 City of Victorville referral against you and your committee, alleging that you failed to timely pre-election and semi-annual campaign statements. The Enforcement Division found that you failed to timely file two pre-election campaign statements, three semi-annual campaign statements, and one 24-hour contribution report; and failed to properly use a campaign bank account.

The Act requires candidate-controlled committees and candidates to file two pre-election campaign statements at specified times prior to the election in which the candidate will be on the ballot, as well as 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

The Act also requires each candidate or committee that makes or receives a late contribution to file a 24-hour contribution report.⁴ Finally, the Act requires a candidate or committee to establish one campaign contribution account at an office of a financial institution located in California.⁵

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 Sections 84200.5 and 84200.

³ Sections 83116.5 and 91006.

⁴ Section 84203.

⁵ Section 85201.

Furthermore, all contributions and personal funds utilized to promote the election of the candidate must be deposited in the campaign contribution account.⁶

Your actions violated the Act because you failed to timely file two pre-election campaign statements for the reporting periods ending on September 19, 2020 and October 17, 2020. Additionally, you failed to timely file three semi-annual campaign statements for the reporting periods ending on 12/31/20, 6/30/21, and 12/31/21. You also failed to timely file a 24-hour contribution report for a \$2,392 contribution received on 8/12/20. Finally, you failed to deposit \$6,448 into a campaign bank account during the reporting period ending on 9/19/20. But, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: all contributions and expenditures were disclosed before the election, other than a \$100 contribution, the candidate self-funded his campaign, the candidate dropped out of the race, and the remaining campaign statements had no activity. 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.

⁶ Section 85201, subd. (c) and (d).

Please feel free to contact Alex Rose at arose@fppc.ca.gov or 916-327-6358 with any questions you may have regarding this letter.

Sincerely,

Alex Rose

Alex Rose, Commission Counsel
Enforcement Division