

Introduced by Senators Burton and Johnson

December 4, 2000

An act to amend Sections 85301, 85302, 85303, 85305, 85702, and 85704 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 34, as introduced, Burton. Political Reform Act of 1974.

The Political Reform Act of 1974 was amended by Proposition 34, a legislative initiative amendment adopted by the voters at the November 7, 2000, statewide general election. The changes enacted by Proposition 34 become operative on January 1, 2001, with the exception of certain provisions pertaining to candidates for statewide elective office that become operative on or after November 6, 2002. As amended by Proposition 34, the act establishes certain limits on the amount of contributions that a person or group can make to a candidate for elective state office, or to a committee.

This bill would make the limits on contributions applicable to loans as well.

Proposition 34 prohibits contributions to a candidate for elective state office by a lobbyist registered to lobby the governmental agency for which the candidate is seeking election.

This bill would additionally extend the prohibition against contributions by a registered lobbyist to loans.

Proposition 34 requires prescribed disclosure of a campaign contribution made to a committee upon condition that it be used to make a contribution to a particular candidate.

This bill would require that loans made to a committee for contribution to a particular candidate be disclosed as well.



The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 85301 of the Government Code is
2 amended to read:

3 85301. (a) A person, other than a small contributor
4 committee or political party committee, may not make to any
5 candidate for elective state office other than a candidate for
6 statewide elective office, and a candidate for elective state office
7 other than a candidate for statewide elective office may not accept
8 from a person, any contribution *or loan* totaling more than three
9 thousand dollars (\$3,000) per election.

10 (b) Except to a candidate for Governor, a person, other than a
11 small contributor committee or political party committee, may not
12 make to any candidate for statewide elective office, and except a
13 candidate for Governor, a candidate for statewide elective office
14 may not accept from a person other than a small contributor
15 committee or a political party committee, any contribution *or loan*
16 totaling more than five thousand dollars (\$5,000) per election.

17 (c) A person, other than a small contributor committee or
18 political party committee, may not make to any candidate for
19 Governor, and a candidate for governor may not accept from any
20 person other than a small contributor committee or political party
21 committee, any contribution *or loan* totaling more than twenty
22 thousand dollars (\$20,000) per election.

23 (d) The provisions of this section do not apply to a candidate's
24 contributions *or loans* of his or her personal funds to his or her own
25 campaign.

26 SEC. 2. Section 85302 of the Government Code is amended
27 to read:

28 85302. (a) A small contributor committee may not make to
29 any candidate for elective state office other than a candidate for



1 statewide elective office, and a candidate for elective state office,
2 other than a candidate for statewide elective office may not accept
3 from a small contributor committee, any contribution *or loan*
4 totaling more than six thousand dollars (\$6,000) per election.

5 (b) Except to a candidate for Governor, a small contributor
6 committee may not make to any candidate for statewide elective
7 office and except for a candidate for Governor, a candidate for
8 statewide elective office may not accept from a small contributor
9 committee, any contribution *or loan* totaling more than ten
10 thousand dollars (\$10,000) per election.

11 (c) A small contributor committee may not make to any
12 candidate for Governor, and a candidate for governor may not
13 accept from a small contributor committee, any contribution *or*
14 *loan* totaling more than twenty thousand dollars (\$20,000) per
15 election.

16 SEC. 3. Section 85303 of the Government Code is amended
17 to read:

18 85303. (a) A person may not make to any committee, other
19 than a political party committee, and a committee other than a
20 political party committee may not accept, any contribution *or loan*
21 totaling more than five thousand dollars (\$5,000) per calendar year
22 for the purpose of making contributions to candidates for elective
23 state office.

24 (b) A person may not make to any political party committee,
25 and a political party committee may not accept, any contribution
26 *or loan* totaling more than twenty-five thousand dollars (\$25,000)
27 per calendar year for the purpose of making contributions for the
28 support or defeat of candidates for elective state office.

29 (c) Except as provided in Section 85310, nothing in this chapter
30 shall limit a person's contributions *or loans* to a committee or
31 political party committee provided the contributions are used for
32 purposes other than making contributions to candidates for
33 elective state office.

34 (d) Nothing in this chapter limits a candidate for elected state
35 office from transferring contributions received by the candidate in
36 excess of any amount necessary to defray the candidate's expenses
37 for election related activities or holding office to a political party
38 committee, provided those transferred contributions are used for
39 purposes consistent with paragraph (4) of subdivision (b) of
40 Section 89519.



1 SEC. 4. Section 85305 of the Government Code is amended
2 to read:

3 85305. A candidate for elective state office or committee
4 controlled by that candidate may not make any contribution *or*
5 *loan* to any other candidate for elective state office in excess of the
6 limits set forth in subdivision (a) of Section 85301.

7 SEC. 5. Section 85702 of the Government Code is amended
8 to read:

9 85702. An elected state officer or candidate for elected state
10 office may not accept a contribution *or loan* from a lobbyist, and
11 a lobbyist may not make a contribution *or loan* to an elected state
12 officer or candidate for elected state office, if that lobbyist is
13 registered to lobby the governmental agency for which the
14 candidate is seeking election or the governmental agency of the
15 elected state officer.

16 SEC. 6. Section 85704 of the Government Code is amended
17 to read:

18 85704. A person may not make any contribution *or loan* to a
19 committee on the condition or with the agreement that it will be
20 contributed to any particular candidate unless the contribution *or*
21 *loan* is fully disclosed pursuant to Section 84302.

22 SEC. 7. The Legislature finds and declares that the provisions
23 of this bill further the purposes of the Political Reform Act of 1974
24 within the meaning of subdivision (a) of Section 81012 of the
25 Government Code.

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27 CORRECTIONS
28 **Heading — Line 1.**

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