

AMENDED IN SENATE JUNE 21, 2012

AMENDED IN ASSEMBLY APRIL 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1146

Introduced by Assembly Member Norby

February 18, 2011

An act to amend Sections ~~84203.5, 84211, 84300, and 84304~~ of 56100.1, 82036.5, 83124, 84101, 84103, 84108, 84202.3, 84202.7, 84203.3, 84203.5, 84204.5, 84211, 84216, 84216.5, 84300, 84304, 84308, 84602, 84604, 84605, 84609, 85304, 85306, 85310, 85315, 85316, 85501, 89510, 89511.5, and 89512.5 of, to repeal Sections 84200.6, 84202.5, 84203, 84205, 84209, 84220, 85301, 85302, 85303, 85305, 85307, 85309, 85314, and 85321 of, to repeal Article 2.5 (commencing with Section 84250) of Chapter 4 of Title 9 of, and to repeal and add Section 84200 of, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1146, as amended, Norby. Political Reform Act of 1974: ~~contribution limits.~~

The Political Reform Act of 1974 imposes various limitations on contributions that may be made to, or accepted by, candidates for elective office and campaign committees that support or oppose candidates and ballot measures, including, among other things, limiting the maximum dollar amount of contributions that may be accepted by candidates for elective state office, and limiting contributions to an officer of an agency from a party who has a financial interest in a permit or license proceeding before that agency. The act also prohibits a

foreign government or foreign principal from making a contribution, expenditure, or independent expenditure in connection with the qualification or support of, or opposition to, any state or local ballot measure.

This bill would repeal these limitations on contributions that may be made to, or accepted by, candidates for elective office. The bill would also repeal the prohibition against a foreign government or foreign principal from making a contribution, expenditure, or independent expenditure in connection with the qualification or support of, or opposition to, any state or local ballot measure.

The act requires candidates and committees to file specified campaign finance reports, including semiannual statements, preelection statements, supplemental preelection statements, and late contribution reports, that include prescribed campaign finance information.

This bill would repeal the requirements to file certain of these reports, including the semiannual statements, the supplemental preelection statements, and the late contribution reports. This bill would require, in addition to filing preelection statements, that a candidate or committee who makes or receives a contribution of \$200 or more report that contribution to specified filing officers within 24 hours of receiving the contribution. The bill would require a candidate or committee making the contribution to report his, her, or its full name and address, the full name and address of the recipient, the office sought by the candidate or the ballot measure, as appropriate, and the date and amount of the contribution. The bill would require the recipient of the contribution to report his, her, or its full name and address, the date and amount of the contribution, whether the contribution is in the form of a loan, and the full name of the contributor, and his or her street address, occupation, and employer or the name of the business, if self-employed.

The bill would require a candidate or committee that makes an expenditure of \$200 or more to report the expenditure to specified filing officers within 24 hours. The bill would require the candidate or committee making the expenditure to report his, her, or its full name and street address, the amount of the expenditure, the full name and street address for the person to whom the expenditure was made, and a brief description of the consideration for which the expenditure was made. The bill would require the disclosure of additional information if the expenditure is a contribution to a candidate, elected officer, or

committee or an independent expenditure to support or oppose a candidate or measure.

The bill would require a candidate or committee who is required to report a contribution or expenditure to the Secretary of State to file that report online or by electronic transmission only, and would also require that a copy of the report be filed with the Commission by online or electronic transmission.

The act prohibits any contribution of \$100 or more from being made in cash. The act also prohibits anonymous contributions of \$100 or more to a candidate, committee, or person. The act also establishes \$100 as the threshold for reporting certain contributions and expenditures in certain campaign reports.

This bill would increase the threshold to \$200 for cash contributions, anonymous contributions, and the reporting of the above-mentioned contributions and expenditures.

The bill would also make conforming changes.

By increasing the duties of local government officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the act may be amended by a statute that becomes effective upon approval of the voters.

This bill would require the Secretary of State to submit the provisions of the bill that would amend the Political Reform Act of 1974 to the voters for approval at a statewide election, as specified.

~~Existing law, the Political Reform Act of 1974, prohibits anonymous campaign contributions of \$100 or more to a candidate, committee, or other person in a calendar year. Existing law also requires that the value of all in-kind contributions of \$100 or more be reported in writing to the recipient upon the recipient's written request. Existing law further requires that detailed specified information be reported for each person to whom independent expenditures are made, or from whom contributions are received, totalling \$100 or more during a reporting period.~~

~~This bill would find that the current limit of \$100 was established more than 30 years ago and would raise the limit for anonymous contributions and the threshold for reporting as to contributions and independent expenditures to \$200.~~

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

~~This bill would declare that it furthers the purposes of the act.~~

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 ~~(A)~~

4 ~~(a) Under the Federal Election Campaign Act (U.S.C. (2 U.S.C.~~
5 ~~Sec. 431 et seq.), political committees for federal campaigns must~~
6 ~~disclose contributions having an aggregate amount, in a calendar~~
7 ~~year, of two hundred dollars (\$200).~~

8 ~~(B)~~

9 ~~(b) The current one hundred dollar (\$100) limit for anonymous~~
10 ~~contributions for California campaigns under the Political Reform~~
11 ~~Act of 1974 was established more than 30 years ago.~~

12 ~~(C)~~

13 ~~(c) An increase in the limit for anonymous contributions under~~
14 ~~the Political Reform Act of 1974 is necessary to maintain the limit~~
15 ~~at a level consistent with that set at the time the act was enacted.~~

16 *SEC. 2. Section 56100.1 of the Government Code is amended*
17 *to read:*

18 56100.1. (a) Contributions and expenditures for political
19 purposes related to a proposal or proceeding shall be disclosed and
20 reported pursuant to Article ~~2.5~~ 2 (commencing with Section
21 ~~84250~~ 84200) of Chapter 4 of the Political Reform Act of 1974
22 (Title 9 (commencing with Section 81000)).

23 (b) A commission may require, through the adoption of written
24 policies and procedures, additional disclosure of contributions in
25 support of or opposition to a proposal, which shall be made either
26 to the commission’s executive officer, in which case it shall be

1 posted on the commission’s Internet Web site, if applicable, or to
2 the board of supervisors of the county in which the commission
3 is located, which may designate a county officer to receive the
4 disclosure. Disclosure pursuant to a requirement under the authority
5 provided in this section shall be in addition to any disclosure
6 otherwise required by Section 56700.1, 57009, or local ordinance.

7 *SEC. 3. Section 82036.5 of the Government Code is amended*
8 *to read:*

9 82036.5. “Late independent expenditure” means any
10 independent expenditure that totals in the aggregate one thousand
11 dollars (\$1,000) or more and is made for or against any specific
12 candidate or measure involved in an election *within the 12 days*
13 *before the date of the election but after the closing date of the last*
14 *campaign statement required to be filed prior to the election by a*
15 *candidate or committee participating in the election.* For purposes
16 of the Board of Administration of the Public Employees’
17 Retirement System and the Teachers’ Retirement Board, “the date
18 of the election” is the deadline to return ballots.

19 *SEC. 4. Section 83124 of the Government Code is amended to*
20 *read:*

21 83124. The ~~commission~~ *Commission* shall adjust the
22 ~~contribution limitations and voluntary expenditure limitations~~
23 ~~provisions in Sections 85301, 85302, 85303, and Section 85400~~
24 ~~in January of every odd-numbered year to reflect any increase or~~
25 ~~decrease in the Consumer Price Index. Those adjustments shall be~~
26 ~~rounded to the nearest one hundred dollars (\$100) for limitations~~
27 ~~on contributions and one thousand dollars (\$1,000) for limitations~~
28 ~~on expenditures.~~

29 *SEC. 5. Section 84101 of the Government Code is amended to*
30 *read:*

31 84101. (a) A committee that is a committee by virtue of
32 subdivision (a) of Section 82013 shall file a statement of
33 organization. The committee shall file the original of the statement
34 of organization with the Secretary of State and shall also file a
35 copy of the statement of organization with the local filing officer,
36 if any, with whom the committee is required to file the originals
37 of its campaign reports pursuant to Section 84215. The original
38 and copy of the statement of organization shall be filed within 10
39 days after the committee has qualified as a committee. The
40 Secretary of State shall assign a number to each committee that

1 files a statement of organization and shall notify the committee of
2 the number. The Secretary of State shall send a copy of statements
3 filed pursuant to this section to the county elections official of each
4 county that he or she deems appropriate. A county elections official
5 who receives a copy of a statement of organization from the
6 Secretary of State pursuant to this section shall send a copy of the
7 statement to the clerk of each city in the county that he or she
8 deems appropriate.

9 (b) In addition to filing the statement of organization as required
10 by subdivision (a), if a committee qualifies as a committee under
11 subdivision (a) of Section 82013 *within the 12 days* before the date
12 of an election in connection with which the committee is required
13 to file ~~pre-election campaign~~ statements, ~~but after the closing date~~
14 ~~of the last campaign statement required to be filed before the~~
15 ~~election pursuant to Section 84200.7, 84200.8, or 84200.9,~~ the
16 committee shall file, by facsimile transmission, guaranteed
17 overnight delivery, or personal delivery within 24 hours of
18 qualifying as a committee, the information required to be reported
19 in the statement of organization. The information required by this
20 subdivision shall be filed with the filing officer with whom the
21 committee is required to file the originals of its campaign reports
22 pursuant to Section 84215.

23 (c) If an independent expenditure committee qualifies as a
24 committee pursuant to subdivision (a) of Section 82013 during the
25 time period described in Section 82036.5 and makes independent
26 expenditures of one thousand dollars (\$1,000) or more to support
27 or oppose a candidate or candidates for office, the committee shall
28 file, by facsimile transmission, online transmission, guaranteed
29 overnight delivery, or personal delivery within 24 hours of
30 qualifying as a committee, the information required to be reported
31 in the statement of organization. The information required by this
32 section shall be filed with the filing officer with whom the
33 committee is required to file the original of its campaign reports
34 pursuant to Section 84215, and shall be filed at all locations
35 required for the candidate or candidates supported or opposed by
36 the independent expenditures. The filings required by this section
37 are in addition to filings that may be required by ~~Sections 84203.5~~
38 ~~and Section 84204.~~

39 (d) For purposes of this section, in calculating whether one
40 thousand dollars (\$1,000) in contributions has been received,

1 payments for a filing fee or for a statement of qualifications to
2 appear in a sample ballot shall not be included if these payments
3 have been made from the candidate's personal funds.

4 *SEC. 6. Section 84103 of the Government Code is amended to*
5 *read:*

6 84103. (a) Whenever there is a change in any of the
7 information contained in a statement of organization, an
8 amendment shall be filed within 10 days to reflect the change. The
9 committee shall file the original of the amendment with the
10 Secretary of State and shall also file a copy of the amendment with
11 the local filing officer, if any, with whom the committee is required
12 to file the originals of its campaign reports pursuant to Section
13 84215.

14 (b) In addition to filing an amendment to a statement of
15 organization as required by subdivision (a), a committee as defined
16 in subdivision (a) of Section 82013 shall, by facsimile transmission,
17 online transmission, guaranteed overnight delivery, or personal
18 delivery within 24 hours, notify the filing officer with whom it is
19 required to file the originals of its campaign reports pursuant to
20 Section 84215 when the change requiring the amendment occurs
21 *within the 12 days* before the date of the election in connection
22 with which the committee is required to file a ~~preelection campaign~~
23 ~~statement, but after the closing date of the last preelection statement~~
24 ~~required to be filed for the election pursuant to Section 84200.7~~
25 ~~or 84200.8~~, if any of the following information is changed:

- 26 (1) The name of the committee.
- 27 (2) The name of the treasurer or other principal officers.
- 28 (3) The name of any candidate or committee by which the
29 committee is controlled or with which it acts jointly.

30 The notification shall include the changed information, the date
31 of the change, the name of the person providing the notification,
32 and the committee's name and identification number.

33 A committee may file a notification online only if the appropriate
34 filing officer is capable of receiving the notification in that manner.

35 *SEC. 7. Section 84108 of the Government Code is amended to*
36 *read:*

37 84108. (a) Every slate mailer organization shall comply with
38 the requirements of Sections 84100, 84101, 84103, and 84104.

39 (b) The statement of organization of a slate mailer organization
40 shall include:

1 (1) The name, street address, and telephone number of the
2 organization. In the case of an individual or business entity that
3 qualifies as a slate mailer organization, the name of the slate mailer
4 organization shall include the name by which the individual or
5 entity is identified for legal purposes. Whenever identification of
6 a slate mailer organization is required by this title, the identification
7 shall include the full name of the slate mailer organization as
8 contained in its statement of organization.

9 (2) The full name, street address, and telephone number of the
10 treasurer and other principal officers.

11 (3) The full name, street address, and telephone number of each
12 person with final decisionmaking authority as to which candidates
13 or measures will be supported or opposed in the organization's
14 slate mailers.

15 (c) The statement of organization shall be filed with the
16 Secretary of State within 10 days after the slate mailer organization
17 receives or is promised five hundred dollars (\$500) or more for
18 producing one or more slate mailers. However, if an entity qualifies
19 as a slate mailer organization *within the 12 days* before the date
20 of an election in which it is required to file ~~pre-election campaign~~
21 ~~statements, but after the closing date of the last campaign statement~~
22 ~~required to be filed before the election pursuant to Section 84218,~~
23 the slate mailer organization shall file with the Secretary of State,
24 by facsimile transmission, guaranteed overnight delivery, or
25 personal delivery within 24 hours of qualifying as a slate mailer
26 organization, the information required to be reported in the
27 statement of organization.

28 *SEC. 8. Section 84200 of the Government Code is repealed.*

29 ~~84200. (a) Except as provided in paragraphs (1), (2), and (3),~~
30 ~~elected officers, candidates, and committees pursuant to subdivision~~
31 ~~(a) of Section 82013 shall file semiannual statements each year no~~
32 ~~later than July 31 for the period ending June 30, and no later than~~
33 ~~January 31 for the period ending December 31.~~

34 ~~(1) A candidate who, during the past six months has filed a~~
35 ~~declaration pursuant to Section 84206 shall not be required to file~~
36 ~~a semiannual statement for that six-month period.~~

37 ~~(2) Elected officers whose salaries are less than two hundred~~
38 ~~dollars (\$200) a month, judges, judicial candidates, and their~~
39 ~~controlled committees shall not file semiannual statements pursuant~~

1 to this subdivision for any six-month period in which they have
2 not made or received any contributions or made any expenditures.

3 (3) A judge who is not listed on the ballot for reelection to, or
4 recall from, any elective office during a calendar year shall not
5 file semiannual statements pursuant to this subdivision for any
6 six-month period in that year if both of the following apply:

7 (A) The judge has not received any contributions.

8 (B) The only expenditures made by the judge during the calendar
9 year are contributions from the judge's personal funds to other
10 candidates or committees totaling less than one thousand dollars
11 (\$1,000).

12 (b) All committees pursuant to subdivision (b) or (c) of Section
13 82013 shall file campaign statements each year no later than July
14 31 for the period ending June 30, and no later than January 31 for
15 the period ending December 31, if they have made contributions
16 or independent expenditures, including payments to a slate mailer
17 organization, during the six-month period before the closing date
18 of the statements.

19 *SEC. 9. Section 84200 is added to the Government Code, to*
20 *read:*

21 *84200. (a) (1) Each candidate or committee that makes or*
22 *receives a contribution of two hundred dollars (\$200) or more*
23 *shall report the contribution to each office with which the candidate*
24 *or committee is required to file its statements pursuant to Section*
25 *84215 or 84218. The candidate or committee that makes the*
26 *contribution shall report his or her full name and street address*
27 *and the full name and street address of the person to whom the*
28 *contribution has been made, the office sought if the recipient is a*
29 *candidate, or the ballot measure number or letter if the recipient*
30 *is a committee primarily formed to support or oppose a ballot*
31 *measure, and the date and amount of the contribution. The*
32 *recipient of the contribution shall report his or her full name and*
33 *street address, the date and amount of the contribution, and*
34 *whether the contribution was made in the form of a loan. The*
35 *recipient shall also report the full name of the contributor, his or*
36 *her street address, occupation, and the name of his or her*
37 *employer, or if self-employed, the name of the business.*

38 *(2) A contribution need not be reported, nor shall it be deemed*
39 *accepted, if it is not cashed, negotiated, or deposited and is*
40 *returned to the contributor within 24 hours of its receipt.*

1 (b) Each candidate or committee that makes an expenditure of
 2 two hundred dollars (\$200) or more shall report the expenditure
 3 to each office with which the candidate or committee is required
 4 to file its statements pursuant to Section 84215 or 84218. The
 5 candidate or committee that makes the expenditure shall report
 6 his or her full name and street address, the amount of the
 7 expenditure, the full name and street address for the person to
 8 whom the expenditure was made, and a brief description of the
 9 consideration for which the expenditure was made. In the case of
 10 an expenditure that is a contribution to a candidate, elected officer,
 11 or committee or an independent expenditure to support or oppose
 12 a candidate or measure, the report shall also include the date of
 13 the contribution or independent expenditure, the cumulative amount
 14 of contributions made to the candidate, elected officer, or
 15 committee, or the cumulative amount of independent expenditures
 16 made relative to a candidate or measure, the full name of the
 17 candidate, and the office and district for which he or she seeks
 18 nomination or election, or the number or letter of the measure,
 19 and the jurisdiction in which the measure or candidate is voted
 20 upon.

21 (c) A contribution or expenditure shall be reported by facsimile
 22 transmission, guaranteed overnight delivery, or personal delivery
 23 within 24 hours of the time it is made in the case of the candidate
 24 or committee that makes the contribution or expenditure and within
 25 24 hours of the time a contribution is received in the case of the
 26 recipient. If a contribution or expenditure is required to be reported
 27 to the Secretary of State, the report to the Secretary of State shall
 28 be by online or electronic transmission only, with a copy sent to
 29 the Commission by online electronic transmission.

30 SEC. 10. Section 84200.6 of the Government Code is repealed.

31 ~~84200.6. In addition to the campaign statements required by~~
 32 ~~Sections 84200 and 84200.5, all candidates and committees shall~~
 33 ~~file the following special statements and reports:~~

34 ~~(a) Supplemental preelection statements when required by~~
 35 ~~Section 84202.5.~~

36 ~~(b) Late contribution reports when required by Section 84203.~~

37 ~~(c) Independent expenditure reports when required by Section~~
 38 ~~84203.5.~~

39 ~~(d) Late independent expenditure reports when required by~~
 40 ~~Section 84204.~~

1 *SEC. 11. Section 84202.3 of the Government Code is amended*
2 *to read:*

3 84202.3. (a) In addition to the campaign statements required
4 by Section 84200, committees pursuant to subdivision (a) of
5 Section 82013 that are primarily formed to support or oppose the
6 qualification, passage, or defeat of a measure and proponents of a
7 state ballot measure who control a committee formed or existing
8 primarily to support the qualification, passage, or defeat of a state
9 ballot measure, shall file campaign statements on the following
10 dates:

11 (1) No later than April 30 for the period January 1 ~~through to~~
12 March 31, *inclusive*.

13 (2) No later than October 31 for the period July 1 ~~through to~~
14 September 30, *inclusive*.

15 ~~(b) This section shall not apply to a committee during any~~
16 ~~semiannual period in which the committee is required to file~~
17 ~~preelection statements pursuant to subdivision (a), (b), or (c) of~~
18 ~~Section 84200.5.~~

19 ~~(e)~~

20 (b) This section shall not apply to a committee following the
21 election at which the measure is voted upon unless the committee
22 makes contributions or expenditures to support or oppose the
23 qualification or passage of another ballot measure.

24 *SEC. 12. Section 84202.5 of the Government Code is repealed.*

25 ~~84202.5. (a) Any candidate or any committee pursuant to~~
26 ~~subdivision (a) of Section 82013 which makes contributions~~
27 ~~totaling ten thousand dollars (\$10,000) or more in connection with~~
28 ~~an election, including a runoff election, shall file a supplemental~~
29 ~~preelection statement no later than 12 days before the election, for~~
30 ~~the period ending 17 days before the election. This statement shall~~
31 ~~be filed by guaranteed overnight delivery service or by personal~~
32 ~~delivery with each office with which the candidate or committee~~
33 ~~filing the statement is required to file its next campaign statement~~
34 ~~pursuant to Section 84215.~~

35 ~~(b) This section shall not apply to candidates or committees~~
36 ~~during any semiannual period in which the candidate or committee~~
37 ~~is required to file preelection statements pursuant to Section~~
38 ~~84200.5.~~

39 ~~(e) If a candidate or committee makes contributions totaling ten~~
40 ~~thousand dollars (\$10,000) or more in connection with an election~~

1 and all of those contributions are reported pursuant to Section
 2 84200 or 84202.7 on or before the closing date specified in
 3 subdivision (a), the candidate or committee shall not be required
 4 to file additional statements for that period pursuant to this section.

5 *SEC. 13. Section 84202.7 of the Government Code is amended*
 6 *to read:*

7 84202.7. ~~(a) Except as provided in subdivision (b), during~~
 8 *During* an odd-numbered year, any committee by virtue of Section
 9 82013 that makes contributions totaling ten thousand dollars
 10 (\$10,000) or more to elected state officers, their controlled
 11 committees, or committees primarily formed to support or oppose
 12 any elected state officer during a period specified below shall file
 13 campaign statements on the following dates:

14 (1)

15 (a) No later than April 30 for the period of January 1 ~~through~~
 16 *to* March 31, *inclusive*.

17 (2)

18 (b) No later than October 31 for the period of July 1 ~~through to~~
 19 *September 30, inclusive*.

20 ~~(b) If a committee makes contributions totaling ten thousand~~
 21 ~~dollars (\$10,000) or more to elected state officers, their controlled~~
 22 ~~committees, or committees primarily formed to support or oppose~~
 23 ~~any elected state officer during a period specified in subdivision~~
 24 ~~(a), and all of those contributions are reported pursuant to Section~~
 25 ~~84202.5 on or before the time specified in subdivision (a), the~~
 26 ~~committee shall not be required to file additional statements for~~
 27 ~~that period pursuant to this section.~~

28 *SEC. 14. Section 84203 of the Government Code is repealed.*

29 84203. ~~(a) Each candidate or committee that makes or receives~~
 30 ~~a late contribution, as defined in Section 82036, shall report the~~
 31 ~~late contribution to each office with which the candidate or~~
 32 ~~committee is required to file its next campaign statement pursuant~~
 33 ~~to Section 84215. The candidate or committee that makes the late~~
 34 ~~contribution shall report his or her full name and street address~~
 35 ~~and the full name and street address of the person to whom the~~
 36 ~~late contribution has been made, the office sought if the recipient~~
 37 ~~is a candidate, or the ballot measure number or letter if the recipient~~
 38 ~~is a committee primarily formed to support or oppose a ballot~~
 39 ~~measure, and the date and amount of the late contribution. The~~
 40 ~~recipient of the late contribution shall report his or her full name~~

1 and street address, the date and amount of the late contribution,
2 and whether the contribution was made in the form of a loan. The
3 recipient shall also report the full name of the contributor, his or
4 her street address, occupation, and the name of his or her employer,
5 or if self-employed, the name of the business.

6 ~~(b) A late contribution shall be reported by facsimile~~
7 ~~transmission, guaranteed overnight delivery, or personal delivery~~
8 ~~within 24 hours of the time it is made in the case of the candidate~~
9 ~~or committee that makes the contribution and within 24 hours of~~
10 ~~the time it is received in the case of the recipient. If a late~~
11 ~~contribution is required to be reported to the Secretary of State,~~
12 ~~the report to the Secretary of State shall be by online or electronic~~
13 ~~transmission only. A late contribution shall be reported on~~
14 ~~subsequent campaign statements without regard to reports filed~~
15 ~~pursuant to this section.~~

16 ~~(e) A late contribution need not be reported nor shall it be~~
17 ~~deemed accepted if it is not cashed, negotiated, or deposited and~~
18 ~~is returned to the contributor within 24 hours of its receipt.~~

19 ~~(d) A report filed pursuant to this section shall be in addition to~~
20 ~~any other campaign statement required to be filed by this chapter.~~

21 ~~(e) The report required pursuant to this section is not required~~
22 ~~to be filed by a candidate or committee that has disclosed the late~~
23 ~~contribution pursuant to subdivision (a) or (b) of Section 85309.~~

24 *SEC. 15. Section 84203.3 of the Government Code is amended*
25 *to read:*

26 84203.3. ~~(a)~~ Any candidate or committee that makes a late
27 contribution that is an in-kind contribution shall notify the recipient
28 in writing of the value of the in-kind contribution. The notice shall
29 be received by the recipient within 24 hours of the time the
30 contribution is made.

31 ~~(b) Nothing in this section shall relieve a candidate or committee~~
32 ~~that makes a late in-kind contribution or the recipient of a late~~
33 ~~in-kind contribution from the requirement to file late contribution~~
34 ~~reports pursuant to Section 84203. However, a report filed by the~~
35 ~~recipient of a late in-kind contribution shall be deemed timely filed~~
36 ~~if it is received by the filing officer within 48 hours of the time the~~
37 ~~contribution is received.~~

38 *SEC. 2.*

39 *SEC. 16. Section 84203.5 of the Government Code is amended*
40 *to read:*

1 84203.5. (a) In addition to any campaign statements required
2 by this article, if a candidate or committee has made independent
3 expenditures totaling one thousand dollars (\$1,000) or more in a
4 calendar year to support or oppose a candidate, a measure, or
5 qualification of a measure, it shall file independent expenditure
6 reports at the same time, covering the same periods, and in the
7 places where the candidate or committee would be required to file
8 campaign statements under this article, as if it were formed or
9 existing primarily to support or oppose the candidate or measure
10 or qualification of the measure. No independent expenditure report
11 need be filed to cover a period for which there has been no activity
12 to report times prescribed by the Commission.

13 (b) An independent expenditure report shall contain the
14 following information:

15 (1) The name, street address, and telephone number of the
16 candidate or committee making the expenditure and of the
17 committee's treasurer, and the number assigned to the committee
18 by the Secretary of State.

19 (2) If the report is related to a candidate, the full name of the
20 candidate and the office and district for which the candidate seeks
21 nomination or election. If the report is related to a measure or
22 qualification of a measure, the number or letter of the measure, or
23 if none has yet been assigned, a brief description of the subject
24 matter of the measure, and the jurisdiction in which the measure
25 is to be voted on or would be voted on if it qualified.

26 (3) The total amount of expenditures related to the candidate or
27 measure during the period covered by the report made to persons
28 who have received less than two hundred dollars (\$200).

29 (4) The total amount of expenditures related to the candidate or
30 measure during the period covered by the report made to persons
31 who have received two hundred dollars (\$200) or more.

32 (5) For each person to whom an expenditure of two hundred
33 dollars (\$200) or more related to the candidate or measure has
34 been made during the period covered by the report and for each
35 person who has provided consideration for an expenditure of two
36 hundred dollars (\$200) or more during the period covered by the
37 report:

38 (A) His or her full name.

39 (B) His or her street address.

1 (C) If the person is a committee, the name of the committee,
2 the number assigned to the committee by the Secretary of State,
3 or if no number has been assigned, the full name and street address
4 of the treasurer of the committee.

5 (D) The date of the expenditure.

6 (E) The amount of the expenditure.

7 (F) A brief description of the consideration for which each
8 expenditure was made and the value of the consideration if less
9 than the total amount of the expenditure.

10 (G) The cumulative amount of expenditures to ~~such~~ *the* person.

11 (6) A list of all the filing officers with whom the committee
12 filed its most recent campaign statement.

13 (c) Filing officers shall maintain paper reports filed pursuant to
14 this section under the name of the candidate or measure supported
15 or opposed by the independent expenditure.

16 ~~SEC. 3. Section 84211 of the Government Code is amended~~
17 ~~to read:~~

18 ~~84211. Each campaign statement required by this article shall~~
19 ~~contain all of the following information:~~

20 ~~(a) The total amount of contributions received during the period~~
21 ~~covered by the campaign statement and the total cumulative amount~~
22 ~~of contributions received.~~

23 ~~(b) The total amount of expenditures made during the period~~
24 ~~covered by the campaign statement and the total cumulative amount~~
25 ~~of expenditures made.~~

26 ~~(c) The total amount of contributions received during the period~~
27 ~~covered by the campaign statement from persons who have given~~
28 ~~a cumulative amount of two hundred dollars (\$200) or more.~~

29 ~~(d) The total amount of contributions received during the period~~
30 ~~covered by the campaign statement from persons who have given~~
31 ~~a cumulative amount of less than two hundred dollars (\$200).~~

32 ~~(e) The balance of cash and cash equivalents on hand at the~~
33 ~~beginning and the end of the period covered by the campaign~~
34 ~~statement.~~

35 ~~(f) If the cumulative amount of contributions (including loans)~~
36 ~~received from a person is two hundred dollars (\$200) or more and~~
37 ~~a contribution or loan has been received from that person during~~
38 ~~the period covered by the campaign statement, all of the following:~~

39 ~~(1) His or her full name.~~

40 ~~(2) His or her street address.~~

- 1 ~~(3) His or her occupation.~~
2 ~~(4) The name of his or her employer, or if self-employed, the~~
3 ~~name of the business.~~
4 ~~(5) The date and amount received for each contribution received~~
5 ~~during the period covered by the campaign statement and if the~~
6 ~~contribution is a loan, the interest rate for the loan.~~
7 ~~(6) The cumulative amount of contributions.~~
8 ~~(g) If the cumulative amount of loans received from or made to~~
9 ~~a person is two hundred dollars (\$200) or more, and a loan has~~
10 ~~been received from or made to a person during the period covered~~
11 ~~by the campaign statement, or is outstanding during the period~~
12 ~~covered by the campaign statement, all of the following:~~
13 ~~(1) His or her full name.~~
14 ~~(2) His or her street address.~~
15 ~~(3) His or her occupation.~~
16 ~~(4) The name of his or her employer, or if self-employed, the~~
17 ~~name of the business.~~
18 ~~(5) The original date and amount of each loan.~~
19 ~~(6) The due date and interest rate of the loan.~~
20 ~~(7) The cumulative payment made or received to date at the end~~
21 ~~of the reporting period.~~
22 ~~(8) The balance outstanding at the end of the reporting period.~~
23 ~~(9) The cumulative amount of contributions.~~
24 ~~(h) For each person, other than the filer, who is directly,~~
25 ~~indirectly, or contingently liable for repayment of a loan received~~
26 ~~or outstanding during the period covered by the campaign~~
27 ~~statement, all of the following:~~
28 ~~(1) His or her full name.~~
29 ~~(2) His or her street address.~~
30 ~~(3) His or her occupation.~~
31 ~~(4) The name of his or her employer, or if self-employed, the~~
32 ~~name of the business.~~
33 ~~(5) The amount of his or her maximum liability outstanding.~~
34 ~~(i) The total amount of expenditures made during the period~~
35 ~~covered by the campaign statement to persons who have received~~
36 ~~two hundred dollars (\$200) or more.~~
37 ~~(j) The total amount of expenditures made during the period~~
38 ~~covered by the campaign statement to persons who have received~~
39 ~~less than two hundred dollars (\$200).~~

1 ~~(k) For each person to whom an expenditure of two hundred~~
2 ~~dollars (\$200) or more has been made during the period covered~~
3 ~~by the campaign statement, all of the following:~~

4 ~~(1) His or her full name.~~

5 ~~(2) His or her street address.~~

6 ~~(3) The amount of each expenditure.~~

7 ~~(4) A brief description of the consideration for which each~~
8 ~~expenditure was made.~~

9 ~~(5) In the case of an expenditure which is a contribution to a~~
10 ~~candidate, elected officer, or committee or an independent~~
11 ~~expenditure to support or oppose a candidate or measure, in~~
12 ~~addition to the information required in paragraphs (1) to (4),~~
13 ~~inclusive, the date of the contribution or independent expenditure,~~
14 ~~the cumulative amount of contributions made to a candidate,~~
15 ~~elected officer, or committee, or the cumulative amount of~~
16 ~~independent expenditures made relative to a candidate or measure;~~
17 ~~the full name of the candidate, and the office and district for which~~
18 ~~he or she seeks nomination or election, or the number or letter of~~
19 ~~the measure; and the jurisdiction in which the measure or candidate~~
20 ~~is voted upon.~~

21 ~~(6) The information required in paragraphs (1) to (4), inclusive,~~
22 ~~for each person, if different from the payee, who has provided~~
23 ~~consideration for an expenditure of five hundred dollars (\$500) or~~
24 ~~more during the period covered by the campaign statement.~~

25 ~~For purposes of subdivisions (i), (j), and (k) only, the terms~~
26 ~~“expenditure” or “expenditures” mean any individual payment or~~
27 ~~accrued expense, unless it is clear from surrounding circumstances~~
28 ~~that a series of payments or accrued expenses are for a single~~
29 ~~service or product.~~

30 ~~(l) In the case of a controlled committee, an official committee~~
31 ~~of a political party, or an organization formed or existing primarily~~
32 ~~for political purposes, the amount and source of any miscellaneous~~
33 ~~receipt.~~

34 ~~(m) If a committee is listed pursuant to subdivision (f), (g), (h),~~
35 ~~(k), (l), or (q), the number assigned to the committee by the~~
36 ~~Secretary of State shall be listed, or if no number has been assigned,~~
37 ~~the full name and street address of the treasurer of the committee.~~

38 ~~(n) In a campaign statement filed by a candidate who is a~~
39 ~~candidate in both a state primary and general election, his or her~~
40 ~~controlled committee, or a committee primarily formed to support~~

1 or oppose such a candidate, the total amount of contributions
2 received and the total amount of expenditures made for the period
3 January 1 to June 30, inclusive, and the total amount of
4 contributions received and expenditures made for the period July
5 1 to December 31, inclusive.

6 ~~(o) The full name, residential or business address, and telephone~~
7 ~~number of the filer, or in the case of a campaign statement filed~~
8 ~~by a committee defined by subdivision (a) of Section 82013, the~~
9 ~~name, street address, and telephone number of the committee and~~
10 ~~of the committee treasurer. In the case of a committee defined by~~
11 ~~subdivision (b) or (c) of Section 82013, the name that the filer uses~~
12 ~~on campaign statements shall be the name by which the filer is~~
13 ~~identified for other legal purposes or any name by which the filer~~
14 ~~is commonly known to the public.~~

15 ~~(p) If the campaign statement is filed by a candidate, the name,~~
16 ~~street address, and treasurer of any committee of which he or she~~
17 ~~has knowledge which has received contributions or made~~
18 ~~expenditures on behalf of his or her candidacy and whether the~~
19 ~~committee is controlled by the candidate.~~

20 ~~(q) A contribution need not be reported nor shall it be deemed~~
21 ~~accepted if it is not cashed, negotiated, or deposited and is returned~~
22 ~~to the contributor before the closing date of the campaign statement~~
23 ~~on which the contribution would otherwise be reported.~~

24 ~~(r) If a committee primarily formed for the qualification or~~
25 ~~support of, or opposition to, an initiative or ballot measure is~~
26 ~~required to report an expenditure to a business entity pursuant to~~
27 ~~subdivision (k) and 50 percent or more of the business entity is~~
28 ~~owned by a candidate or person controlling the committee, by an~~
29 ~~officer or employee of the committee, or by a spouse of any of~~
30 ~~these individuals, the committee's campaign statement shall also~~
31 ~~contain, in addition to the information required by subdivision (k),~~
32 ~~that person's name, the relationship of that person to the committee,~~
33 ~~and a description of that person's ownership interest or position~~
34 ~~with the business entity.~~

35 ~~(s) If a committee primarily formed for the qualification or~~
36 ~~support of, or opposition to, an initiative or ballot measure is~~
37 ~~required to report an expenditure to a business entity pursuant to~~
38 ~~subdivision (k), and a candidate or person controlling the~~
39 ~~committee, an officer or employee of the committee, or a spouse~~
40 ~~of any of these individuals is an officer, partner, consultant, or~~

1 ~~employee of the business entity, the committee's campaign~~
2 ~~statement shall also contain, in addition to the information required~~
3 ~~by subdivision (k), that person's name, the relationship of that~~
4 ~~person to the committee, and a description of that person's~~
5 ~~ownership interest or position with the business entity.~~

6 ~~(t) If the campaign statement is filed by a committee, as defined~~
7 ~~in subdivision (b) or (c) of Section 82013, information sufficient~~
8 ~~to identify the nature and interests of the filer, including:~~

9 ~~(1) If the filer is an individual, the name and address of the~~
10 ~~filer's employer, if any, or his or her principal place of business~~
11 ~~if the filer is self-employed, and a description of the business~~
12 ~~activity in which the filer or his or her employer is engaged.~~

13 ~~(2) If the filer is a business entity, a description of the business~~
14 ~~activity in which it is engaged.~~

15 ~~(3) If the filer is an industry, trade, or professional association,~~
16 ~~a description of the industry, trade, or profession which it~~
17 ~~represents, including a specific description of any portion or faction~~
18 ~~of the industry, trade, or profession which the association~~
19 ~~exclusively or primarily represents.~~

20 ~~(4) If the filer is not an individual, business entity, or industry,~~
21 ~~trade, or professional association, a statement of the person's nature~~
22 ~~and purposes, including a description of any industry, trade,~~
23 ~~profession, or other group with a common economic interest which~~
24 ~~the person principally represents or from which its membership~~
25 ~~or financial support is principally derived.~~

26 *SEC. 17. Section 84204.5 of the Government Code is amended*
27 *to read:*

28 84204.5. (a) In addition to any other report required by this
29 title, a committee pursuant to subdivision (a) of Section 82013 that
30 is required to file reports pursuant to Section 84605 shall file online
31 or electronically with the Secretary of State each time ~~it makes~~
32 ~~contributions totaling five thousand dollars (\$5,000) or more or~~
33 ~~each time it makes independent expenditures totaling five thousand~~
34 ~~dollars (\$5,000) or more to support or oppose the qualification or~~
35 ~~passage of a single state ballot measure. The report shall be filed~~
36 ~~within 10 business days of making the contributions or independent~~
37 ~~expenditures and shall contain all of the following:~~

38 (1) The full name, street address, and identification number of
39 the committee.

1 (2) The number or letter of the measure if the measure has
2 qualified for the ballot and has been assigned a number or letter;
3 the title of the measure if the measure has not been assigned a
4 number or letter but has been issued a title by the Attorney General;
5 or the subject of the measure if the measure has not been assigned
6 a number or letter and has not been issued a title by the Attorney
7 General.

8 ~~(3) In the case of a contribution, the date and amount of the~~
9 ~~contribution and the name, address, and identification number of~~
10 ~~the committee to whom the contribution was made. In addition,~~
11 ~~the report shall include the information required by paragraphs (1)~~
12 ~~to (5), inclusive, of subdivision (f) of Section 84211, regarding~~
13 ~~contributions or loans received from a person described in that~~
14 ~~subdivision, covering the period from the day after the closing~~
15 ~~date of the last campaign report filed to the date of the contribution~~
16 ~~requiring a report under this section, or if the committee has not~~
17 ~~previously filed a campaign statement, covering the period from~~
18 ~~the previous January 1 to the date of the contribution requiring a~~
19 ~~report under this section. No information described in paragraphs~~
20 ~~(1) to (5), inclusive, of subdivision (f) of Section 84211 that is~~
21 ~~required to be reported pursuant to this subdivision is required to~~
22 ~~be reported in more than one report provided for in this subdivision~~
23 ~~for each contribution or loan received from a person described in~~
24 ~~subdivision (f) of Section 84211.~~

25 ~~(4) In the case of an independent expenditure, the date, amount,~~
26 ~~and a description of the goods or services for which the expenditure~~
27 ~~was made. In addition, the report shall include the information~~
28 ~~required by paragraphs (1) to (5), inclusive, of subdivision (f) of~~
29 ~~Section 84211 regarding contributions or loans received from a~~
30 ~~person described in that subdivision, covering the period from the~~
31 ~~day after the closing date of the last campaign report filed to the~~
32 ~~date of the expenditure, or if the committee has not previously~~
33 ~~filed a campaign statement, covering the period from the previous~~
34 ~~January 1 to the date of the expenditure. No information described~~
35 ~~in paragraphs (1) to (5), inclusive, of subdivision (f) of Section~~
36 ~~84211 that is required to be reported pursuant to this subdivision~~
37 ~~is required to be reported in more than one report provided for in~~
38 ~~this subdivision for each contribution or loan received from a~~
39 ~~person described in subdivision (f) of Section 84211.~~

1 (3) *The date, amount, and a description of the goods or services*
2 *for which the expenditure was made. In addition, the report shall*
3 *include the information required by paragraphs (1) to (5),*
4 *inclusive, of subdivision (f) of Section 84211 regarding*
5 *contributions or loans received from a person described in that*
6 *subdivision, covering the period from the day after the closing*
7 *date of the last campaign report filed to the date of the expenditure,*
8 *or if the committee has not previously filed a campaign statement,*
9 *covering the period from the previous January 1 to the date of the*
10 *expenditure. No information described in paragraphs (1) to (5),*
11 *inclusive, of subdivision (f) of Section 84211 that is required to be*
12 *reported pursuant to this subdivision is required to be reported in*
13 *more than one report provided for in this subdivision for each*
14 *contribution or loan received from a person described in*
15 *subdivision (f) of Section 84211.*

16 (b) Reports required by this section are not required to be filed
17 by a committee primarily formed to support or oppose the
18 qualification or passage of a state ballot measure for expenditures
19 made on behalf of the ballot measure or measures for which it is
20 formed.

21 (c) Independent expenditures that have been disclosed by a
22 committee pursuant to Section 84204 or 85500 are not required to
23 be disclosed pursuant to this section.

24 *SEC. 18. Section 84205 of the Government Code is repealed.*

25 ~~84205. The commission may by regulation or written advice~~
26 ~~permit candidates and committees to file campaign statements~~
27 ~~combining statements and reports required to be filed by this title.~~

28 *SEC. 19. Section 84209 of the Government Code is repealed.*

29 ~~84209. A candidate or state measure proponent and any~~
30 ~~committee or committees which the candidate or a state measure~~
31 ~~proponent controls may file consolidated campaign statements~~
32 ~~under this chapter. Such consolidated statements shall be filed in~~
33 ~~each place each of the committees and the candidate or state~~
34 ~~measure proponent would be required to file campaign statements~~
35 ~~if separate statements were filed.~~

36 *SEC. 20. Section 84211 of the Government Code is amended*
37 *to read:*

38 ~~84211. Each campaign statement required by this article~~
39 ~~Sections 84200.7, 84200.8, 84200.9, 84202.3, and 84202.7 shall~~
40 ~~contain all of the following information:~~

- 1 (a) The total amount of contributions received during the period
2 covered by the campaign statement and the total cumulative amount
3 of contributions received.
- 4 (b) The total amount of expenditures made during the period
5 covered by the campaign statement and the total cumulative amount
6 of expenditures made.
- 7 (c) The total amount of contributions received during the period
8 covered by the campaign statement from persons who have given
9 a cumulative amount of ~~one~~ *two* hundred dollars ~~(\$100)~~ *(\$200)* or
10 more.
- 11 (d) The total amount of contributions received during the period
12 covered by the campaign statement from persons who have given
13 a cumulative amount of less than ~~one~~ *two* hundred dollars ~~(\$100)~~
14 *(\$200)*.
- 15 (e) The balance of cash and cash equivalents on hand at the
16 beginning and the end of the period covered by the campaign
17 statement.
- 18 (f) If the cumulative amount of contributions (including loans)
19 received from a person is ~~one~~ *two* hundred dollars ~~(\$100)~~ *(\$200)*
20 or more and a contribution or loan has been received from that
21 person during the period covered by the campaign statement, all
22 of the following:
- 23 (1) His or her full name.
 - 24 (2) His or her street address.
 - 25 (3) His or her occupation.
 - 26 (4) The name of his or her employer, or if self-employed, the
27 name of the business.
 - 28 (5) The date and amount received for each contribution received
29 during the period covered by the campaign statement and if the
30 contribution is a loan, the interest rate for the loan.
 - 31 (6) The cumulative amount of contributions.
- 32 (g) If the cumulative amount of loans received from or made to
33 a person is ~~one~~ *two* hundred dollars ~~(\$100)~~ *(\$200)* or more, and a
34 loan has been received from or made to a person during the period
35 covered by the campaign statement, or is outstanding during the
36 period covered by the campaign statement, all of the following:
- 37 (1) His or her full name.
 - 38 (2) His or her street address.
 - 39 (3) His or her occupation.

- 1 (4) The name of his or her employer, or if self-employed, the
2 name of the business.
- 3 (5) The original date and amount of each loan.
- 4 (6) The due date and interest rate of the loan.
- 5 (7) The cumulative payment made or received to date at the end
6 of the reporting period.
- 7 (8) The balance outstanding at the end of the reporting period.
- 8 (9) The cumulative amount of contributions.
- 9 (h) For each person, other than the filer, who is directly,
10 indirectly, or contingently liable for repayment of a loan received
11 or outstanding during the period covered by the campaign
12 statement, all of the following:
- 13 (1) His or her full name.
- 14 (2) His or her street address.
- 15 (3) His or her occupation.
- 16 (4) The name of his or her employer, or if self-employed, the
17 name of the business.
- 18 (5) The amount of his or her maximum liability outstanding.
- 19 (i) The total amount of expenditures made during the period
20 covered by the campaign statement to persons who have received
21 ~~one~~ *two* hundred dollars ~~(\$100)~~ *(\$200)* or more.
- 22 (j) The total amount of expenditures made during the period
23 covered by the campaign statement to persons who have received
24 less than ~~one~~ *two* hundred dollars ~~(\$100)~~ *(\$200)*.
- 25 (k) For each person to whom an expenditure of ~~one~~ *two* hundred
26 dollars ~~(\$100)~~ *(\$200)* or more has been made during the period
27 covered by the campaign statement, all of the following:
- 28 (1) His or her full name.
- 29 (2) His or her street address.
- 30 (3) The amount of each expenditure.
- 31 (4) A brief description of the consideration for which each
32 expenditure was made.
- 33 (5) In the case of an expenditure which is a contribution to a
34 candidate, elected officer, or committee or an independent
35 expenditure to support or oppose a candidate or measure, in
36 addition to the information required in paragraphs (1) to (4) ~~above~~,
37 *inclusive*, the date of the contribution or independent expenditure,
38 the cumulative amount of contributions made to a candidate,
39 elected officer, or committee, or the cumulative amount of
40 independent expenditures made relative to a candidate or measure;

1 the full name of the candidate, and the office and district for which
2 he or she seeks nomination or election, or the number or letter of
3 the measure; and the jurisdiction in which the measure or candidate
4 is voted upon.

5 (6) The information required in paragraphs (1) to (4), inclusive,
6 for each person, if different from the payee, who has provided
7 consideration for an expenditure of five hundred dollars (\$500) or
8 more during the period covered by the campaign statement.

9 For purposes of subdivisions (i), (j), and (k) only, the terms
10 “expenditure” or “expenditures” mean any individual payment or
11 accrued expense, unless it is clear from surrounding circumstances
12 that a series of payments or accrued expenses are for a single
13 service or product.

14 (l) In the case of a controlled committee, an official committee
15 of a political party, or an organization formed or existing primarily
16 for political purposes, the amount and source of any miscellaneous
17 receipt.

18 (m) If a committee is listed pursuant to subdivision (f), (g), (h),
19 (k), (l), or (q), the number assigned to the committee by the
20 Secretary of State shall be listed, or if no number has been assigned,
21 the full name and street address of the treasurer of the committee.

22 (n) In a campaign statement filed by a candidate who is a
23 candidate in both a state primary and general election, his or her
24 controlled committee, or a committee primarily formed to support
25 or oppose such a candidate, the total amount of contributions
26 received and the total amount of expenditures made for the period
27 January 1 ~~through~~ to June 30, *inclusive*, and the total amount of
28 contributions received and expenditures made for the period July
29 1 ~~through~~ to December 31, *inclusive*.

30 (o) The full name, residential or business address, and telephone
31 number of the filer, or in the case of a campaign statement filed
32 by a committee defined by subdivision (a) of Section 82013, the
33 name, street address, and telephone number of the committee and
34 of the committee treasurer. In the case of a committee defined by
35 subdivision (b) or (c) of Section 82013, the name that the filer uses
36 on campaign statements shall be the name by which the filer is
37 identified for other legal purposes or any name by which the filer
38 is commonly known to the public.

39 (p) If the campaign statement is filed by a candidate, the name,
40 street address, and treasurer of any committee of which he or she

1 has knowledge which has received contributions or made
2 expenditures on behalf of his or her candidacy and whether the
3 committee is controlled by the candidate.

4 (q) A contribution need not be reported nor shall it be deemed
5 accepted if it is not cashed, negotiated, or deposited and is returned
6 to the contributor before the closing date of the campaign statement
7 on which the contribution would otherwise be reported.

8 (r) If a committee primarily formed for the qualification or
9 support of, or opposition to, an initiative or ballot measure is
10 required to report an expenditure to a business entity pursuant to
11 subdivision (k) and 50 percent or more of the business entity is
12 owned by a candidate or person controlling the committee, by an
13 officer or employee of the committee, or by a spouse of any of
14 these individuals, the committee's campaign statement shall also
15 contain, in addition to the information required by subdivision (k),
16 that person's name, the relationship of that person to the committee,
17 and a description of that person's ownership interest or position
18 with the business entity.

19 (s) If a committee primarily formed for the qualification or
20 support of, or opposition to, an initiative or ballot measure is
21 required to report an expenditure to a business entity pursuant to
22 subdivision (k), and a candidate or person controlling the
23 committee, an officer or employee of the committee, or a spouse
24 of any of these individuals is an officer, partner, consultant, or
25 employee of the business entity, the committee's campaign
26 statement shall also contain, in addition to the information required
27 by subdivision (k), that person's name, the relationship of that
28 person to the committee, and a description of that person's
29 ownership interest or position with the business entity.

30 (t) If the campaign statement is filed by a committee, as defined
31 in subdivision (b) or (c) of Section 82013, information sufficient
32 to identify the nature and interests of the filer, including:

33 (1) If the filer is an individual, the name and address of the
34 filer's employer, if any, or his or her principal place of business
35 if the filer is self-employed, and a description of the business
36 activity in which the filer or his or her employer is engaged.

37 (2) If the filer is a business entity, a description of the business
38 activity in which it is engaged.

39 (3) If the filer is an industry, trade, or professional association,
40 a description of the industry, trade, or profession which it

1 represents, including a specific description of any portion or faction
 2 of the industry, trade, or profession which the association
 3 exclusively or primarily represents.

4 (4) If the filer is not an individual, business entity, or industry,
 5 trade, or professional association, a statement of the person’s nature
 6 and purposes, including a description of any industry, trade,
 7 profession, or other group with a common economic interest which
 8 the person principally represents or from which its membership
 9 or financial support is principally derived.

10 *SEC. 21. Section 84216 of the Government Code is amended*
 11 *to read:*

12 84216. (a) Notwithstanding Section 82015, a loan received
 13 by a candidate or committee is a contribution unless the loan is
 14 received from a commercial lending institution in the ordinary
 15 course of business, or it is clear from the surrounding circumstances
 16 that it is not made for political purposes.

17 (b) A loan, whether or not there is a written contract for the
 18 loan, shall be reported as provided in ~~Section 84211~~ *Sections 84200*
 19 *and 84211* when any of the following apply:

- 20 (1) The loan is a contribution.
- 21 (2) The loan is received by a committee.
- 22 (3) The loan is received by a candidate and is used for political
 23 purposes.

24 *SEC. 22. Section 84216.5 of the Government Code is amended*
 25 *to read:*

26 84216.5. A loan of campaign funds, whether or not there is a
 27 written contract for the loan, made by a candidate or committee
 28 shall be reported as provided in ~~Section~~ *Sections 84200 and 84211*.

29 *SEC. 23. Section 84220 of the Government Code is repealed.*

30 ~~84220. If a slate mailer organization receives a payment of two~~
 31 ~~thousand five hundred dollars (\$2,500) or more for purposes of~~
 32 ~~supporting or opposing any candidate or ballot measure in a slate~~
 33 ~~mailer, and the payment is received at a time when, if the payment~~
 34 ~~were a contribution it would be considered a late contribution, then~~
 35 ~~the slate mailer organization shall report the payment in the manner~~
 36 ~~set forth in Section 84203 for candidates and committees when~~
 37 ~~reporting late contributions received. The slate mailer organization~~
 38 ~~shall, in addition to reporting the information required by Section~~
 39 ~~84203, identify the candidates or measures whose support or~~

1 ~~opposition is being paid for, in whole or in part, by each late~~
2 ~~payment.~~

3 ~~SEC. 24. Article 2.5 (commencing with Section 84250) of~~
4 ~~Chapter 4 of Title 9 of the Government Code is repealed.~~

5 ~~SEC. 4.~~

6 ~~SEC. 25. Section 84300 of the Government Code is amended~~
7 ~~to read:~~

8 ~~84300. (a) No contribution of ~~one~~ two hundred dollars (~~\$100~~)~~
9 ~~(~~\$200~~) or more shall be made or received in cash.~~

10 ~~A cash contribution shall not be deemed received if it is not~~
11 ~~negotiated or deposited and is returned to the contributor before~~
12 ~~the closing date of the campaign statement on which the~~
13 ~~contribution would otherwise be reported. If a cash contribution,~~
14 ~~other than a late contribution, as defined in Section 82036, is~~
15 ~~negotiated or deposited, it shall not be deemed received if it is~~
16 ~~refunded within 72 hours of receipt. In the case of a late~~
17 ~~contribution, as defined in Section 82036, it shall not be deemed~~
18 ~~received if it is returned to the contributor within 48 hours of~~
19 ~~receipt.~~

20 ~~(b) No expenditure of ~~one~~ two hundred dollars (~~\$100~~) (~~\$200~~)~~
21 ~~or more shall be made in cash.~~

22 ~~(c) No contribution of ~~one~~ two hundred dollars (~~\$100~~) (~~\$200~~)~~
23 ~~or more other than an in-kind contribution shall be made unless~~
24 ~~in the form of a written instrument containing the name of the~~
25 ~~donor and the name of the payee and drawn from the account of~~
26 ~~the donor or the intermediary, as defined in Section 84302.~~

27 ~~(d) The value of all in-kind contributions of two hundred dollars~~
28 ~~(~~\$200~~) or more shall be reported in writing to the recipient upon~~
29 ~~the request in writing of the recipient.~~

30 ~~SEC. 5.~~

31 ~~SEC. 26. Section 84304 of the Government Code is amended~~
32 ~~to read:~~

33 ~~84304. No person shall make an anonymous contribution or~~
34 ~~contributions to a candidate, committee, or any other person~~
35 ~~totaling two hundred dollars (~~\$200~~) or more in a calendar year.~~
36 ~~An anonymous contribution of two hundred dollars (~~\$200~~) or more~~
37 ~~shall not be kept by the intended recipient but instead shall be~~
38 ~~promptly paid to the Secretary of State for deposit in the General~~
39 ~~Fund of the state.~~

1 ~~SEC. 6. The Legislature finds and declares that this bill furthers~~
2 ~~the purposes of the Political Reform Act of 1974 within the~~
3 ~~meaning of subdivision (a) of Section 81012 of the Government~~
4 ~~Code.~~

5 *SEC. 27. Section 84308 of the Government Code is amended*
6 *to read:*

7 84308. (a) The definitions set forth in this subdivision shall
8 govern the interpretation of this section.

9 (1) “Party” means any person who files an application for, or
10 is the subject of, a proceeding involving a license, permit, or other
11 entitlement for use.

12 (2) “Participant” means any person who is not a party but who
13 actively supports or opposes a particular decision in a proceeding
14 involving a license, permit, or other entitlement for use and who
15 has a financial interest in the decision, as described in Article 1
16 (commencing with Section 87100) of Chapter 7. A person actively
17 supports or opposes a particular decision in a proceeding if he or
18 she lobbies in person the officers or employees of the agency,
19 testifies in person before the agency, or otherwise acts to influence
20 officers of the agency.

21 (3) “Agency” means an agency as defined in Section 82003
22 except that it does not include the courts or any agency in the
23 judicial branch of government, local governmental agencies whose
24 members are directly elected by the voters, the Legislature, the
25 *State* Board of Equalization, or constitutional officers. However,
26 this section applies to any person who is a member of an exempted
27 agency but is acting as a voting member of another agency.

28 (4) “Officer” means any elected or appointed officer of an
29 agency, any alternate to an elected or appointed officer of an
30 agency, and any candidate for elective office in an agency.

31 (5) “License, permit, or other entitlement for use” means all
32 business, professional, trade, and land use licenses and permits
33 and all other entitlements for use, including all entitlements for
34 land use, all contracts (other than competitively bid, labor, or
35 personal employment contracts), and all franchises.

36 (6) “Contribution” includes contributions to candidates and
37 committees in federal, state, or local elections.

38 ~~(b) No officer of an agency shall accept, solicit, or direct a~~
39 ~~contribution of more than two hundred fifty dollars (\$250) from~~
40 ~~any party, or his or her agent, or from any participant, or his or her~~

1 agent, while a proceeding involving a license, permit, or other
2 entitlement for use is pending before the agency and for three
3 months following the date a final decision is rendered in the
4 proceeding if the officer knows or has reason to know that the
5 participant has a financial interest, as that term is used in Article
6 1 (commencing with Section 87100) of Chapter 7. This prohibition
7 shall apply regardless of whether the officer accepts, solicits, or
8 directs the contribution for himself or herself, or on behalf of any
9 other officer, or on behalf of any candidate for office or on behalf
10 of any committee.

11 (e)

12 (b) Prior to rendering any decision in a proceeding involving a
13 license, permit or other entitlement for use pending before an
14 agency, each officer of the agency who received a contribution
15 within the preceding 12 months in an amount of more than two
16 hundred fifty dollars (\$250) from a party or from any participant
17 shall disclose that fact on the record of the proceeding. No officer
18 of an agency shall make, participate in making, or in any way
19 attempt to use his or her official position to influence the decision
20 in a proceeding involving a license, permit, or other entitlement
21 for use pending before the agency if the officer has willfully or
22 knowingly received a contribution in an amount of more than two
23 hundred fifty dollars (\$250) within the preceding 12 months from
24 a party or his or her agent, or from any participant, or his or her
25 agent if the officer knows or has reason to know that the participant
26 has a financial interest in the decision, as that term is described
27 with respect to public officials in Article 1 (commencing with
28 Section 87100) of Chapter 7.

29 If an officer receives a contribution ~~which~~ *that* would otherwise
30 require disqualification under this section, *and* returns the
31 contribution within 30 days from the time he or she knows, or
32 should have known, about the contribution and the proceeding
33 involving a license, permit, or other entitlement for use, he or she
34 shall be permitted to participate in the proceeding.

35 (d)

36 (c) A party to a proceeding before an agency involving a license,
37 permit, or other entitlement for use shall disclose on the record of
38 the proceeding any contribution in an amount of more than two
39 hundred fifty dollars (\$250) made within the preceding 12 months
40 by the party, or his or her agent, to any officer of the agency. No

1 party, or his or her agent, to a proceeding involving a license,
2 permit, or other entitlement for use pending before any agency
3 and no participant, or his or her agent, in the proceeding shall make
4 a contribution of more than two hundred fifty dollars (\$250) to
5 any officer of that agency during the proceeding and for three
6 months following the date a final decision is rendered by the
7 agency in the proceeding. When a closed corporation is a party to,
8 or a participant in, a proceeding involving a license, permit, or
9 other entitlement for use pending before an agency, the majority
10 shareholder is subject to the disclosure and prohibition
11 requirements specified in ~~subdivisions (b), (c),~~ *subdivision (b)* and
12 this subdivision.

13 ~~(e)~~

14 *(d)* Nothing in this section shall be construed to imply that any
15 contribution subject to being reported under this title shall not be
16 so reported.

17 *SEC. 28. Section 84602 of the Government Code is amended*
18 *to read:*

19 84602. To implement the Legislature's intent, the Secretary of
20 State, in consultation with the ~~commission~~ *Commission*,
21 notwithstanding any other provision of the Government Code,
22 shall do all of the following:

23 (a) Develop online and electronic filing processes for use by
24 persons and entities specified in Sections 84604 and 84605 that
25 are required to file statements and reports with the Secretary of
26 State's office pursuant to Chapter 4 (commencing with Section
27 84100) and Chapter 6 (commencing with Section 86100). Those
28 processes shall each enable a user to comply with all the disclosure
29 requirements of this title and shall include, at a minimum, the
30 following:

31 (1) A means or method whereby filers subject to this chapter
32 may submit required filings free of charge. Any means or method
33 developed pursuant to this provision shall not provide any
34 additional or enhanced functions or services that exceed the
35 minimum requirements necessary to fulfill the disclosure provisions
36 of this title. At least one means or method shall be made available
37 no later than December 31, 2002.

38 (2) The definition of a nonproprietary standardized record format
39 or formats using industry standards for the transmission of the data
40 that is required of those persons and entities specified in

1 subdivision (a) of Section 84604 and Section 84605 and that
2 conforms with the disclosure requirements of this title. The
3 Secretary of State shall hold public hearings prior to development
4 of the record format or formats as a means to ensure that affected
5 entities have an opportunity to provide input into the development
6 process. The format or formats shall be made public no later than
7 July 1, 1999, to ensure sufficient time to comply with the
8 requirements of this chapter.

9 (b) Accept test files from software vendors and others wishing
10 to file reports electronically, for the purpose of determining whether
11 the file format is in compliance with the standardized record format
12 developed pursuant to subdivision (a) and is compatible with the
13 Secretary of State's system for receiving the data. A list of the
14 software and service providers who have submitted acceptable test
15 files shall be published by the Secretary of State and made available
16 to the public. Acceptably formatted files shall be submitted by a
17 filer in order to meet the requirements of this chapter.

18 (c) Develop a system that provides for the online or electronic
19 transfer of the data specified in this section utilizing
20 telecommunications technology that assures the integrity of the
21 data transmitted and that creates safeguards against efforts to
22 tamper with or subvert the data.

23 (d) Make all the data filed available on the Internet in an easily
24 understood format that provides the greatest public access. The
25 data shall be made available free of charge and as soon as possible
26 after receipt. ~~All late contribution reports and late independent~~
27 ~~expenditure reports, as defined by Sections 84203 and 84204,~~
28 ~~respectively,~~ shall be made available on the Internet within 24
29 hours of receipt. The data made available on the Internet shall not
30 contain the street name and building number of the persons or
31 entity representatives listed on the electronically filed forms or
32 any bank account number required to be disclosed pursuant to this
33 title.

34 (e) Develop a procedure for filers to comply with the
35 requirement that they sign under penalty of perjury pursuant to
36 Section 81004.

37 (f) Maintain all filed data online for 10 years after the date it is
38 filed, and then archive the information in a secure format.

39 (g) Provide assistance to those seeking public access to the
40 information.

1 (h) Implement sufficient technology to seek to prevent
2 unauthorized alteration or manipulation of the data.

3 (i) Provide the ~~commission~~ *Commission* with necessary
4 information to enable it to assist agencies, public officials, and
5 others, with the compliance with and administration of this title.

6 (j) Report to the Legislature on the implementation and
7 development of the online and electronic filing and disclosure
8 requirements of this chapter. The report shall include an
9 examination of system security, private security issues, software
10 availability, compliance costs to filers, use of the filing system and
11 software provided by the Secretary of State, and other issues
12 relating to this chapter, and shall recommend appropriate changes
13 if necessary. In preparing the report, the ~~commission~~ *Commission*
14 may present to the Secretary of State and the Legislature its
15 comments regarding this chapter as it relates to the duties of the
16 ~~commission~~ *Commission* and suggest appropriate changes if
17 necessary. There shall be one report due before the system is
18 operational as set forth in Section 84603, one report due no later
19 than June 1, 2002, and one report due no later than January 31,
20 2003.

21 (k) Review the current filing and disclosure requirements of
22 this chapter and report to the Legislature, no later than June 1,
23 2005, recommendations on revising these requirements so as to
24 promote greater reliance on electronic and online submissions.

25 *SEC. 29. Section 84604 of the Government Code is amended*
26 *to read:*

27 84604. (a) The Secretary of State shall implement an online
28 or electronic disclosure program in connection with the 2000 state
29 primary election and the lobbying activities specified in paragraph
30 (4). Entities specified in paragraphs (1), (2), and (3) shall
31 commence online or electronic disclosure with the first preelection
32 statement filed in connection with the 2000 statewide direct
33 primary election for the period ending January 22, 2000, and shall
34 continue to disclose online or electronically all required reports
35 and statements up to and including the semiannual statement for
36 the period ending June 30, 2000. Entities specified in paragraph
37 (4) shall commence online or electronic disclosure with the
38 quarterly report for the period ending March 31, 2000, and shall
39 continue to disclose online or electronically all required reports
40 and statements up to and including the quarterly report for the

1 period ending June 30, 2000. The entities subject to this section
2 are the following:

3 (1) Any candidate, including appellate court and Supreme Court
4 candidates and officeholders, committee, or other persons who are
5 required, pursuant to Chapter 4 (commencing with Section 84100),
6 to file statements, reports, or other documents in connection with
7 a state elective office or state measure appearing on the 2000
8 statewide direct primary ballot, provided that the total cumulative
9 reportable amount of contributions received, expenditures made,
10 loans made, or loans received is one hundred thousand dollars
11 (\$100,000) or more. For the purpose of cumulating totals, the
12 period covered shall commence January 1, 1999.

13 (2) Any general purpose committees, as defined in Section
14 82027.5, including the general purpose committees of political
15 parties, and small contributor committees, as defined in Section
16 85203, that cumulatively receive contributions or make
17 expenditures totaling one hundred thousand dollars (\$100,000) or
18 more to support or oppose candidates for any elective state office
19 or state measure appearing on the 2000 statewide direct primary
20 ballot. For the purpose of cumulating totals, the period covered
21 shall commence January 1, 1999.

22 (3) Any slate mailer organization with cumulative reportable
23 payments received or made for the purposes of producing slate
24 mailers of one hundred thousand dollars (\$100,000) or more in
25 connection with the 2000 statewide direct primary election. For
26 the purpose of cumulating totals, the period covered shall
27 commence January 1, 1999.

28 (4) Any lobbyist, lobbying firm, lobbyist employer, or other
29 persons required, pursuant to Chapter 6 (commencing with Section
30 86100), to file statements, reports, or other documents, provided
31 that the total amount of any category of reportable payments,
32 expenses, contributions, gifts, or other items is one hundred
33 thousand dollars (\$100,000) or more in a calendar quarter.

34 (b) Filers specified in subdivision (a) shall also continue to file
35 required disclosure forms in paper format. The paper copy shall
36 continue to be the official version for audit and other legal
37 purposes. Committees and other persons that are not required to
38 file online or electronically by this section may do so voluntarily.

39 (c) The Secretary of State shall also disclose on the Internet any
40 late contribution *report* or late independent expenditure report, as

1 ~~defined by Sections 84203 and 84204, respectively,~~ not covered
2 by subdivision (a).

3 (d) It shall be presumed that online or electronic filers file under
4 penalty of perjury.

5 *SEC. 30. Section 84605 of the Government Code is amended*
6 *to read:*

7 84605. (a) The following persons shall file online or
8 electronically with the Secretary of State:

9 (1) Any candidate, including superior court, appellate court,
10 and Supreme Court candidates and officeholders, committee, or
11 other persons who are required, pursuant to Chapter 4 (commencing
12 with Section 84100), to file statements, reports, or other documents
13 in connection with a state elective office or state measure, provided
14 that the total cumulative reportable amount of contributions
15 received, expenditures made, loans made, or loans received is
16 twenty-five thousand dollars (\$25,000) or more. In determining
17 the cumulative reportable amount, all controlled committees, as
18 defined by Section 82016, shall be included. For a committee
19 subject to this title prior to January 1, 2000, the beginning date for
20 calculating cumulative totals is January 1, 2000. For a committee
21 that is first subject to this title on or after January 1, 2000, the
22 beginning date for calculating cumulative totals is the date the
23 committee is first subject to this title. A committee, as defined in
24 subdivision (c) of Section 82013, shall file online or electronically
25 if it makes contributions of twenty-five thousand dollars (\$25,000)
26 or more in a calendar year.

27 (2) Any general purpose committees, as defined in Section
28 82027.5, including the general purpose committees of political
29 parties, and small contributor committees, as defined in Section
30 85203, that cumulatively receive contributions or make
31 expenditures totaling twenty-five thousand dollars (\$25,000) or
32 more to support or oppose candidates for any elective state office
33 or state measure. For a committee subject to this title prior to
34 January 1, 2000, the beginning date for calculating cumulative
35 totals is January 1, 2000. For a committee that first is subject to
36 this title on or after January 1, 2000, the beginning date for
37 calculating cumulative totals is the date the committee is first
38 subject to this title.

39 (3) Any slate mailer organization with cumulative reportable
40 payments received or made for the purposes of producing slate

1 mailers of twenty-five thousand dollars (\$25,000) or more. For a
2 slate mailer organization subject to this title prior to January 1,
3 2000, the beginning date for calculating cumulative totals is
4 January 1, 2000. For a slate mailer organization that first is subject
5 to this title on or after January 1, 2000, the beginning date for
6 calculating cumulative totals is the date the organization is first
7 subject to this title.

8 (4) Any lobbyist, lobbying firm, lobbyist employer, or other
9 persons required, pursuant to Chapter 6 (commencing with Section
10 86100), to file statements, reports, or other documents, provided
11 that the total amount of any category of reportable payments,
12 expenses, contributions, gifts, or other items is two thousand five
13 hundred dollars (\$2,500) or more in a calendar quarter.

14 (b) The Secretary of State shall also disclose on the Internet any
15 ~~late contribution report or late independent expenditure report, as~~
16 ~~defined by Sections 84203 and 84204, respectively,~~ not covered
17 by paragraph (1), (2), or (3) of subdivision (a) or any other
18 provision of law.

19 (c) Committees and other persons that are not required to file
20 online or electronically by this section may do so voluntarily.

21 (d) Once a person or entity is required to file online or
22 electronically, subject to subdivision (a) or (c), the person or entity
23 shall be required to file all subsequent reports online or
24 electronically.

25 (e) It shall be presumed that online or electronic filers file under
26 penalty of perjury.

27 (f) Persons filing online or electronically shall also continue to
28 file required disclosure statements and reports in paper format.
29 The paper copy shall continue to be the official filing for audit and
30 other legal purposes until the Secretary of State, pursuant to Section
31 84606, determines the system is operating securely and effectively.

32 (g) The Secretary of State shall maintain at all times a secured,
33 official version of all original online and electronically filed
34 statements and reports required by this chapter. Upon determination
35 by the Secretary of State, pursuant to Section 84606, that the
36 system is operating securely and effectively, this online or
37 electronic version shall be the official version for audit and other
38 legal purposes.

39 (h) Except for statements related to a local elective office or a
40 local ballot measure filed by a candidate for local elective office

1 who is also a candidate for elective state office, a copy of a
 2 statement, report, or other document filed by online or electronic
 3 means with the Secretary of State shall not be filed with a local
 4 filing officer.

5 *SEC. 31. Section 84609 of the Government Code is amended*
 6 *to read:*

7 84609. All candidates and ballot measure committees who are
 8 required, pursuant to Chapter 4 (commencing with Section 84100),
 9 to file statements, reports, or other documents in connection with
 10 a statewide elective office or state measure appearing on the
 11 November 1998 ballot shall provide at the time of filing, in addition
 12 to a paper submission, a copy of the required report on computer
 13 disk in either an ASCII or PDF format with documentation
 14 detailing the field layout or file structure. Filers who submit
 15 computer disks which are not readable, cannot be copied, or do
 16 not have documentation have not complied with the requirements
 17 of this section. Candidate and ballot measure committees who
 18 make their report available on the Internet through the Secretary
 19 of State’s office are not required to file the report on computer
 20 disk. The Secretary of State shall make copies available to the
 21 public, upon payment of fees covering direct costs of duplication,
 22 or a statutory fee, if applicable. The Secretary of State shall also
 23 disclose online; any ~~late contribution report~~ or late independent
 24 expenditure report, ~~as defined by Sections 84203 and 84204~~
 25 ~~respectively~~; filed in connection with any elective state office or
 26 ballot measure appearing on the November 1998 ballot.

27 *SEC. 32. Section 85301 of the Government Code is repealed.*

28 ~~85301. (a) A person, other than a small contributor committee~~
 29 ~~or political party committee, may not make to any candidate for~~
 30 ~~elective state office other than a candidate for statewide elective~~
 31 ~~office, and a candidate for elective state office other than a~~
 32 ~~candidate for statewide elective office may not accept from a~~
 33 ~~person, any contribution totaling more than three thousand dollars~~
 34 ~~(\$3,000) per election.~~

35 ~~(b) Except to a candidate for Governor, a person, other than a~~
 36 ~~small contributor committee or political party committee, may not~~
 37 ~~make to any candidate for statewide elective office, and except a~~
 38 ~~candidate for Governor, a candidate for statewide elective office~~
 39 ~~may not accept from a person other than a small contributor~~

1 committee or a political party committee, any contribution totaling
2 more than five thousand dollars (\$5,000) per election.

3 ~~(e) A person, other than a small contributor committee or
4 political party committee, may not make to any candidate for
5 Governor, and a candidate for governor may not accept from any
6 person other than a small contributor committee or political party
7 committee, any contribution totaling more than twenty thousand
8 dollars (\$20,000) per election.~~

9 ~~(d) The provisions of this section do not apply to a candidate's
10 contributions of his or her personal funds to his or her own
11 campaign.~~

12 *SEC. 33. Section 85302 of the Government Code is repealed.*

13 ~~85302. (a) A small contributor committee may not make to
14 any candidate for elective state office other than a candidate for
15 statewide elective office, and a candidate for elective state office,
16 other than a candidate for statewide elective office may not accept
17 from a small contributor committee, any contribution totaling more
18 than six thousand dollars (\$6,000) per election.~~

19 ~~(b) Except to a candidate for Governor, a small contributor
20 committee may not make to any candidate for statewide elective
21 office and except for a candidate for Governor, a candidate for
22 statewide elective office may not accept from a small contributor
23 committee, any contribution totaling more than ten thousand dollars
24 (\$10,000) per election.~~

25 ~~(e) A small contributor committee may not make to any
26 candidate for Governor, and a candidate for governor may not
27 accept from a small contributor committee, any contribution
28 totaling more than twenty thousand dollars (\$20,000) per election.~~

29 *SEC. 34. Section 85303 of the Government Code is repealed.*

30 ~~85303. (a) A person may not make to any committee, other
31 than a political party committee, and a committee other than a
32 political party committee may not accept, any contribution totaling
33 more than five thousand dollars (\$5,000) per calendar year for the
34 purpose of making contributions to candidates for elective state
35 office.~~

36 ~~(b) A person may not make to any political party committee,
37 and a political party committee may not accept, any contribution
38 totaling more than twenty-five thousand dollars (\$25,000) per
39 calendar year for the purpose of making contributions for the
40 support or defeat of candidates for elective state office.~~

1 Notwithstanding Section 85312, this limit applies to contributions
2 made to a political party used for the purpose of making
3 expenditures at the behest of a candidate for elective state office
4 for communications to party members related to the candidate's
5 candidacy for elective state office.

6 ~~(e) Except as provided in Section 85310, nothing in this chapter~~
7 ~~shall limit a person's contributions to a committee or political party~~
8 ~~committee provided the contributions are used for purposes other~~
9 ~~than making contributions to candidates for elective state office.~~

10 ~~(d) Nothing in this chapter limits a candidate for elected state~~
11 ~~office from transferring contributions received by the candidate~~
12 ~~in excess of any amount necessary to defray the candidate's~~
13 ~~expenses for election related activities or holding office to a~~
14 ~~political party committee, provided those transferred contributions~~
15 ~~are used for purposes consistent with paragraph (4) of subdivision~~
16 ~~(b) of Section 89519.~~

17 *SEC. 35. Section 85304 of the Government Code is amended*
18 *to read:*

19 85304. (a) A candidate for elective state office or an elected
20 state officer may establish a separate account to defray attorney's
21 fees and other related legal costs incurred for the candidate's or
22 officer's legal defense if the candidate or officer is subject to one
23 or more civil or criminal proceedings or administrative proceedings
24 arising directly out of the conduct of an election campaign, the
25 electoral process, or the performance of the officer's governmental
26 activities and duties. These funds may be used only to defray those
27 ~~attorney~~ attorney's fees and other related legal costs.

28 ~~(b) A candidate may receive contributions to this account that~~
29 ~~are not subject to the contribution limits set forth in this article.~~
30 ~~However, all~~ All contributions shall be reported in a *the* manner
31 prescribed by the ~~commission~~ Section 84200.

32 (c) Once the legal dispute is resolved, the candidate shall dispose
33 of any funds remaining after all expenses associated with the
34 dispute are discharged for one or more of the purposes set forth in
35 paragraphs (1) to (5), inclusive, of subdivision (b) of Section
36 89519.

37 *SEC. 36. Section 85305 of the Government Code is repealed.*

38 ~~85305. A candidate for elective state office or committee~~
39 ~~controlled by that candidate may not make any contribution to any~~

1 ~~other candidate for elective state office in excess of the limits set~~
2 ~~forth in subdivision (a) of Section 85301.~~

3 *SEC. 37. Section 85306 of the Government Code is amended*
4 *to read:*

5 85306. (a) A candidate may transfer campaign funds from one
6 controlled committee to a controlled committee for elective state
7 office of the same candidate. Contributions transferred shall be
8 attributed to specific contributors using a “last in, first out” or “first
9 in, first out” accounting method, ~~and these attributed contributions~~
10 ~~when aggregated with all other contributions from the same~~
11 ~~contributor may not exceed the limits set forth in Section 85301~~
12 ~~or 85302.~~

13 (b) Notwithstanding subdivision (a), a candidate for elective
14 state office, other than a candidate for statewide elective office,
15 who possesses campaign funds on January 1, 2001, may use those
16 funds to seek elective office without attributing the funds to specific
17 contributors.

18 (c) Notwithstanding subdivision (a), a candidate for statewide
19 elective office who possesses campaign funds on November 6,
20 2002, may use those funds to seek elective office without
21 attributing the funds to specific contributors.

22 *SEC. 38. Section 85307 of the Government Code is repealed.*

23 ~~85307. (a) The provisions of this article regarding loans apply~~
24 ~~to extensions of credit, but do not apply to loans made to a~~
25 ~~candidate by a commercial lending institution in the lender’s~~
26 ~~regular course of business on terms available to members of the~~
27 ~~general public for which the candidate is personally liable.~~

28 ~~(b) Notwithstanding subdivision (a), a candidate for elective~~
29 ~~state office may not personally loan to his or her campaign,~~
30 ~~including the proceeds of a loan obtained by the candidate from a~~
31 ~~commercial lending institution, an amount, the outstanding balance~~
32 ~~of which exceeds one hundred thousand dollars (\$100,000). A~~
33 ~~candidate may not charge interest on any loan he or she made to~~
34 ~~his or her campaign.~~

35 *SEC. 39. Section 85309 of the Government Code is repealed.*

36 ~~85309. (a) In addition to any other report required by this title,~~
37 ~~a candidate for elective state office who is required to file reports~~
38 ~~pursuant to Section 84605 shall file online or electronically with~~
39 ~~the Secretary of State a report disclosing receipt of a contribution~~
40 ~~of one thousand dollars (\$1,000) or more received during an~~

1 election cycle. Those reports shall disclose the same information
2 required by subdivision (a) of Section 84203 and shall be filed
3 within 24 hours of receipt of the contribution.

4 (b) In addition to any other report required by this title, any
5 committee primarily formed to support or oppose one or more
6 state ballot measures that is required to file reports pursuant to
7 Section 84605 shall file online or electronically with the Secretary
8 of State a report disclosing receipt of a contribution of one thousand
9 dollars (\$1,000) or more received during an election cycle. Those
10 reports shall disclose the same information required by subdivision
11 (a) of Section 84203 and shall be filed within 24 hours of receipt
12 of the contribution.

13 (c) In addition to any other report required by this title, a
14 candidate for elective state office who is required to file reports
15 pursuant to Section 84605 shall file online or electronically with
16 the Secretary of State a report disclosing receipt of a contribution
17 of five thousand dollars (\$5,000) or more received at any time
18 other than during an election cycle. Those reports shall disclose
19 the same information required by subdivision (a) of Section 84203
20 and shall be filed within 10 business days of receipt of the
21 contribution.

22 (d) In addition to any other report required by this title, a
23 committee primarily formed to support or oppose a state ballot
24 measure that is required to file reports pursuant to Section 84605
25 shall file online or electronically with the Secretary of State a report
26 disclosing receipt of a contribution of five thousand dollars
27 (\$5,000) or more received at any time other than during an election
28 cycle. Those reports shall disclose the same information required
29 by subdivision (a) of Section 84203 and shall be filed within 10
30 business days of receipt of the contribution.

31 *SEC. 40. Section 85310 of the Government Code is amended*
32 *to read:*

33 85310. (a) Any person who makes a payment or a promise of
34 payment totaling fifty thousand dollars (\$50,000) or more for a
35 communication that clearly identifies a candidate for elective state
36 office, but does not expressly advocate the election or defeat of
37 the candidate, and that is disseminated, broadcast, or otherwise
38 published within 45 days of an election, shall file online or
39 electronically with the Secretary of State a report disclosing the
40 name of the person, address, occupation, and employer, and amount

1 of the payment. The report shall be filed within 48 hours of making
2 the payment or the promise to make the payment.

3 (b) (1) Except as provided in paragraph (2), if any person has
4 received a payment or a promise of a payment from other persons
5 totaling five thousand dollars (\$5,000) or more for the purpose of
6 making a communication described in subdivision (a), the person
7 receiving the payments shall disclose on the report the name,
8 address, occupation and employer, and date and amount received
9 from the person.

10 (2) A person who receives or is promised a payment that is
11 otherwise reportable under paragraph (1) is not required to report
12 the payment if the person is in the business of providing goods or
13 services and receives or is promised the payment for the purpose
14 of providing those goods or services.

15 ~~(e) Any payment received by a person who makes a~~
16 ~~communication described in subdivision (a) is subject to the limits~~
17 ~~specified in subdivision (b) of Section 85303 if the communication~~
18 ~~is made at the behest of the clearly identified candidate.~~

19 *SEC. 41. Section 85314 of the Government Code is repealed.*

20 ~~85314. The contribution limits of this chapter apply to special~~
21 ~~elections and apply to special runoff elections. A special election~~
22 ~~and a special runoff election are separate elections for purposes~~
23 ~~of the contribution and voluntary expenditure limits set forth in~~
24 ~~this chapter.~~

25 *SEC. 42. Section 85315 of the Government Code is amended*
26 *to read:*

27 85315. (a) Notwithstanding any other provision of this chapter,
28 an elected state officer may establish a committee to oppose the
29 qualification of a recall measure, and the recall election. This
30 committee may be established when the elected state officer
31 receives a notice of intent to recall pursuant to Section 11021 of
32 the Elections Code. An elected state officer may accept campaign
33 contributions to oppose the qualification of a recall measure, and
34 if qualification is successful, the recall election, ~~without regard to~~
35 ~~the campaign contributions limits set forth in this chapter.~~ The
36 voluntary expenditure limits do not apply to expenditures made
37 to oppose the qualification of a recall measure or to oppose the
38 recall election.

39 (b) After the failure of a recall petition or after the recall
40 election, the committee formed by the elected state officer shall

1 wind down its activities and dissolve. Any remaining funds shall
 2 be treated as surplus funds and shall be expended within 30 days
 3 after the failure of the recall petition or after the recall election for
 4 a purpose specified in subdivision (b) of Section 89519.

5 *SEC. 43. Section 85316 of the Government Code is amended*
 6 *to read:*

7 85316. (a) Except as provided in subdivision (b), a contribution
 8 for an election may be accepted by a candidate for elective state
 9 office after the date of the election only to the extent that the
 10 contribution does not exceed net debts outstanding from the
 11 election, ~~and the contribution does not otherwise exceed the~~
 12 ~~applicable contribution limit for that election.~~

13 (b) Notwithstanding subdivision (a), an elected state officer
 14 may accept contributions after the date of the election for the
 15 purpose of paying expenses associated with holding the office
 16 provided that the contributions are not expended for any
 17 contribution to any state or local committee. Contributions received
 18 pursuant to this subdivision shall be deposited into a bank account
 19 established solely for the purposes specified in this subdivision.

20 (1) No person shall make, and no elected state officer shall
 21 receive from a person, a contribution pursuant to this subdivision
 22 totaling more than the following amounts per calendar year:

23 (A) Three thousand dollars (\$3,000) in the case of an elected
 24 state officer of the Assembly or Senate.

25 (B) Five thousand dollars (\$5,000) in the case of a statewide
 26 elected state officer other than the Governor.

27 (C) Twenty thousand dollars (\$20,000) in the case of the
 28 Governor.

29 (2) No elected state officer shall receive contributions pursuant
 30 to paragraph (1) that, in the aggregate, total more than the following
 31 amounts per calendar year:

32 (A) Fifty thousand dollars (\$50,000) in the case of an elected
 33 state officer of the Assembly or Senate.

34 (B) One hundred thousand dollars (\$100,000) in the case of a
 35 statewide elected state officer other than the Governor.

36 (C) Two hundred thousand dollars (\$200,000) in the case of the
 37 Governor.

38 ~~(3)~~

39 (c) Any contribution received pursuant to this ~~subdivision~~
 40 *section* shall be deemed to be a contribution to that candidate for

1 election to any state office that he or she may seek during the term
2 of office to which he or she is currently elected, including, but not
3 limited to, reelection to the office he or she currently holds, ~~and~~
4 ~~shall be subject to any applicable contribution limit provided in~~
5 ~~this title. If a contribution received pursuant to this subdivision~~
6 ~~exceeds the allowable contribution limit for the office sought, the~~
7 ~~candidate shall return the amount exceeding the limit to the~~
8 ~~contributor on a basis to be determined by the Commission. None~~
9 of the expenditures made by elected state officers pursuant to this
10 subdivision shall be subject to the voluntary expenditure limitations
11 in Section 85400.

12 ~~(4) The commission shall adjust the calendar year contribution~~
13 ~~limitations and aggregate contribution limitations set forth in this~~
14 ~~subdivision in January of every odd-numbered year to reflect any~~
15 ~~increase or decrease in the Consumer Price Index. Those~~
16 ~~adjustments shall be rounded to the nearest one hundred dollars~~
17 ~~(\$100).~~

18 *SEC. 44. Section 85321 of the Government Code is repealed.*

19 ~~85321. Notwithstanding any other provision of this chapter, if~~
20 ~~a candidate for elective state office or the candidate's controlled~~
21 ~~committee had net debts resulting from an election held prior to~~
22 ~~January 1, 2001, contributions to that candidate or committee for~~
23 ~~that election are not subject to the limits of Sections 85301 and~~
24 ~~85302.~~

25 *SEC. 45. Section 85501 of the Government Code is amended*
26 *to read:*

27 85501. A controlled committee of a candidate may not make
28 independent expenditures ~~and may not contribute funds to another~~
29 ~~committee for the purpose of making independent expenditures to~~
30 ~~support or oppose other candidates.~~

31 *SEC. 46. Section 89510 of the Government Code is amended*
32 *to read:*

33 89510. ~~(a) A candidate for elective state office may only accept~~
34 ~~contributions within the limits provided in Chapter 5 (commencing~~
35 ~~with Section 85100).~~

36 ~~(b) All contributions deposited into the campaign account shall~~
37 ~~be deemed to be held in trust for expenses associated with the~~
38 ~~election of the candidate or for expenses associated with holding~~
39 ~~office.~~

1 *SEC. 47. Section 89511.5 of the Government Code is amended*
2 *to read:*

3 89511.5. (a) An incumbent elected officer may utilize his or
4 her personal funds for expenditures authorized by ~~subdivision (b)~~
5 of Section 89510 without first depositing those funds in his or her
6 controlled committee's campaign bank account, if both of the
7 following conditions are met:

8 (1) The expenditures are not campaign expenses.

9 (2) The treasurer of the committee is provided with a dated
10 receipt and a written description of the expenditure.

11 (b) An incumbent elected officer may be reimbursed for
12 expenditures of his or her personal funds, from either the controlled
13 committee campaign bank account established pursuant to Section
14 85201 with respect to election to the incumbent term of office, or
15 from a controlled committee campaign bank account established
16 pursuant to Section 85201 with respect to election to a future term
17 of office, if all of the following conditions are met:

18 (1) The expenditures are not campaign expenses.

19 (2) The incumbent elected officer, prior to reimbursement,
20 provides the treasurer of the committee with a dated receipt and a
21 written description of each expenditure.

22 (3) Reimbursement is paid within 90 days of the expenditure,
23 in the case of a cash expenditure, or within 90 days of the end of
24 the billing period in which it was included, in the case of an
25 expenditure charged to a credit card or charge account.

26 (c) When the elected officer's controlled committee is notified
27 that expenditures totaling one hundred dollars (\$100) or more in
28 a fiscal year have been made by the incumbent elected officer, the
29 committee shall report, pursuant to subdivision (k) of Section
30 84211, the expenditures on the campaign statement for the period
31 in which the expenditures were made and the reimbursements on
32 the campaign statement for the period in which the reimbursements
33 were made.

34 (d) If reimbursement is not paid within the time authorized by
35 this section, the expenditure shall be reported on the campaign
36 statement as a nonmonetary contribution received on the 90th day
37 after the expenditure is paid, in the case of a cash expenditure, or
38 within 90 days of the end of the billing period in which it was
39 included, in the case of an expenditure charged to a credit card or
40 charge account.

1 (e) This section shall not be construed to authorize an incumbent
2 elected officer to make expenditures from any campaign bank
3 account for expenses other than those expenses associated with
4 his or her election to the specific office for which the account was
5 established and expenses associated with holding that office.

6 *SEC. 48. Section 89512.5 of the Government Code is amended*
7 *to read:*

8 89512.5. (a) Subject to the provisions of subdivision (b), any
9 expenditure by a committee not subject to the trust imposed by
10 ~~subdivision (b) of Section 89510~~ shall be reasonably related to a
11 political, legislative, or governmental purpose of the committee.

12 (b) Any expenditure by a committee that confers a substantial
13 personal benefit on any individual or individuals with authority to
14 approve the expenditure of campaign funds held by the committee,
15 shall be directly related to a political, legislative, or governmental
16 purpose of the committee.

17 *SEC. 49. No reimbursement is required by this act pursuant*
18 *to Section 6 of Article XIII B of the California Constitution because*
19 *the duties imposed on a local agency or school district by this act*
20 *were expressly included in a ballot measure approved by the voters*
21 *in a statewide election, within the meaning of Section 17556 of*
22 *the Government Code.*

23 *SEC. 50. The Secretary of State shall, pursuant to subdivision*
24 *(b) of Section 81012 of the Government Code, submit Sections 3*
25 *to 48, inclusive, of this act to the voters for approval at a statewide*
26 *election in accordance with Section 9040 of the Elections Code.*

27 *SEC. 51. Sections 1 and 2 of this act shall not become operative*
28 *unless and until the voters approve the amendments to the Political*
29 *Reform Act of 1974 (Title 9 (commencing with Section 81000) of*
30 *the Government Code) made by Sections 3 to 48, inclusive, of this*
31 *act, at the statewide election described in Section 50.*

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