

AMENDED IN SENATE JUNE 25, 2012

AMENDED IN ASSEMBLY APRIL 24, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2191

Introduced by Assembly Member Norby

February 23, 2012

An act to amend Section 85703 of, and to add Section 84207 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2191, as amended, Norby. Political Reform Act of 1974: county central committees.

The Political Reform Act of 1974 requires elected officers, candidates for elective office, and committees to prepare and file various campaign finance reports, as specified.

This bill would exempt an elected member of, or a candidate for election to, a county central committee of a qualified political party who receives contributions of less than \$1,000 and who makes expenditures of less than \$1,000 in a calendar year from the requirements to file specified campaign statements.

The act imposes limitations on contributions by persons to candidates for elective state office and permits local jurisdictions to impose additional contribution limitations, as specified. The act also authorizes a local agency to impose additional filing requirements on a person, except as specified.

This bill would prohibit a local government agency from imposing any filing requirements on an elected member of, or a candidate for election to, a county central committee of a qualified political party

who receives contributions of less than \$1,000 and who makes expenditures of less than \$1,000 in a calendar year. The bill would also prohibit a local jurisdiction from imposing any contribution limitations or prohibitions on an elected member of, or a candidate for election to, a county central committee of a qualified political party, or on a committee primarily formed to support or oppose a person seeking election to a county central committee of a qualified political party.

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 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: 2/3. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

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

1 SECTION 1. Section 84207 is added to the Government Code,
2 to read:

3 84207. (a) An elected member of, or a candidate for election
4 to, a county central committee of a qualified political party who
5 receives contributions of less than one thousand dollars (\$1,000)
6 and who makes expenditures of less than one thousand dollars
7 (\$1,000) in a calendar year shall not be required to file any
8 campaign statements required by this ~~chapter~~ *title*.

9 (b) Notwithstanding Sections 81009.5 and 81013, a local
10 government agency shall not impose any filing requirements on
11 an elected member of, or a candidate for election to, a county
12 central committee of a qualified political party who receives
13 contributions of less than one thousand dollars (\$1,000) and who
14 makes expenditures of less than one thousand dollars (\$1,000) in
15 a calendar year.

16 SEC. 2. Section 85703 of the Government Code is amended
17 to read:

18 85703. (a) Nothing in this act shall nullify contribution
19 limitations or prohibitions of any local jurisdiction that apply to
20 elections for local elective office, except that these limitations and
21 prohibitions may not conflict with Section 85312. However, a local
22 jurisdiction shall not impose any contribution limitations or
23 prohibitions on an elected member of, or a candidate for election

1 to, a county central committee of a qualified political party, or on
2 a committee primarily formed to support or oppose a person
3 seeking election to a county central committee of a qualified
4 political party.

5 (b) Limitations and prohibitions imposed by a local jurisdiction
6 on payments for a member communication, as defined in
7 subdivision (c), that conflict with Section 85312 and which are
8 thereby prohibited by subdivision (a) include, but are not limited
9 to, any of the following:

10 (1) Source restrictions on payments for member communications
11 that are not expressly made applicable to member communications
12 by a state statute or by a regulation adopted by the Commission
13 pursuant to Section 83112.

14 (2) Limitations on payments to a political party committee for
15 a member communication that are not expressly made applicable
16 to member communications by a state statute or by a regulation
17 adopted by the Commission pursuant to Section 83112.

18 (3) Limitations on the scope of payments considered directly
19 related to the making of a member communication, including costs
20 associated with the formulation, design, production, and
21 distribution of the communication such as surveys, list acquisition,
22 and consulting fees that are not expressly made applicable to
23 member communications by a state statute or by a regulation
24 adopted by the Commission pursuant to Section 83112.

25 (c) For purposes of this section, “member communication”
26 means a communication, within the meaning of Section 85312, to
27 members, employees, shareholders, or families of members,
28 employees, or shareholders of an organization, including a
29 communication by a political party to a member who is registered
30 as expressing a preference for that party on his or her affidavit of
31 registration pursuant to Sections 2150, 2151, and 2152 of the
32 Elections Code.

33 SEC. 3. The Legislature finds and declares that this bill furthers
34 the purposes of the Political Reform Act of 1974 within the
35 meaning of subdivision (a) of Section 81012 of the Government
36 Code.

O