

AMENDED IN ASSEMBLY MARCH 14, 2013

CALIFORNIA LEGISLATURE—2013—14 REGULAR SESSION

ASSEMBLY BILL

No. 510

Introduced by Assembly Member Ammiano

February 20, 2013

An act to amend Section ~~84200~~ 84511 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 510, as amended, Ammiano. Political Reform Act of 1974: *advertisement disclosures.*

The Political Reform Act of 1974 requires a committee that makes an expenditure of \$5,000 or more to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage, or defeat of a ballot measure to file a report, as specified, and to include in the advertisement a statement regarding payment of the individual by the committee or its donors.

This bill, in addition, would require a committee to comply with these requirements with regard to an expenditure of any amount to an individual for his or her appearance in an advertisement to support or oppose the qualification, passage, or defeat of a ballot measure if the advertisement states or otherwise communicates that the individual is a practitioner or member of a profession having expertise or specialized knowledge relating to the subject of the measure.

Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

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 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.

~~The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, conflicts of interests of public officials, and the lobbying industry, and further establishes the Fair Political Practices Commission to administer and enforce the provisions of the act. The act requires elected officers, candidates, and certain committees to file semiannual statements, except as specified.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

Vote: ~~majority~~²/₃. 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. Section 84511 of the Government Code is
- 2 amended to read:
- 3 84511. (a) (1) A committee that makes an expenditure of
- 4 five thousand dollars (\$5,000) or more to an individual for his or
- 5 her appearance in an advertisement to support or oppose the
- 6 qualification, passage, or defeat of a ballot measure shall file a
- 7 report within 10 days of the expenditure. ~~The report~~
- 8 (2) A committee that makes an expenditure of any amount to an
- 9 individual for his or her appearance in an advertisement to support
- 10 or oppose the qualification, passage, or defeat of a ballot measure
- 11 shall file a report within 10 days of the expenditure if the
- 12 advertisement states or otherwise communicates that the individual
- 13 is a practitioner or member of a profession having expertise or
- 14 specialized knowledge relating to the subject of the measure.

1 (b) A report required by subdivision (a) shall identify the
2 measure, the date of the expenditure, the name of the recipient,
3 and the amount expended.

4 ~~(b) The advertisement~~

5 (c) An advertisement for which a report is required by
6 subdivision (a) shall include the statement “(spokesperson’s name)
7 is being paid by this campaign or its donors” in highly visible
8 roman font shown continuously, if the advertisement consists of
9 printed or televised material, or spoken in a clearly audible format,
10 if the advertisement is a radio broadcast or telephone message.

11 SEC. 2. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the penalty
16 for a crime or infraction, within the meaning of Section 17556 of
17 the Government Code, or changes the definition of a crime within
18 the meaning of Section 6 of Article XIII B of the California
19 Constitution.

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

23 SECTION 1. ~~Section 84200 of the Government Code is~~
24 ~~amended to read:~~

25 84200. ~~(a) Except as provided in paragraphs (1), (2), and (3),~~
26 ~~elected officers, candidates, and committees pursuant to subdivision~~
27 ~~(a) of Section 82013 shall file semiannual statements each year no~~
28 ~~later than July 31 for the period ending June 30, and no later than~~
29 ~~January 31 for the period ending December 31.~~

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

33 ~~(2) Elected officers whose salaries are less than two hundred~~
34 ~~dollars (\$200) a month, judges, judicial candidates, and their~~
35 ~~controlled committees shall not file semiannual statements pursuant~~
36 ~~to this subdivision for any six-month period in which they have~~
37 ~~not made or received any contributions or made any expenditures.~~

38 ~~(3) A judge who is not listed on the ballot for reelection to, or~~
39 ~~recall from, an elective office during a calendar year shall not file~~

1 ~~semiannual statements pursuant to this subdivision for any~~
2 ~~six-month period in that year if both of the following apply:~~
3 ~~(A) The judge has not received any contributions.~~
4 ~~(B) The only expenditures made by the judge during the calendar~~
5 ~~year are contributions from the judge's personal funds to other~~
6 ~~candidates or committees totaling less than one thousand dollars~~
7 ~~(\$1,000).~~
8 ~~(b) All committees pursuant to subdivision (b) or (c) of Section~~
9 ~~82013 shall file campaign statements each year no later than July~~
10 ~~31 for the period ending June 30, and no later than January 31 for~~
11 ~~the period ending December 31, if they have made contributions~~
12 ~~or independent expenditures, including payments to a slate mailer~~
13 ~~organization, during the six-month period before the closing date~~
14 ~~of the statements.~~