

AMENDED IN SENATE JULY 3, 2014
AMENDED IN SENATE JUNE 18, 2014
AMENDED IN ASSEMBLY MAY 5, 2014
AMENDED IN ASSEMBLY APRIL 8, 2014
AMENDED IN ASSEMBLY MARCH 19, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1431

Introduced by Assembly Member Gonzalez
(Principal coauthor: Senator Hueso)
(Coauthors: Assembly Members Garcia and Quirk-Silva)
(Coauthor: Senator Anderson)

January 6, 2014

An act to add Section 85705 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1431, as amended, Gonzalez. Campaign contributions: school district and community college district administrators.

The Political Reform Act of 1974 establishes certain limits on the amount of contributions that a person or group can make to a candidate for elective state office, or to a committee.

This bill would prohibit an administrator of a school district or community college district, as defined, from knowingly soliciting, accepting, or receiving a contribution for the campaign of an elected official of the district employing the administrator, or any candidate for an office of the school district or community college district employing

the administrator. The bill would clarify that this prohibition does not apply to an administrator who is soliciting, accepting, or receiving a contribution for his or her own campaign for an office of a school district or community college district. *The bill would also prohibit an elected official of a school district or community college district, or a candidate for an office of a school district or community college district, from requesting an administrator of the school district or community college district to solicit, accept, or receive a contribution for the campaign of that elected official or candidate.*

Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties. By expanding the scope of an existing crime, 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 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: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

- 1 SECTION 1. Section 85705 is added to the Government Code,
- 2 to read:
- 3 85705. (a) As used in this section:
- 4 (1) “Administrator of a community college district” includes
- 5 the following:
- 6 (A) ~~The Superintendent, Chancellor, or President~~ *superintendent,*
- 7 *chancellor, or president* of a community college district.
- 8 (B) A district level community college district official who
- 9 reports directly to the ~~Superintendent, Chancellor, or President~~
- 10 *superintendent, chancellor, or president* of a community college
- 11 district.
- 12 (2) “Administrator of a school district” includes the following:

1 (A) ~~The Superintendent~~ *superintendent* of a school district.

2 (B) A district level school district official who reports directly
3 to the ~~Superintendent~~. *superintendent*.

4 (b) An administrator of a school district or community college
5 district shall not knowingly solicit, accept, or receive a contribution
6 for the campaign of an elected official of the school district or
7 community college district employing the administrator, or any
8 candidate for an office of the school district or community college
9 district employing the administrator.

10 (c) *An elected official of a school district or community college*
11 *district, or a candidate for an office of a school district or*
12 *community college district, shall not request an administrator of*
13 *the school district or community college district to solicit, accept,*
14 *or receive a contribution for the campaign of that elected official*
15 *or candidate.*

16 (e)

17 (d) This section does not prohibit an administrator of a school
18 district or community college district from soliciting, accepting,
19 or receiving a contribution for his or her own campaign for an
20 office of the school district or community college district.

21 SEC. 2. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section 17556 of
27 the Government Code, or changes the definition of a crime within
28 the meaning of Section 6 of Article XIII B of the California
29 Constitution.

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