

AMENDED IN SENATE APRIL 30, 2014

AMENDED IN SENATE APRIL 2, 2014

SENATE BILL

No. 1101

Introduced by Senator Padilla

February 19, 2014

An act to add Section 85301.5 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 1101, as amended, Padilla. Political Reform Act of 1974.

Existing law, the Political Reform Act of 1974, places limits on the amount of campaign contributions that a person may make to a candidate for elective state office.

This bill would prohibit any campaign contribution to a Member of the Legislature during the following periods of time: (1) in an odd-numbered year, on the date the Legislature adjourns *the regular session* for a joint recess to reconvene in the ~~second~~ *2nd* calendar year of the biennium of the ~~legislative~~ *regular* session, and during the 7-day period following and the 100-day period preceding that date, and (2) in an even-numbered year, the period from May 23 to September 7, inclusive. *This bill would exempt from these provisions a contribution made to, or solicited or accepted by, a Member of the Legislature for purposes of that Member's candidacy for a local elective office or an elective state office that is to be voted upon at a special election.*

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.

Vote: 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 85301.5 is added to the Government
2 Code, to read:

3 85301.5. ~~A~~(a) *Except as provided in subdivision (b), a person*
4 *shall not make to a Member of the Legislature, and a Member of*
5 *the Legislature shall not solicit or accept, a contribution during*
6 *the following periods:*

7 (a)

8 (1) *In an odd-numbered year, on the date the Legislature*
9 *adjourns the regular session for a joint recess to reconvene in the*
10 *second calendar year of the biennium of the legislative regular*
11 *session, during the 100-day period preceding that date, and during*
12 *the seven-day period following that date.*

13 (b)

14 (2) *In an even-numbered year, the period from May 23 to*
15 *September 7, inclusive.*

16 (b) *Subdivision (a) does not prohibit either of the following:*

17 (1) *A contribution made to, or solicited or accepted by, a*
18 *Member of the Legislature for purposes of that Member’s*
19 *candidacy for a local elective office.*

20 (2) *A contribution made to, or solicited or accepted by, a*
21 *Member of the Legislature for purposes of that Member’s*
22 *candidacy for an elective state office that is to be voted upon at a*
23 *special election.*

24 SEC. 2. No reimbursement is required by this act pursuant to
25 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school
2 district will be incurred because this act creates a new crime or
3 infraction, eliminates a crime or infraction, or changes the penalty
4 for a crime or infraction, within the meaning of Section 17556 of
5 the Government Code, or changes the definition of a crime within
6 the meaning of Section 6 of Article XIII B of the California
7 Constitution.

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

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