

AMENDED IN SENATE MAY 27, 2014
AMENDED IN SENATE APRIL 30, 2014
AMENDED IN SENATE APRIL 2, 2014

SENATE BILL

No. 1101

**Introduced by Senator *Senators Padilla, Corbett, De León, Hill,
Roth, and Steinberg***

February 19, 2014

An act to add Section 85301.5 to the Government Code, relating to the Political Reform Act of 1974, *and declaring the urgency thereof, to take effect immediately.*

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 2nd calendar year of the biennium of the 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 each year, a specified period before the enactment of the Budget Bill, (2) in each odd-numbered year, during the 30 days preceding the adjournment of the legislative session, and (3) in each even-numbered year, the period from August 1 to August 31, 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.

This bill would declare that it is to take effect immediately as an urgency statute.

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) Except as provided in subdivision ~~(b)~~ (c), 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 ~~(1) In an odd-numbered year, on the date the Legislature~~
- 8 ~~adjourns the regular session for a joint recess to reconvene in the~~
- 9 ~~second calendar year of the biennium of the regular session, during~~
- 10 ~~the 100-day period preceding that date, and during the seven-day~~
- 11 ~~period following that date.~~
- 12 ~~(2) In an even-numbered year, the period from May 23 to~~
- 13 ~~September 7, inclusive.~~
- 14 *(1) In each year, the period from the date on which the Director*
- 15 *of Finance provides to the Legislature a revised estimate of*

1 *General Fund revenues, proposals to reduce expenditures based*
2 *on that revision, and proposed adjustments to the Governor's*
3 *Budget pursuant to subdivision (e) of Section 13308 to the date of*
4 *enactment of a Budget Bill for the fiscal year commencing on July*
5 *1 of the same year, inclusive.*

6 *(2) In each odd-numbered year, the period from the date 30*
7 *days preceding the date the Legislature is scheduled to adjourn*
8 *for a joint recess to reconvene in the second calendar year of the*
9 *biennium of the legislative session to the date that adjournment*
10 *occurs, inclusive.*

11 *(3) In each even-numbered year, the period from August 1 to*
12 *August 31, inclusive.*

13 *(b) Each house of the Legislature may take any disciplinary*
14 *action it deems appropriate against a Member of that house who*
15 *violates subdivision (a), including, but not limited to, reprimand,*
16 *censure, suspension, or expulsion.*

17 ~~(b)~~

18 *(c) Subdivision (a) does not prohibit either of the following: a*
19 *contribution made to, or solicited or accepted by, a Member of*
20 *the Legislature for purposes of that Member's candidacy for an*
21 *elective state office that is to be voted upon at a special election.*

22 ~~(1) A contribution made to, or solicited or accepted by, a~~
23 ~~Member of the Legislature for purposes of that Member's~~
24 ~~candidacy for a local elective office.~~

25 ~~(2) A contribution made to, or solicited or accepted by, a~~
26 ~~Member of the Legislature for purposes of that Member's~~
27 ~~candidacy for an elective state office that is to be voted upon at a~~
28 ~~special election.~~

29 SEC. 2. No reimbursement is required by this act pursuant to
30 Section 6 of Article XIII B of the California Constitution because
31 the only costs that may be incurred by a local agency or school
32 district will be incurred because this act creates a new crime or
33 infraction, eliminates a crime or infraction, or changes the penalty
34 for a crime or infraction, within the meaning of Section 17556 of
35 the Government Code, or changes the definition of a crime within
36 the meaning of Section 6 of Article XIII B of the California
37 Constitution.

38 SEC. 3. The Legislature finds and declares that this bill furthers
39 the purposes of the Political Reform Act of 1974 within the

1 meaning of subdivision (a) of Section 81012 of the Government
2 Code.

3 *SEC. 4. This act is an urgency statute necessary for the*
4 *immediate preservation of the public peace, health, or safety within*
5 *the meaning of Article IV of the Constitution and shall go into*
6 *immediate effect. The facts constituting the necessity are:*

7 *In order to implement these proposals at the earliest possible*
8 *time prior to the 2014 General Election, it is necessary that this*
9 *act take immediate effect.*

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