

AMENDED IN ASSEMBLY JUNE 17, 2014

AMENDED IN SENATE MAY 27, 2014

AMENDED IN SENATE MAY 15, 2014

SENATE BILL

No. 1103

Introduced by Senator Padilla

February 19, 2014

An act to add Section 85201.5 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 1103, as amended, Padilla. Political Reform Act of 1974: candidacy for elective state office.

The Political Reform Act of 1974 requires an individual to file a statement of intention to be a candidate for an elective office, signed under penalty of perjury, prior to soliciting or receiving a contribution or loan. The act requires the individual to establish one campaign contribution account, as specified, upon filing the statement of intention to be a candidate.

This bill would provide that, if an individual files a statement of intention to be a candidate for elective state office, the filing of a subsequent statement of intention to be a candidate for a different elective state office that is to be voted upon at the same election would effect a revocation of the prior statement of intention to be a candidate, and the individual would thereafter be prohibited from soliciting or receiving a contribution or loan for the elective state office for which he or she previously filed a statement of intention to be a candidate. The bill would prohibit an individual from filing, and the Secretary of

State from accepting, a statement of intention to be a candidate for an Assembly, Senate, or other constitutional office at an election other than the next election or next 2 elections at which that office will appear on the ballot, as specified. This bill would prohibit an elected state officer or candidate for elective state office who has filed a statement of intention to be a candidate for more than one elective state office pursuant to Section 85200 multiple elective state offices that are to be voted upon at separate elections from having more than 2 campaign contribution accounts open simultaneously for purposes of receiving contributions in connection with those elective state offices.

A violation of the act's provisions is punishable as a misdemeanor. 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.

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

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 85201.5 is added to the Government
 2 Code, to read:
 3 ~~85201.5. (a)~~
 4 85201.5. (a) *If an individual has previously filed a statement*
 5 *of intention to be a candidate for an elective state office pursuant*
 6 *to Section 85200, the subsequent filing of a statement of intention*
 7 *to be a candidate for a different elective state office to be voted*
 8 *upon at the same election shall constitute a revocation of the*
 9 *previously filed statement of intention to be a candidate, and the*
 10 *individual shall not thereafter solicit or receive a contribution or*

1 *loan for the elective state office for which he or she previously*
2 *filed a statement of intention to be a candidate.*

3 *(b) An individual shall not file, and the Secretary of State shall*
4 *not accept, either of the following:*

5 *(1) A statement of intention to be a candidate for the office of*
6 *Member of the Assembly at an election other than the next two*
7 *elections at which that office will appear on the ballot.*

8 *(2) A statement of intention to be a candidate for an elective*
9 *state office other than the office of Member of the Assembly at an*
10 *election other than the next election at which that elective state*
11 *office will appear on the ballot.*

12 *(c) Notwithstanding Section 85201, an elected state officer or*
13 *candidate for elective state office who has filed ~~a statement~~*
14 *statements of intention to be a candidate for ~~more than one elective~~*
15 *state office pursuant to Section 85200 multiple elective state offices*
16 *that are to be voted upon at separate elections shall in no event*
17 *have more than two campaign contribution accounts open*
18 *simultaneously for purposes of receiving contributions in*
19 *connection with those elective state offices.*

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

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

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

1 In order to implement these proposals at the earliest possible
2 time prior to the 2014 General Election, it is necessary that this
3 act take immediate effect.

O