

AMENDED IN ASSEMBLY AUGUST 7, 2014

AMENDED IN ASSEMBLY JULY 1, 2014

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.

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, *except as provided*, 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 regularly scheduled 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 statements of intention to be a candidate for 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.

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) ~~¶(1)~~ (A) *Except as provided in paragraph (2),*
 4 *if* an individual has previously filed a statement of intention to be
 5 a candidate for an elective state office pursuant to Section 85200,
 6 the subsequent filing of a statement of intention to be a candidate
 7 for a different elective state office ~~to be voted upon at the same~~
 8 ~~election~~ shall constitute a revocation of the previously filed
 9 statement of intention to be a candidate, and the individual shall
 10 not thereafter solicit or receive a contribution or loan for the

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

3 *(B) A revocation pursuant to this paragraph shall become*
4 *effective 31 days after the filing of a subsequent statement of*
5 *intention to be a candidate for a different elective state office.*

6 *(C) If a revocation pursuant to this paragraph becomes effective,*
7 *any remaining funds in the campaign contribution account*
8 *associated with the revoked statement of intention to be a candidate*
9 *shall be treated as surplus funds pursuant to Section 89519.*

10 *(2) If a candidate for the office of Member of the Assembly files*
11 *a subsequent statement of intention to be a candidate for the office*
12 *of state Senator or any office identified in subdivision (f) of Section*
13 *14 of Article V of the California Constitution, and that office is to*
14 *be voted upon at a separate election, the filing of the subsequent*
15 *statement of intention to be a candidate shall not constitute a*
16 *revocation of the previously filed statement of intention to be a*
17 *candidate.*

18 (b) An individual shall not file, and the Secretary of State shall
19 not accept, either of the following:

20 (1) A statement of intention to be a candidate for the office of
21 Member of the Assembly at an election other than the next two
22 regularly scheduled elections at which that office will appear on
23 the ballot.

24 (2) A statement of intention to be a candidate for an elective
25 state office other than the office of Member of the Assembly at an
26 election other than the next regularly scheduled election at which
27 that elective state office will appear on the ballot.

28 ~~(e) Notwithstanding Section 85201, an elected state officer or~~
29 ~~candidate for elective state office who has filed statements of~~
30 ~~intention to be a candidate for multiple elective state offices that~~
31 ~~are to be voted upon at separate elections shall in no event have~~
32 ~~more than two campaign contribution accounts open~~
33 ~~simultaneously for purposes of receiving contributions in~~
34 ~~connection with those elective state offices.~~

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

1 the Government Code, or changes the definition of a crime within
2 the meaning of Section 6 of Article XIII B of the California
3 Constitution.

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

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