

ASSEMBLY BILL

No. 2623

Introduced by Assembly Member Gordon

February 19, 2016

An act to amend Section 82016 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 2623, as introduced, Gordon. Political Reform Act of 1974: controlled committees.

The Political Reform Act of 1974 defines various terms for purposes of the reporting and disclosure requirements of the act. The act defines a controlled committee as a committee that is controlled directly or indirectly by a candidate or state measure proponent or that acts jointly with a candidate, controlled committee, or state measure proponent in connection with the making of expenditures. The act provides that a candidate or state measure proponent controls a committee if he or she, or his or her agent, or any other committee he or she controls has a significant influence on the actions or decisions of the committee.

This bill would establish a presumption that a committee is significantly influenced by a candidate for purposes of these provisions if any of several specified factors are satisfied. The bill would also make technical, nonsubstantive changes to that provision.

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: 2/3. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 82016 of the Government Code is
2 amended to read:
3 82016. (a) “Controlled committee” means a committee that
4 ~~is controlled~~ *controlled*, directly or ~~indirectly~~ *indirectly*, by a
5 candidate or state measure proponent or that acts jointly with a
6 candidate, controlled committee, or state measure proponent in
7 connection with the making of expenditures. A candidate or state
8 measure proponent controls a committee if he or she, his or her
9 agent, or any other committee he or she controls has a significant
10 influence on the actions or decisions of the committee.
11 (b) Notwithstanding subdivision (a), a political party committee,
12 as defined in Section 85205, is not a controlled committee.
13 (c) *For purposes of subdivision (a), a committee is presumed*
14 *to be significantly influenced by a candidate, his or her agent, or*
15 *another committee he or she controls if any of the following are*
16 *satisfied:*
17 (1) *The candidate, or his or her agent, is a voting member of*
18 *the committee’s governing body.*
19 (2) *The candidate, or his or her agent, is involved in the*
20 *decisionmaking of the committee, or the development or*
21 *implementation of the committee’s campaign strategy.*
22 (3) *The candidate, or his or her agent, is substantially involved*
23 *in directing the day-to-day operations of the committee.*
24 SEC. 2. The Legislature finds and declares that this bill furthers
25 the purposes of the Political Reform Act of 1974 within the
26 meaning of subdivision (a) of Section 81012 of the Government
27 Code.