

Introduced by Senator Anderson

January 27, 2016

An act to amend Section 84211 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 921, as introduced, Anderson. Political Reform Act of 1974: campaign statements.

The Political Reform Act of 1974 generally requires elected officials, candidates for elective office, and committees formed primarily to support or oppose a candidate for public office or a ballot measure, along with other entities, to file periodic campaign statements. The act requires that these campaign statements contain prescribed information related to campaign contributions and expenditures of the filing entities.

This bill would correct an erroneous cross-reference in these provisions and would make other technical, nonsubstantive changes.

Vote: majority. 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 84211 of the Government Code is
- 2 amended to read:
- 3 84211. Each campaign statement required by this article shall
- 4 contain all of the following information:
- 5 (a) The total amount of contributions received during the period
- 6 covered by the campaign statement and the total cumulative amount
- 7 of contributions received.

1 (b) The total amount of expenditures made during the period
2 covered by the campaign statement and the total cumulative amount
3 of expenditures made.

4 (c) The total amount of contributions received during the period
5 covered by the campaign statement from persons who have given
6 a cumulative amount of one hundred dollars (\$100) or more.

7 (d) The total amount of contributions received during the period
8 covered by the campaign statement from persons who have given
9 a cumulative amount of less than one hundred dollars (\$100).

10 (e) The balance of cash and cash equivalents on hand at the
11 beginning and the end of the period covered by the campaign
12 statement.

13 (f) If the cumulative amount of ~~contributions (including loans)~~
14 *contributions, including loans*, received from a person is one
15 hundred dollars (\$100) or more and a contribution or loan has been
16 received from that person during the period covered by the
17 campaign statement, all of the following:

18 (1) His or her full name.

19 (2) His or her street address.

20 (3) His or her occupation.

21 (4) The name of his or her employer, or if self-employed, the
22 name of the business.

23 (5) The date and amount ~~received for~~ *of* each contribution
24 received during the period covered by the campaign statement ~~and~~
25 *and*, if the contribution is a loan, the interest rate for the loan.

26 (6) The cumulative amount of contributions.

27 (g) If the cumulative amount of loans received from or made to
28 a person is one hundred dollars (\$100) or more, and a loan has
29 been received from or made to a person during the period covered
30 by the campaign statement, or is outstanding during the period
31 covered by the campaign statement, all of the following:

32 (1) His or her full name.

33 (2) His or her street address.

34 (3) His or her occupation.

35 (4) The name of his or her employer, or if self-employed, the
36 name of the business.

37 (5) The original date and amount of each loan.

38 (6) The due date and interest rate of the loan.

39 (7) The cumulative payment made or received to date at the end
40 of the reporting period.

1 (8) The balance outstanding at the end of the reporting period.

2 (9) The cumulative amount of contributions.

3 (h) For each person, other than the filer, who is directly,
4 indirectly, or contingently liable for repayment of a loan received
5 or outstanding during the period covered by the campaign
6 statement, all of the following:

7 (1) His or her full name.

8 (2) His or her street address.

9 (3) His or her occupation.

10 (4) The name of his or her employer, or if self-employed, the
11 name of the business.

12 (5) The amount of his or her maximum liability outstanding.

13 (i) The total amount of expenditures made during the period
14 covered by the campaign statement to persons who have received
15 one hundred dollars (\$100) or more.

16 (j) The total amount of expenditures made during the period
17 covered by the campaign statement to persons who have received
18 less than one hundred dollars (\$100).

19 (k) For each person to whom an expenditure of one hundred
20 dollars (\$100) or more has been made during the period covered
21 by the campaign statement, all of the following:

22 (1) His or her full name.

23 (2) His or her street address.

24 (3) The amount of each expenditure.

25 (4) A brief description of the consideration for which each
26 expenditure was made.

27 (5) In the case of an expenditure ~~which~~ *that* is a contribution to
28 a candidate, elected officer, or committee or an independent
29 expenditure to support or oppose a candidate or measure, in
30 addition to the information required in paragraphs (1) to ~~(4)~~ *above*,
31 *(4), inclusive*, the date of the contribution or independent
32 ~~expenditure~~, *expenditure*; the cumulative amount of contributions
33 made to a candidate, elected officer, or committee, or the
34 cumulative amount of independent expenditures made relative to
35 a candidate or measure; the full name of the candidate, and the
36 office and district for which he or she seeks nomination or election,
37 or the number or letter of the measure; and the jurisdiction in which
38 the measure or candidate is voted upon.

39 (6) The information required in paragraphs (1) to (4), inclusive,
40 for each person, if different from the payee, who has provided

1 consideration for an expenditure of five hundred dollars (\$500) or
2 more during the period covered by the campaign statement.

3 For purposes of subdivisions (i), (j), and (k) only, ~~the terms~~
4 “expenditure” or “expenditures” mean any individual payment or
5 accrued expense, unless it is clear from surrounding circumstances
6 that a series of payments or accrued expenses are for a single
7 service or product.

8 (l) In the case of a controlled committee, an official committee
9 of a political party, or an organization formed or existing primarily
10 for political purposes, the amount and source of any miscellaneous
11 receipt.

12 (m) If a committee is listed pursuant to subdivision (f), (g), (h),
13 (k), (l), or ~~(q)~~, (p), the number assigned to the committee by the
14 Secretary of State shall be listed, or if no number has been assigned,
15 the full name and street address of the treasurer of the committee.

16 (n) In a campaign statement filed by a candidate who is a
17 candidate in both a state primary and general election, his or her
18 controlled committee, or a committee primarily formed to support
19 or oppose such a candidate, the total amount of contributions
20 received and the total amount of expenditures made for the period
21 January 1 ~~through~~ to June 30, *inclusive*, and the total amount of
22 contributions received and expenditures made for the period July
23 1 ~~through~~ to December 31, *inclusive*.

24 (o) The full name, residential or business address, and telephone
25 number of the filer, or in the case of a campaign statement filed
26 by a committee defined by subdivision (a) of Section 82013, the
27 name, street address, and telephone number of the committee and
28 of the committee treasurer. In the case of a committee defined by
29 subdivision (b) or (c) of Section 82013, the name that the filer uses
30 on campaign statements shall be the name by which the filer is
31 identified for other legal purposes or any name by which the filer
32 is commonly known to the public.

33 (p) If the campaign statement is filed by a candidate, the name,
34 street address, and treasurer of any committee of which he or she
35 has knowledge which has received contributions or made
36 expenditures on behalf of his or her candidacy and whether the
37 committee is controlled by the candidate.

38 (q) A contribution need not be reported nor shall it be deemed
39 accepted if it is not cashed, negotiated, or deposited and is returned

1 to the contributor before the closing date of the campaign statement
2 on which the contribution would otherwise be reported.

3 (r) If a committee primarily formed for the qualification or
4 support of, or opposition to, an initiative or ballot measure is
5 required to report an expenditure to a business entity pursuant to
6 subdivision (k) and 50 percent or more of the business entity is
7 owned by a candidate or person controlling the committee, by an
8 officer or employee of the committee, or by a spouse of any of
9 these individuals, the committee's campaign statement shall also
10 contain, in addition to the information required by subdivision (k),
11 that person's name, the relationship of that person to the committee,
12 and a description of that person's ownership interest or position
13 with the business entity.

14 (s) If a committee primarily formed for the qualification or
15 support of, or opposition to, an initiative or ballot measure is
16 required to report an expenditure to a business entity pursuant to
17 subdivision (k), and a candidate or person controlling the
18 committee, an officer or employee of the committee, or a spouse
19 of any of these individuals is an officer, partner, consultant, or
20 employee of the business entity, the committee's campaign
21 statement shall also contain, in addition to the information required
22 by subdivision (k), that person's name, the relationship of that
23 person to the committee, and a description of that person's
24 ownership interest or position with the business entity.

25 (t) If the campaign statement is filed by a committee, as defined
26 in subdivision (b) or (c) of Section 82013, information sufficient
27 to identify the nature and interests of the filer, including:

28 (1) If the filer is an individual, the name and address of the
29 filer's employer, if any, or his or her principal place of business
30 if the filer is self-employed, and a description of the business
31 activity in which the filer or his or her employer is engaged.

32 (2) If the filer is a business entity, a description of the business
33 activity in which it is engaged.

34 (3) If the filer is an industry, trade, or professional association,
35 a description of the industry, trade, or profession which it
36 represents, including a specific description of any portion or faction
37 of the industry, trade, or profession which the association
38 exclusively or primarily represents.

39 (4) If the filer is not an individual, business entity, or industry,
40 trade, or professional association, a statement of the person's nature

- 1 and purposes, including a description of any industry, trade,
- 2 profession, or other group with a common economic interest which
- 3 the person principally represents or from which its membership
- 4 or financial support is principally derived.

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