

**Introduced by Senator Bates
(Coauthors: Senators Berryhill, Runner, and Stone)**

February 19, 2016

An act to amend Section 85305 of, and to add Sections 85301.7 and 85305.1 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 1467, as introduced, Bates. Political Reform Act of 1974: contribution limitations.

Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions. The act imposes a contribution limit of \$3,000 on contributions made to, and received by, candidates for elective state offices that are not statewide elective offices. The act does not limit the amount of contributions that a person may make to a committee that is primarily formed to support or oppose one or more ballot measures. The act prohibits a candidate for elective state office or a committee controlled by that candidate from making a contribution to another candidate for elective state office in excess of the contribution limit for elective state offices.

This bill would prohibit a person from making to a committee controlled by a candidate for elective office that is primarily formed to support or oppose one or more ballot measures, and prohibit such a committee from receiving, a contribution in excess of the contribution limit for elective state offices, as specified. The bill would prohibit a candidate for any elective office, or the candidate's controlled committees, from making a contribution to another candidate for elective office or a committee controlled by a candidate that is primarily formed

to support or oppose one or more ballot measures in excess of the contribution limit established for candidates for elective state office.

This bill would prohibit a committee controlled by a candidate for elective office that is primarily formed to support or oppose one or more ballot measures from expending campaign funds to make a contribution or other transfer of campaign funds to a committee for a purpose other than supporting or opposing a ballot measure that the controlled committee was primarily formed to support or oppose.

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 85301.7 is added to the Government
 2 Code, to read:
 3 85301.7. For each period between statewide general elections,
 4 as defined in Section 1200 of the Elections Code, a person shall
 5 not make to a committee controlled by a candidate for elective
 6 office that is primarily formed to support or oppose one or more
 7 ballot measures, and such a committee shall not accept from a
 8 person, a contribution in excess of the contribution limit established
 9 pursuant to subdivision (a) of Section 85301, as adjusted by the
 10 Commission pursuant to Section 83124. The contribution limit
 11 described in this section shall be the aggregate amount of
 12 contributions that a candidate may accept per contributor for his
 13 or her controlled committees that are primarily formed to support

1 or oppose one or more ballot measures, regardless of the number
2 of such committees controlled by that candidate.

3 SEC. 2. Section 85305 of the Government Code is amended
4 to read:

5 85305. A candidate for elective state office or committee
6 controlled by that candidate ~~may~~ *shall* not make ~~any~~ a contribution
7 to ~~any other~~ *another* candidate for elective state office *or to a*
8 *committee controlled by another candidate for elective office that*
9 *is primarily formed to support or oppose one or more ballot*
10 *measures in excess of the limits set forth in subdivision (a) of*
11 *Section 85301, as adjusted pursuant to Section 83124.*

12 SEC. 3. Section 85305.1 is added to the Government Code, to
13 read:

14 85305.1. Notwithstanding any other provision of this title or
15 Section 18680 of the Elections Code, a committee controlled by
16 a candidate for elective office that is primarily formed to support
17 or oppose one or more ballot measures shall not expend campaign
18 funds to make a contribution or other transfer of campaign funds
19 to a committee for a purpose other than supporting or opposing a
20 ballot measure that the controlled committee was primarily formed
21 to support or oppose.

22 SEC. 4. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of
28 the Government Code, or changes the definition of a crime within
29 the meaning of Section 6 of Article XIII B of the California
30 Constitution.

31 SEC. 5. The Legislature finds and declares that this bill furthers
32 the purposes of the Political Reform Act of 1974 within the
33 meaning of subdivision (a) of Section 81012 of the Government
34 Code.