

## Senate Bill No. 949

### CHAPTER 206

An act to add Section 3205.5 to the Government Code, relating to public officials and candidates.

[Approved by Governor August 2, 1997. Filed with Secretary of State August 4, 1997.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 949, Schiff. Public officials and candidates.

Existing law prohibits a person who holds, or who is seeking election or appointment to, any office or employment in a state or local agency, from using, promising, threatening, or attempting to use any office, authority, or influence to confer upon or secure for any individual, or from aiding or obstructing any individual person in securing, any position, nomination, confirmation, promotion, or change in compensation or position, within the state or local agency upon corrupt condition or consideration.

This bill would prohibit a person who holds, or who is seeking election or appointment to, any office from, directly or indirectly, offering or arranging for any increase in compensation or salary for an employee of a state or local agency in exchange for, or a promise of, a contribution or loan to any committee controlled directly or indirectly by the person who holds, or who is seeking election or appointment to an office.

This bill would make a violation of this provision a crime punishable by imprisonment in the county jail not exceeding one year, a fine not exceeding \$5,000, or both. This bill would impose a state-mandated local program by creating a new crime.

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

SECTION 1. Section 3205.5 is added to the Government Code, to read:

3205.5. No one who holds, or who is seeking election or appointment to, any office shall, directly or indirectly, offer or arrange for any increase in compensation or salary for an employee of a state or local agency in exchange for, or a promise of, a



contribution or loan to any committee controlled directly or indirectly by the person who holds, or who is seeking election or appointment to, an office. A violation of this section is punishable by imprisonment in a county jail for a period not exceeding one year, a fine not exceeding five thousand dollars (\$5,000), or by both that imprisonment and fine.

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

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

