

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 447

Introduced by Assembly Members Huffman and Fletcher

February 15, 2011

~~An act relating to the Political Reform Act of 1974.~~ *An act to amend Sections 81006, 81009.5, 82036, 82036.5, 82048.7, 84100, 84101, 84103, 84200, 84200.5, 84200.6, 84204.5, 84211, 84218, 84252, 84305.5, 84310, 84507, 85301, 85302, 85303, 85316, 85400, 87103, 87406, 89503, and 91013 of, to repeal Sections 83124, 84200.7, 84200.8, 84202.3, 84202.5, 84202.7, and 84203.5 of, and to repeal and add Section 86203 of, the Government Code, relating to the Political Reform Act of 1974.*

LEGISLATIVE COUNSEL'S DIGEST

AB 447, as amended, Huffman. Political Reform Act of 1974.

(1) *The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, conflicts of interests of public officials, and the lobbying industry, and further establishes the Fair Political Practices Commission to administer and enforce the provisions of the act. Among its provisions, the act requires each campaign committee to file a statement of organization upon qualifying as a committee, and further requires elected officers, candidates, and committees to file periodic campaign statements reporting contributions received and expenditures made during specified reporting periods. Specifically, the act requires each elected officer, candidate, and committee to file a semiannual statement for each 6-month period, and further requires that preelection statements be filed at various specified times depending upon the type of election and the identity of the filer.*

The act also requires the filing of supplemental preelection statements, independent expenditure reports, and campaign statements by committees that make contributions of \$10,000 or more in odd-numbered years. Under the act, a late contribution report or a late independent expenditure report is required to be filed within 24 hours if a contribution or independent expenditure is made before an election but after the closing date of the last campaign statement, and a committee is required to file a report online or electronically within 10 business days each time it makes a contribution or expenditure of \$5,000 or more to support or oppose a ballot measure.

This bill would instead require each elected officer, candidate, and committee to file a quarterly statement for each calendar quarter, except that a committee that has received contributions of less than \$500 and made expenditures of less than \$500 in a calendar quarter would be permitted to file a statement of inactivity for that quarter. The bill would also provide that there be only one type of preelection statement for all elections and all filers, to be filed no later than 16 days before an election for the period ending 21 days before the election. The bill would repeal provisions requiring the filing of supplemental preelection statements, independent expenditure reports, and odd-numbered year committee statements, and the bill would require a late contribution report or a late independent expenditure report to be filed within 24 hours if the contribution or independent expenditure is made within 45 days before the date of an election. Under the bill, a committee would be required to file a report online or electronically within 24 hours each time it makes a contribution or expenditure of \$100,000 or more to support or oppose a ballot measure.

(2) Existing law requires that each filer of a campaign statement include in the campaign statement specified information, including the amount of contributions received or expenditures made during the reporting period and specified identifying information about each person who has made contributions totaling \$100 or more.

This bill would also require that each filer include in the campaign statement specified information about a 3rd party if the filer knows or has reason to know that contributions from 2 or more persons have been made at the behest of that 3rd party and the cumulative amount of those contributions, plus any amounts the 3rd party has contributed to the filer directly, equals or exceeds the maximum amount that the 3rd party would be permitted to contribute to the filer.

(3) Existing law prohibits a local government agency from enacting an ordinance imposing filing requirements additional to or different from those imposed by the act, unless the additional or different filing requirements apply only to a candidate or ballot measure being voted upon only in that jurisdiction or to a city or county general purpose committee active only in that jurisdiction.

This bill would also permit a local government agency to enact an ordinance imposing additional or different filing requirements if those requirements apply to a state general purpose committee that spends in the jurisdiction of that local government agency an amount determined by the Commission.

(4) Existing law imposes specified limits on the amounts that may be contributed for purposes of an election to specified candidates by persons and small contributor committees, as defined, and on the amounts that may be contributed to campaign committees and political party committees. Existing law further imposes specified limits on the amounts that may be contributed to specified office holders after an election for the purpose of paying expenses associated with holding office. In addition, existing law sets specified limits on campaign expenditures for those candidates for elective state office who have voluntarily accepted the expenditure limits. Under existing law, all of the foregoing limits are adjusted biennially by the Commission to reflect any increase or decrease in the Consumer Price Index.

This bill would set all of those contribution and expenditure limits at the amounts as most recently adjusted by the Commission and would repeal the authority of the Commission to make any further adjustments to those limits.

(5) Existing law requires that every campaign committee have a treasurer who is responsible for authorizing any expenditure made by or on behalf of the committee. The treasurer is required to be designated on the committee's statement of organization, and a committee cannot accept a contribution or make an expenditure at a time when there is a vacancy in the office of the treasurer.

This bill would require each treasurer, within 12 months prior to his or her designation as a treasurer, to complete an online certification course that addresses the statutes and regulations governing the financing of campaigns and the duties and responsibilities of a treasurer. The bill would permit the Commission to charge each applicant for certification a fee not to exceed \$50 for the costs of administering the certification program, and the bill would require each treasurer to

verify under penalty of perjury that he or she has been certified under the certification program. The bill would also require the Secretary of State to maintain on his or her Internet Web site a list of each treasurer who is currently certified.

(6) Existing law requires that each political advertisement include a disclosure statement that discloses specified information, in a specified manner, about the person or persons who have paid for the advertisement.

This bill would permit the Commission to adopt regulations exempting an advertisement from the requirement of a disclosure statement in any circumstance when the required disclosure statement would not be feasible or would not be sufficiently legible so as to be informative to the intended public.

(7) Existing law provides that regulation of the operation of automatic dialing-announcing devices, as defined, is within the jurisdiction of the Public Utilities Commission.

This bill would permit the Fair Political Practices Commission to regulate the content of a prerecorded telephonic message that is disseminated by means of an automatic dialing-announcing device and that advocates support of, or opposition to, a candidate, ballot measure, or both.

(8) Existing law imposes various requirements on slate mailers, defined as mass mailings that support or oppose multiple candidates or ballot measures, and on slate mailer organizations that produce and distribute slate mailers. Specifically, existing law requires a slate mailer organization to file a semiannual campaign statement for each 6-month period. In addition, existing law requires that each slate mailer disclose specified information, in a specified manner, about the slate mailer organization and identify each candidate and ballot measure that has paid to appear in the slate mailer.

This bill would instead require a slate mailer organization to file a quarterly statement for each calendar quarter, except that a slate mailer organization that has received payments of less than \$500 and made expenditures of less than \$500 in a calendar quarter would be permitted to file a statement of inactivity for that quarter. The bill would also permit the Commission to impose, by regulation, other requirements regarding the contents of a slate mailer.

(9) Existing law imposes specified restrictions on gifts that may be received by public officials. Specifically, existing law prohibits a public official from accepting gifts from, or from influencing a governmental

decision that will have a material financial effect on, any single source in a calendar year with a total value of more than an amount as adjusted biennially by the Commission to reflect any increase or decrease in the Consumer Price Index. Existing law further prohibits a lobbyist or lobbying firm from making gifts to a public official aggregating more than \$10 in a calendar month.

This bill would set the limit on gifts from most sources at \$250 per calendar year and would repeal the authority of the Commission to make any further adjustments to that limit. The bill would also prohibit a lobbyist or lobbying firm from giving a public official a gift of any value.

(10) Existing law prohibits a Member of the Legislature, for a period of one year after leaving office, from acting as an agent or attorney or otherwise representing, for compensation, any other person by making a formal or informal appearance or making an oral or written communication before the Legislature, a legislative committee, a Member of the Legislature, or an officer or employee of the Legislature for the purpose of influencing legislative action.

This bill would impose those prohibitions on an employee of the Legislature for a period of one year after leaving his or her employment with the Legislature.

(11) Existing law imposes penalties on a person who files a campaign statement or report after the applicable deadline in the amount of \$10 per day up to a maximum of \$100 or the amount being reported in the statement or report, whichever is greater.

This bill would increase those penalties to \$25 per day up to a maximum of \$750 or 150% of the amount reported in the statement or report, whichever is greater. In addition, the bill would prohibit a candidate or elected officer from using campaign funds to pay a fine imposed on him or her for tardy filing of a campaign statement or report.

(12) Existing law requires the Secretary of State to develop online or electronic filing processes for the filing of campaign statements and reports, and further requires that candidates, general purpose committees, and other entities file required statements and reports online or electronically if the total amount of contributions or expenditures being reported exceed a specified threshold. Existing law prohibits a fee or charge from being collected for the filing of a campaign statement or report, except as provided for under the act.

This bill would require the Secretary of State and the Commission to jointly work toward the development of a single, statewide electronic filing system that consolidates the filing of all state and local campaign statements and reports into one searchable database that meets specified criteria. The bill would require the Secretary of State and the Commission to develop a technology plan for the electronic filing system by August 31, 2012, to develop a funding plan, to engage in fundraising, and to complete work on the electronic filing system by December 31, 2014. In addition, the bill would permit the Secretary of State to collect a fee or charge for the filing of a campaign statement or report required under the act, provided that the amounts collected are used only for, and do not exceed the costs of, development and maintenance of the electronic filing system.

(13) Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.

This bill would impose a state-mandated local program by creating additional crimes.

(14) 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.

(15) 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.

~~The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing, conflicts of interests of public officials, and related matters.~~

~~This bill would state the intent of the Legislature to enact legislation relating to the Political Reform Act of 1974.~~

Vote: ~~majority~~ ^{$\frac{2}{3}$} . Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

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

1 *SECTION 1. Section 81006 of the Government Code is*
2 *amended to read:*

3 81006. (a) Except as provided in subdivision (b) or elsewhere
4 in this title, no fee or charge shall be collected by any officer for
5 the filing of any report or statement or for the forms upon which
6 reports or statements are to be prepared.

7 (b) *The Secretary of State may collect a fee or charge for the*
8 *filing of a report or statement required by Chapter 4, (commencing*
9 *with Section 84100) provided that the amounts collected are used*
10 *only for, and do not exceed the costs of, development and*
11 *maintenance of a system for online or electronic filing of reports*
12 *and statements required by that chapter.*

13 *SEC. 2. Section 81009.5 of the Government Code is amended*
14 *to read:*

15 81009.5. (a) ~~Any~~ A local government agency ~~which that~~ has
16 enacted, enacts, amends, or repeals an ordinance or other provision
17 of law affecting campaign contributions and expenditures shall
18 file a copy of the action with the ~~commission~~ Commission.

19 (b) Notwithstanding Section 81013, ~~no~~ a local government
20 agency shall *not* enact ~~any~~ an ordinance imposing filing
21 requirements additional to or different from those set forth in
22 Chapter 4 (commencing with Section 84100) for elections held in
23 its jurisdiction ~~unless, except as follows:~~

24 (1) *A local government agency may enact an ordinance imposing*
25 *additional or different filing requirements if the additional or*
26 *different filing requirements apply only to the candidates seeking*
27 *election in that jurisdiction, their controlled committees or*
28 *committees formed or existing primarily to support or oppose their*
29 *candidacies, and to committees formed or existing primarily to*
30 *support or oppose a candidate or to support or oppose the*
31 *qualification of, or passage of, a local ballot measure which that*
32 *is being voted on only in that jurisdiction, and to city or county*
33 *general purpose committees active only in that city or county,*
34 *respectively.*

35 (2) *A local government agency may enact an ordinance imposing*
36 *additional or different filing requirements if the additional or*
37 *different filing requirements apply to a state general purpose*

1 committee that spends in the jurisdiction of that local government
2 agency an amount determined by the Commission.

3 (c) It is the intent of the Legislature that the Secretary of State
4 and the Commission make efforts to coordinate with each local
5 government agency that proposes to enact, or has enacted, an
6 ordinance pursuant to subdivision (b) to harmonize, to the extent
7 possible, the provisions of the proposed or enacted ordinance with
8 the provisions of this title.

9 SEC. 3. Section 82036 of the Government Code is amended to
10 read:

11 82036. "Late contribution" means any of the following:

12 (a) ~~Any~~A contribution, including a loan, that totals in the
13 aggregate one thousand dollars (\$1,000) or more and is made to
14 or received by a candidate, a controlled committee, or a committee
15 formed or existing primarily to support or oppose a candidate or
16 measure *within 45 days* before the date of the election at which
17 the candidate or measure is to be voted on ~~but after the closing~~
18 ~~date of the last campaign statement required to be filed before the~~
19 ~~election~~. For purposes of the Board of Administration of the Public
20 Employees' Retirement System and the Teachers' Retirement
21 Board, "the date of the election" is the deadline to return ballots.

22 (b) ~~Any~~A contribution, including a loan, that totals in the
23 aggregate one thousand dollars (\$1,000) or more and is made to
24 or received by a political party committee, as defined in Section
25 85205, *within 45 days* before the date of ~~any~~ a state election ~~but~~
26 ~~after the closing date of the last campaign statement required to~~
27 ~~be filed before the election~~.

28 SEC. 4. Section 82036.5 of the Government Code is amended
29 to read:

30 82036.5. "Late independent expenditure" means ~~any~~ an
31 independent expenditure that totals in the aggregate one thousand
32 dollars (\$1,000) or more and is made for or against ~~any~~ a specific
33 candidate or measure involved in an election *within 45 days* before
34 the date of the election ~~but after the closing date of the last~~
35 ~~campaign statement required to be filed prior to the election by a~~
36 ~~candidate or committee participating in the election~~. For purposes
37 of the Board of Administration of the Public Employees'
38 Retirement System and the Teachers' Retirement Board, "the date
39 of the election" is the deadline to return ballots.

1 *SEC. 5. Section 82048.7 of the Government Code is amended*
2 *to read:*

3 82048.7. (a) “Sponsored committee” means a committee, other
4 than a candidate controlled committee, ~~which~~ *that* has one or more
5 sponsors. Any person, except a candidate or other individual, may
6 sponsor a committee.

7 (b) A person sponsors a committee if any of the following apply:

8 (1) The committee receives 80 percent or more of its
9 contributions from the person or its members, officers, employees,
10 or shareholders.

11 (2) The person collects contributions for the committee by use
12 of payroll deductions or dues from its members, officers, or
13 employees.

14 (3) The person, alone or in combination with other organizations,
15 provides all or nearly all of the administrative services for the
16 committee.

17 ~~(4) The person, alone or in combination with other organizations,~~
18 ~~sets the policies for soliciting contributions or making expenditures~~
19 ~~of committee funds.~~

20 *SEC. 6. Section 83124 of the Government Code is repealed.*

21 ~~83124. The commission shall adjust the contribution limitations~~
22 ~~and voluntary expenditure limitations provisions in Sections 85301,~~
23 ~~85302, 85303, and 85400 in January of every odd-numbered year~~
24 ~~to reflect any increase or decrease in the Consumer Price Index.~~
25 ~~Those adjustments shall be rounded to the nearest one hundred~~
26 ~~dollars (\$100) for limitations on contributions and one thousand~~
27 ~~dollars (\$1,000) for limitations on expenditures.~~

28 *SEC. 7. Section 84100 of the Government Code is amended to*
29 *read:*

30 84100. (a) Every committee shall have a treasurer. No
31 expenditure shall be made by or on behalf of a committee without
32 the authorization of the treasurer or that of his or her designated
33 agents. No contribution or expenditure shall be accepted or made
34 by or on behalf of a committee at a time when there is a vacancy
35 in the office of treasurer.

36 (b) (1) *Within 12 months prior to being designated as a*
37 *treasurer pursuant to Section 84102 or 84103, a treasurer shall*
38 *complete an online certification course, designed and administered*
39 *by the Commission, that addresses the statutes and regulations*
40 *governing the financing of campaigns, and the duties and*

1 responsibilities of a treasurer, under this title. The course shall
2 require each applicant for certification to verify, under penalty of
3 perjury, his or her identity by means of an identifier determined
4 by the Commission.

5 (2) The Commission may charge each applicant for certification
6 pursuant to this subdivision a fee not to exceed fifty dollars (\$50).

7 (3) Each treasurer shall verify, under penalty of perjury, on a
8 statement of organization required by Section 84102 or on an
9 amendment to a statement of organization required by Section
10 84103, that he or she has been certified pursuant to this
11 subdivision.

12 (4) The Secretary of State shall maintain on his or her Internet
13 Web site a list of treasurers who are currently certified pursuant
14 to this subdivision.

15 SEC. 8. Section 84101 of the Government Code is amended to
16 read:

17 84101. (a) A committee that is a committee ~~by virtue of~~
18 ~~pursuant to~~ subdivision (a) of Section 82013 shall file a statement
19 of organization. The committee shall file the original of the
20 statement of organization with the Secretary of State and shall also
21 file a copy of the statement of organization with the local filing
22 officer, if any, with whom the committee is required to file the
23 originals of its campaign reports pursuant to Section 84215. The
24 original and copy of the statement of organization shall be filed
25 within 10 days after the committee has qualified as a committee.
26 The Secretary of State shall assign a number to each committee
27 that files a statement of organization and shall notify the committee
28 of the number. The Secretary of State shall send a copy of
29 statements filed pursuant to this section to the county elections
30 official of each county that he or she deems appropriate. A county
31 elections official who receives a copy of a statement of organization
32 from the Secretary of State pursuant to this section shall send a
33 copy of the statement to the clerk of each city in the county that
34 he or she deems appropriate.

35 (b) In addition to filing the statement of organization as required
36 by subdivision (a), if a committee qualifies as a committee ~~under~~
37 ~~pursuant to~~ subdivision (a) of Section 82013 before the date of an
38 election in connection with which the committee is required to file
39 preelection statements, but after the closing date of the last
40 campaign statement required to be filed before the election pursuant

to Section ~~84200.7, 84200.8, 84200.5~~ or 84200.9, the committee shall file, by facsimile transmission, guaranteed overnight delivery, or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the statement of organization. The information required by this subdivision shall be filed with the filing officer with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(c) If an independent expenditure committee qualifies as a committee pursuant to subdivision (a) of Section 82013 during the time period described in Section 82036.5 and makes independent expenditures of one thousand dollars (\$1,000) or more to support or oppose a candidate or candidates for office, the committee shall file, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery within 24 hours of qualifying as a committee, the information required to be reported in the statement of organization. The information required by this ~~section~~ subdivision shall be filed with the filing officer with whom the committee is required to file the ~~original~~ originals of its campaign reports pursuant to Section 84215, and shall be filed at all locations required for the candidate or candidates supported or opposed by the independent expenditures. The filings required by this ~~section~~ subdivision are in addition to filings that may be required by ~~Sections 84203.5 and~~ Section 84204.

(d) For purposes of this section, in calculating whether one thousand dollars (\$1,000) in contributions has been received, payments for a filing fee or for a statement of qualifications to appear in a sample ballot shall not be included if these payments have been made from the candidate's personal funds.

SEC. 9. Section 84103 of the Government Code is amended to read:

84103. (a) Whenever there is a change in ~~any~~ of the information contained in a statement of organization, an amendment shall be filed within 10 days to reflect the change. The committee shall file the original of the amendment with the Secretary of State and shall also file a copy of the amendment with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(b) In addition to filing an amendment to a statement of organization as required by subdivision (a), a committee as defined in subdivision (a) of Section 82013 shall, by facsimile transmission, online transmission, guaranteed overnight delivery, or personal delivery within 24 hours, notify the filing officer with whom it is required to file the originals of its campaign reports pursuant to Section 84215 when the change requiring the amendment occurs before the date of ~~the~~ *an* election in connection with which the committee is required to file a preelection statement, but after the closing date of the last preelection statement required to be filed for the election pursuant to Section ~~84200.7~~ 84200.5 or ~~84200.8~~ 84200.9, if any of the following information is changed:

- (1) The name of the committee.
- (2) The name of the treasurer or other principal officers.
- (3) The name of any candidate or committee by which the committee is controlled or with which it acts jointly.

The notification shall include the changed information, the date of the change, the name of the person providing the notification, and the committee's name and identification number.

A committee may file a notification online only if the appropriate filing officer is capable of receiving the notification in that manner.

SEC. 10. Section 84200 of the Government Code is amended to read:

84200. (a) ~~(1) Except as provided in paragraphs (1), (2), and (3), (4), and (5), elected officers, candidates, and committees pursuant to subdivision (a) of Section 82013 shall file semiannual statements each year no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31. for each calendar quarter as follows:~~

- (A) *No later than April 15 for the quarter ending March 31.*
- (B) *No later than July 15 for the quarter ending June 30.*
- (C) *No later than October 15 for the quarter ending September 30.*
- (D) *No later than January 31 for the quarter ending December 31.*

~~(1)~~
(2) A candidate who, during the past ~~six~~ *three* months, has filed a declaration pursuant to Section 84206 ~~shall not be~~ *is not* required to file ~~a semiannual statement~~ *quarterly statements* for that ~~six-month period~~ *calendar year*.

(2)

(3) Elected officers whose salaries are less than two hundred dollars (\$200) a month, judges, judicial candidates, and their controlled committees shall not file ~~semiannual~~ *quarterly* statements pursuant to this subdivision for any ~~six-month~~ *three-month* period in which they have not made or received any contributions or made any expenditures.

(3)

(4) A judge who is not listed on the ballot for reelection to, or recall from, any elective office during a calendar year shall not file ~~semiannual~~ *quarterly* statements pursuant to this subdivision for any ~~six-month~~ *three-month* period in that year if both of the following apply:

(A) The judge has not received any contributions.

(B) The only expenditures made by the judge during the calendar year are contributions from the judge's personal funds to other candidates or committees totaling less than one thousand dollars (\$1,000).

(5) *A committee that has received contributions of less than five hundred dollars (\$500) and made expenditures of less than five hundred dollars (\$500) during a calendar quarter may file a statement of inactivity for that quarter, as prescribed by the Commission.*

(b) All committees pursuant to subdivision (b) or (c) of Section 82013 shall file campaign statements each year no later than July 31 ~~15~~ for the period ending June 30, and no later than January 31 for the period ending December 31, if they have made contributions or independent expenditures, including payments to a slate mailer organization, during the six-month period before the closing date of the statements.

SEC. 11. Section 84200.5 of the Government Code is amended to read:

84200.5. In addition to the campaign statements required by Section 84200, elected officers, candidates, and committees shall file preelection statements as follows:

~~(a) During an even-numbered year, all candidates for elective state office being voted upon in the statewide direct primary election or the statewide general election, their controlled committees, and committees primarily formed to support or oppose an elected state officer or a state candidate being voted upon shall~~

~~1 file the applicable preelection statements specified in Section
2 84200.7 or 84200.8. All elected state officers who, during the
3 applicable reporting periods covered by Section 84200.7 or
4 84200.8, contribute to any committee required to report receipts,
5 expenditures, or contributions pursuant to this title, or make an
6 independent expenditure, shall file the applicable preelection
7 statements specified in Section 84200.7 or 84200.8. However, a
8 candidate for an office that is not being voted upon in the
9 November election, his or her controlled committee, and any
10 committee primarily formed to support or oppose that candidate
11 is not required to file statements in connection with the November
12 election pursuant to subdivision (b) of Section 84200.7 unless,
13 during the reporting periods covered by Section 84200.7, the
14 candidate, his or her controlled committee, or any committee
15 primarily formed to support or oppose that candidate contributes
16 to any committee required to report receipts, expenditures, or
17 contributions pursuant to this title or makes independent
18 expenditures.~~

~~19 (b) During an even-numbered year, all candidates not specified
20 in subdivision (a) who are running for offices being voted upon
21 on the first Tuesday after the first Monday in June or November,
22 their controlled committees, and committees primarily formed to
23 support or oppose those candidates or a measure being voted upon
24 on the first Tuesday after the first Monday in June or November
25 of an even-numbered year shall file the preelection statements
26 specified in subdivision (a) of Section 84200.7 in the case of a
27 June election, or subdivision (b) of Section 84200.7 in the case of
28 a November election.~~

~~29 (c) All candidates for offices being voted upon on a date other
30 than the first Tuesday after the first Monday in June or November
31 of an even-numbered year, their controlled committees, and
32 committees primarily formed to support or oppose a candidate or
33 a measure being voted upon on a date other than the first Tuesday
34 after the first Monday in June or November of an even-numbered
35 year shall file the preelection statements specified in Section
36 84200.8.~~

~~37 (a) Except as provided in subdivision (b), each of the following
38 shall file, by electronic means, guaranteed overnight delivery
39 service, or personal delivery, a preelection statement no later than~~

1 16 days before an election for the period ending 21 days before
2 the election:

3 (1) All candidates for elective office being voted upon in the
4 election, their controlled committees, and committees primarily
5 formed to support or oppose a candidate or measure being voted
6 upon in the election.

7 (2) A state or county general purpose committee formed
8 pursuant to subdivision (a) of Section 82013, other than a political
9 party committee as defined in Section 85205, if it makes
10 contributions or independent expenditures totaling five hundred
11 dollars (\$500) or more in connection with a state or county
12 election, respectively, during the period covered by the preelection
13 statement. A state or county general purpose committee formed
14 pursuant to subdivision (b) or (c) of Section 82013 is not required
15 to file the preelection statement specified by this subdivision.

16 (3) A political party committee, as defined in Section 85205, if
17 it receives contributions totaling one thousand dollars (\$1,000)
18 or more, or makes contributions or independent expenditures
19 totaling five hundred dollars (\$500) or more, in connection with
20 a state election during the period covered by the preelection
21 statement.

22 (4) A city general purpose committee, if it makes contributions
23 or independent expenditures totaling five hundred dollars (\$500)
24 or more in connection with a city election during the period
25 covered by the preelection statement.

26 ~~(d)~~

27 (b) (1) During an election period for the Board of
28 Administration of the Public Employees' Retirement System or
29 the Teachers' Retirement Board, all candidates for these boards,
30 their controlled committees, and committees primarily formed to
31 support or oppose the candidates shall file the preelection
32 statements specified in Section 84200.9.

33 ~~(e) In an even-numbered year in which the statewide direct~~
34 ~~primary election is held on the first Tuesday after the first Monday~~
35 ~~in June, a state or county general purpose committee formed~~
36 ~~pursuant to subdivision (a) of Section 82013, other than a political~~
37 ~~party committee as defined in Section 85205, shall file the~~
38 ~~preelection statements specified in Section 84200.7 if it makes~~
39 ~~contributions or independent expenditures totaling five hundred~~
40 ~~dollars (\$500) or more during the period covered by the preelection~~

1 statement. A state or county general purpose committee formed
2 pursuant to subdivision (b) or (c) of Section 82013 is not required
3 to file the statements specified in Section 84200.7.

4 (f) During an even-numbered year in which the statewide direct
5 primary election is held on a date other than the first Tuesday after
6 the first Monday in June, a state or county general purpose
7 committee formed pursuant to subdivision (a) of Section 82013,
8 other than a political party committee as defined in Section 85205,
9 shall file the preelection statements specified in Section 84200.8
10 if it makes contributions or independent expenditures totaling five
11 hundred dollars (\$500) or more during the period covered by the
12 preelection statement. A state or county general purpose committee
13 formed pursuant to subdivision (b) or (c) of Section 82013 is not
14 required to file the statements specified in Section 84200.8.

15 (g)

16 (2) During an election period for the Board of Administration
17 of the Public Employees' Retirement System or the Teachers'
18 Retirement Board, a state or county general purpose committee
19 formed pursuant to subdivision (a) of Section 82013 shall file the
20 preelection statements specified in Section 84200.9 if it makes
21 contributions or independent expenditures totaling five hundred
22 dollars (\$500) or more during the period covered by the preelection
23 statement to support or oppose a candidate, or a committee
24 primarily formed to support or oppose a candidate, on the ballot
25 for the Board of Administration of the Public Employees'
26 Retirement System or the Teachers' Retirement Board. A state or
27 county general purpose committee formed pursuant to subdivision
28 (b) or (c) of Section 82013 is not required to file the statements
29 specified in Section 84200.9.

30 (h) A political party committee as defined in Section 85205
31 shall file the applicable preelection statements specified in Section
32 84200.7 or 84200.8 in connection with a state election if the
33 committee receives contributions totaling one thousand dollars
34 (\$1,000) or more, or if it makes contributions or independent
35 expenditures totaling five hundred dollars (\$500) or more, during
36 the period covered by the preelection statement.

37 (i) City general purpose committees shall file statements as
38 follows:

39 (1) City general purpose committees in a city that has an election
40 on the first Tuesday after the first Monday in June or November

1 of an even-numbered year shall file the statements specified in
2 subdivision (a) or (b) of Section 84200.7 for the six-month period
3 in which the city election is held, if they make contributions or
4 independent expenditures totaling five hundred dollars (\$500) or
5 more during the period covered by the preelection statement.

6 ~~(2) City general purpose committees in a city that has an election~~
7 ~~on a date other than the first Tuesday after the first Monday in~~
8 ~~June or November of an even-numbered year shall file the~~
9 ~~preelection statements specified in Section 84200.8 if they make~~
10 ~~contributions or independent expenditures totaling five hundred~~
11 ~~dollars (\$500) or more during the period covered by the preelection~~
12 ~~statement.~~

13 *SEC. 12. Section 84200.6 of the Government Code is amended*
14 *to read:*

15 84200.6. In addition to the campaign statements required by
16 Sections 84200 and 84200.5, all candidates and committees shall
17 file the following special statements and reports:

18 ~~(a) Supplemental preelection statements when required by~~
19 ~~Section 84202.5.~~

20 ~~(b)~~

21 ~~(a) Late contribution reports when required by Section 84203.~~

22 ~~(c) Independent expenditure reports when required by Section~~
23 ~~84203.5.~~

24 ~~(d)~~

25 ~~(b) Late independent expenditure reports when required by~~
26 ~~Section 84204.~~

27 *SEC. 13. Section 84200.7 of the Government Code is repealed.*

28 84200.7. ~~(a) Preelection statements for the June election period~~
29 ~~shall be filed as follows:~~

30 ~~(1) For the period ending March 17, a statement to be filed no~~
31 ~~later than March 22. However, for a special election called after~~
32 ~~March 17, or for which the period for filing nomination documents,~~
33 ~~as defined in Section 333 of the Elections Code, ends after March~~
34 ~~17, a preelection statement for the period ending 45 days before~~
35 ~~the election shall be filed no later than 40 days before the election.~~

36 ~~(2) For the period ending 17 days before the election, a statement~~
37 ~~to be filed no later than 12 days before the election. All candidates~~
38 ~~being voted upon in the June election, their controlled committees,~~
39 ~~and committees formed primarily to support or oppose a candidate~~
40 ~~or measure being voted upon in the June election shall file this~~

1 statement by guaranteed overnight delivery service or by personal
2 delivery.

3 ~~(b) Preelection statements for the November election period~~
4 ~~shall be filed as follows:~~

5 ~~(1) For the period ending September 30, a statement to be filed~~
6 ~~no later than October 5.~~

7 ~~(2) For the period ending 17 days before the election, a statement~~
8 ~~to be filed no later than 12 days before the election. All candidates~~
9 ~~being voted upon in the November election, their controlled~~
10 ~~committees, and committees formed primarily to support or oppose~~
11 ~~a candidate or measure being voted upon in the November election~~
12 ~~shall file this statement by guaranteed overnight delivery service~~
13 ~~or by personal delivery.~~

14 *SEC. 14. Section 84200.8 of the Government Code is repealed.*

15 ~~84200.8. Preelection statements shall be filed under this section~~
16 ~~as follows:~~

17 ~~(a) For the period ending 45 days before the election, the~~
18 ~~statement shall be filed no later than 40 days before the election.~~

19 ~~(b) For the period ending 17 days before the election, the~~
20 ~~statement shall be filed no later than 12 days before the election.~~
21 ~~All candidates being voted upon in the election in connection with~~
22 ~~which the statement is filed, their controlled committees, and~~
23 ~~committees formed primarily to support or oppose a candidate or~~
24 ~~measure being voted upon in that election shall file this statement~~
25 ~~by guaranteed overnight delivery service or by personal delivery.~~

26 ~~(c) For runoff elections held within 60 days of the qualifying~~
27 ~~election, an additional preelection statement for the period ending~~
28 ~~17 days before the runoff election shall be filed no later than 12~~
29 ~~days before the election. All candidates being voted upon in the~~
30 ~~election in connection with which the statement is filed, their~~
31 ~~controlled committees, and committees formed primarily to support~~
32 ~~or oppose a candidate or measure being voted upon in that election~~
33 ~~shall file this statement by guaranteed overnight delivery service~~
34 ~~or personal delivery.~~

35 *SEC. 15. Section 84202.3 of the Government Code is repealed.*

36 ~~84202.3. (a) In addition to the campaign statements required~~
37 ~~by Section 84200, committees pursuant to subdivision (a) of~~
38 ~~Section 82013 that are primarily formed to support or oppose the~~
39 ~~qualification, passage, or defeat of a measure and proponents of a~~
40 ~~state ballot measure who control a committee formed or existing~~

1 primarily to support the qualification, passage, or defeat of a state
2 ballot measure, shall file campaign statements on the following
3 dates:

4 (1) ~~No later than April 30 for the period January 1 through~~
5 ~~March 31.~~

6 (2) ~~No later than October 31 for the period July 1 through~~
7 ~~September 30.~~

8 (b) ~~This section shall not apply to a committee during any~~
9 ~~semiannual period in which the committee is required to file~~
10 ~~preelection statements pursuant to subdivision (a), (b), or (c) of~~
11 ~~Section 84200.5.~~

12 (c) ~~This section shall not apply to a committee following the~~
13 ~~election at which the measure is voted upon unless the committee~~
14 ~~makes contributions or expenditures to support or oppose the~~
15 ~~qualification or passage of another ballot measure.~~

16 *SEC. 16. Section 84202.5 of the Government Code is repealed.*

17 ~~84202.5. (a) Any candidate or any committee pursuant to~~
18 ~~subdivision (a) of Section 82013 which makes contributions~~
19 ~~totaling ten thousand dollars (\$10,000) or more in connection with~~
20 ~~an election, including a runoff election, shall file a supplemental~~
21 ~~preelection statement no later than 12 days before the election, for~~
22 ~~the period ending 17 days before the election. This statement shall~~
23 ~~be filed by guaranteed overnight delivery service or by personal~~
24 ~~delivery with each office with which the candidate or committee~~
25 ~~filing the statement is required to file its next campaign statement~~
26 ~~pursuant to Section 84215.~~

27 (b) ~~This section shall not apply to candidates or committees~~
28 ~~during any semiannual period in which the candidate or committee~~
29 ~~is required to file preelection statements pursuant to Section~~
30 ~~84200.5.~~

31 (c) ~~If a candidate or committee makes contributions totaling ten~~
32 ~~thousand dollars (\$10,000) or more in connection with an election~~
33 ~~and all of those contributions are reported pursuant to Section~~
34 ~~84200 or 84202.7 on or before the closing date specified in~~
35 ~~subdivision (a), the candidate or committee shall not be required~~
36 ~~to file additional statements for that period pursuant to this section.~~

37 *SEC. 17. Section 84202.7 of the Government Code is repealed.*

38 ~~84202.7. (a) Except as provided in subdivision (b), during an~~
39 ~~odd-numbered year, any committee by virtue of Section 82013~~
40 ~~that makes contributions totaling ten thousand dollars (\$10,000)~~

~~1 or more to elected state officers, their controlled committees, or
2 committees primarily formed to support or oppose any elected
3 state officer during a period specified below shall file campaign
4 statements on the following dates:~~

~~5 (1) No later than April 30 for the period of January 1 through
6 March 31.~~

~~7 (2) No later than October 31 for the period of July 1 through
8 September 30.~~

~~9 (b) If a committee makes contributions totaling ten thousand
10 dollars (\$10,000) or more to elected state officers, their controlled
11 committees, or committees primarily formed to support or oppose
12 any elected state officer during a period specified in subdivision
13 (a), and all of those contributions are reported pursuant to Section
14 84202.5 on or before the time specified in subdivision (a), the
15 committee shall not be required to file additional statements for
16 that period pursuant to this section.~~

~~17 SEC. 18. Section 84203.5 of the Government Code is repealed.~~

~~18 84203.5. (a) In addition to any campaign statements required
19 by this article, if a candidate or committee has made independent
20 expenditures totaling one thousand dollars (\$1,000) or more in a
21 calendar year to support or oppose a candidate, a measure or
22 qualification of a measure, it shall file independent expenditure
23 reports at the same time, covering the same periods, and in the
24 places where the candidate or committee would be required to file
25 campaign statements under this article, as if it were formed or
26 existing primarily to support or oppose the candidate or measure
27 or qualification of the measure. No independent expenditure report
28 need be filed to cover a period for which there has been no activity
29 to report.~~

~~30 (b) An independent expenditure report shall contain the
31 following information:~~

~~32 (1) The name, street address, and telephone number of the
33 candidate or committee making the expenditure and of the
34 committee's treasurer, and the number assigned to the committee
35 by the Secretary of State.~~

~~36 (2) If the report is related to a candidate, the full name of the
37 candidate and the office and district for which the candidate seeks
38 nomination or election. If the report is related to a measure or
39 qualification of a measure, the number or letter of the measure, or
40 if none has yet been assigned, a brief description of the subject~~

1 matter of the measure, and the jurisdiction in which the measure
2 is to be voted on or would be voted on if it qualified.

3 ~~(3) The total amount of expenditures related to the candidate or~~
4 ~~measure during the period covered by the report made to persons~~
5 ~~who have received less than one hundred dollars (\$100).~~

6 ~~(4) The total amount of expenditures related to the candidate or~~
7 ~~measure during the period covered by the report made to persons~~
8 ~~who have received one hundred dollars (\$100) or more.~~

9 ~~(5) For each person to whom an expenditure of one hundred~~
10 ~~dollars (\$100) or more related to the candidate or measure has~~
11 ~~been made during the period covered by the report and for each~~
12 ~~person who has provided consideration for an expenditure of one~~
13 ~~hundred dollars (\$100) or more during the period covered by the~~
14 ~~report:~~

15 ~~(A) His or her full name.~~

16 ~~(B) His or her street address.~~

17 ~~(C) If the person is a committee, the name of the committee,~~
18 ~~the number assigned to the committee by the Secretary of State,~~
19 ~~or if no number has been assigned, the full name and street address~~
20 ~~of the treasurer of the committee.~~

21 ~~(D) The date of the expenditure.~~

22 ~~(E) The amount of the expenditure.~~

23 ~~(F) A brief description of the consideration for which each~~
24 ~~expenditure was made and the value of the consideration if less~~
25 ~~than the total amount of the expenditure.~~

26 ~~(G) The cumulative amount of expenditures to such person.~~

27 ~~(6) A list of all the filing officers with whom the committee~~
28 ~~filed its most recent campaign statement.~~

29 ~~(c) Filing officers shall maintain paper reports filed pursuant to~~
30 ~~this section under the name of the candidate or measure supported~~
31 ~~or opposed by the independent expenditure.~~

32 *SEC. 19. Section 84204.5 of the Government Code is amended*
33 *to read:*

34 84204.5. (a) In addition to any other report required by this
35 title, a committee pursuant to subdivision (a) of Section 82013 that
36 is required to file reports pursuant to Section 84605 shall file online
37 or electronically with the Secretary of State each time it makes
38 contributions totaling ~~five one hundred thousand dollars (\$5,000)~~
39 ~~(\$100,000)~~ or more, or each time it makes independent
40 expenditures totaling ~~five one hundred thousand dollars (\$5,000)~~

1 (\$100,000) or more, to support or oppose the qualification or
2 passage of a single state ballot measure. The report shall be filed
3 within ~~10 business days~~ 24 hours of making the contributions or
4 independent expenditures and shall contain all of the following:

5 (1) The full name, street address, and identification number of
6 the committee.

7 (2) The number or letter of the measure, if the measure has
8 qualified for the ballot and has been assigned a number or letter;
9 the title of the measure, if the measure has not been assigned a
10 number or letter but has been issued a title by the Attorney General;
11 or the subject of the measure, if the measure has not been assigned
12 a number or letter and has not been issued a title by the Attorney
13 General.

14 (3) In the case of a contribution, the date and amount of the
15 contribution and the name, address, and identification number of
16 the committee to ~~whom~~ which the contribution was made. In
17 addition, the report shall include the information required by
18 paragraphs (1) to (5), inclusive, of subdivision (f) of Section 84211,
19 regarding contributions or loans received from a person described
20 in that subdivision, covering the period from the day after the
21 closing date of the last campaign report filed to the date of the
22 contribution requiring a report under this section, or if the
23 committee has not previously filed a campaign statement, covering
24 the period from the previous January 1 to the date of the
25 contribution requiring a report under this section. No information
26 described in paragraphs (1) to (5), inclusive, of subdivision (f) of
27 Section 84211 that is required to be reported pursuant to this
28 subdivision is required to be reported in more than one report
29 provided for in this subdivision for each contribution or loan
30 received from a person described in subdivision (f) of Section
31 84211.

32 (4) In the case of an independent expenditure, the date, amount,
33 and a description of the goods or services for which the expenditure
34 was made. In addition, the report shall include the information
35 required by paragraphs (1) to (5), inclusive, of subdivision (f) of
36 Section 84211 regarding contributions or loans received from a
37 person described in that subdivision, covering the period from the
38 day after the closing date of the last campaign report filed to the
39 date of the expenditure, or if the committee has not previously
40 filed a campaign statement, covering the period from the previous

1 January 1 to the date of the expenditure. No information described
2 in paragraphs (1) to (5), inclusive, of subdivision (f) of Section
3 84211 that is required to be reported pursuant to this subdivision
4 is required to be reported in more than one report provided for in
5 this subdivision for each contribution or loan received from a
6 person described in subdivision (f) of Section 84211.

7 (b) Reports required by this section are not required to be filed
8 by a committee primarily formed to support or oppose the
9 qualification or passage of a state ballot measure for expenditures
10 made on behalf of the ballot measure or measures for which it is
11 formed.

12 (c) Independent expenditures that have been disclosed by a
13 committee pursuant to Section 84204 or 85500 are not required to
14 be disclosed pursuant to this section.

15 *SEC. 20. Section 84211 of the Government Code is amended*
16 *to read:*

17 84211. Each campaign statement required by this article shall
18 contain all of the following information:

19 (a) The total amount of contributions received during the period
20 covered by the campaign statement and the total cumulative amount
21 of contributions received.

22 (b) The total amount of expenditures made during the period
23 covered by the campaign statement and the total cumulative amount
24 of expenditures made.

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

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

31 (e) The balance of cash and cash equivalents on hand at the
32 beginning and the end of the period covered by the campaign
33 statement.

34 (f) If the cumulative amount of contributions (including loans)
35 received from a person is one hundred dollars (\$100) or more and
36 a contribution or loan has been received from that person during
37 the period covered by the campaign statement, all of the following:

38 (1) His or her full name.

39 (2) His or her street address.

40 (3) His or her occupation.

- 1 (4) The name of his or her employer, or if self-employed, the
2 name of the business.
- 3 (5) The date and amount received for each contribution received
4 during the period covered by the campaign statement and, if the
5 contribution is a loan, the interest rate for the loan.
- 6 (6) The cumulative amount of contributions.
- 7 (g) If the cumulative amount of loans received from or made to
8 a person is one hundred dollars (\$100) or more, and a loan has
9 been received from or made to a person during the period covered
10 by the campaign statement, or is outstanding during the period
11 covered by the campaign statement, all of the following:
- 12 (1) His or her full name.
- 13 (2) His or her street address.
- 14 (3) His or her occupation.
- 15 (4) The name of his or her employer, or if self-employed, the
16 name of the business.
- 17 (5) The original date and amount of each loan.
- 18 (6) The due date and interest rate of the loan.
- 19 (7) The cumulative payment made or received to date at the end
20 of the reporting period.
- 21 (8) The balance outstanding at the end of the reporting period.
- 22 (9) The cumulative amount of contributions.
- 23 (h) For each person, other than the filer, who is directly,
24 indirectly, or contingently liable for repayment of a loan received
25 or outstanding during the period covered by the campaign
26 statement, all of the following:
- 27 (1) His or her full name.
- 28 (2) His or her street address.
- 29 (3) His or her occupation.
- 30 (4) The name of his or her employer, or if self-employed, the
31 name of the business.
- 32 (5) The amount of his or her maximum liability outstanding.
- 33 (i) The total amount of expenditures made during the period
34 covered by the campaign statement to persons who have received
35 one hundred dollars (\$100) or more.
- 36 (j) The total amount of expenditures made during the period
37 covered by the campaign statement to persons who have received
38 less than one hundred dollars (\$100).

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

- 4 (1) His or her full name.
5 (2) His or her street address.
6 (3) The *date and* amount of each expenditure.
7 (4) A brief description of the consideration for which each
8 expenditure was made.

9 (5) In the case of an expenditure ~~which~~ *that* is a contribution to
10 a candidate, elected officer, or committee or an independent
11 expenditure to support or oppose a candidate or measure, in
12 addition to the information required in paragraphs (1) to (4) ~~above~~,
13 *inclusive*, the date of the contribution or independent expenditure,
14 the cumulative amount of contributions made to a candidate,
15 elected officer, or committee, or the cumulative amount of
16 independent expenditures made relative to a candidate or measure;
17 the full name of the candidate, and the office and district for which
18 he or she seeks nomination or election, or the number or letter of
19 the measure; and the jurisdiction in which the measure or candidate
20 is voted upon.

21 (6) The information required in paragraphs (1) to (4), inclusive,
22 for each person, if different from the payee, who has provided
23 consideration for an expenditure of five hundred dollars (\$500) or
24 more during the period covered by the campaign statement.

25 For purposes of subdivisions (i), (j), and (k) only, the terms
26 “expenditure” or “expenditures” mean any individual payment or
27 accrued expense, unless it is clear from surrounding circumstances
28 that a series of payments or accrued expenses are for a single
29 service or product.

30 (l) In the case of a controlled committee, an official committee
31 of a political party, or an organization formed or existing primarily
32 for political purposes, the amount and source of any miscellaneous
33 receipt.

34 (m) If a committee is listed pursuant to subdivision (f), (g), (h),
35 (k), (l), or (q), the number assigned to the committee by the
36 Secretary of State shall be listed, or if no number has been assigned,
37 the full name and street address of the treasurer of the committee.

38 (n) In a campaign statement filed by a candidate who is a
39 candidate in both a state primary and general election, his or her
40 controlled committee, or a committee primarily formed to support

1 or oppose such a candidate, the total amount of contributions
2 received and the total amount of expenditures made for the period
3 January 1 ~~through~~ to June 30, *inclusive*, and the total amount of
4 contributions received and expenditures made for the period July
5 1 ~~through~~ to December 31, *inclusive*.

6 (o) The full name, residential or business address, and telephone
7 number of the filer, or in the case of a campaign statement filed
8 by a committee defined by subdivision (a) of Section 82013, the
9 name, street address, and telephone number of the committee and
10 of the committee treasurer. In the case of a committee defined by
11 subdivision (b) or (c) of Section 82013, the name that the filer uses
12 on campaign statements shall be the name by which the filer is
13 identified for other legal purposes or any name by which the filer
14 is commonly known to the public.

15 (p) If the campaign statement is filed by a candidate, the name,
16 street address, and treasurer of any committee of which he or she
17 has knowledge ~~which~~ *that* has received contributions or made
18 expenditures on behalf of his or her candidacy and whether the
19 committee is controlled by the candidate.

20 (q) A contribution need not be reported, nor shall it be deemed
21 accepted, if it is not cashed, negotiated, or deposited and is returned
22 to the contributor before the closing date of the campaign statement
23 on which the contribution would otherwise be reported.

24 (r) If a committee primarily formed for the qualification or
25 support of, or opposition to, an initiative or ballot measure is
26 required to report an expenditure to a business entity pursuant to
27 subdivision (k) and 50 percent or more of the business entity is
28 owned by a candidate or person controlling the committee, by an
29 officer or employee of the committee, or by a spouse of any of
30 these individuals, the committee's campaign statement shall also
31 contain, in addition to the information required by subdivision (k),
32 that person's name, the relationship of that person to the committee,
33 and a description of that person's ownership interest or position
34 with the business entity.

35 (s) If a committee primarily formed for the qualification or
36 support of, or opposition to, an initiative or ballot measure is
37 required to report an expenditure to a business entity pursuant to
38 subdivision (k), and a candidate or person controlling the
39 committee, an officer or employee of the committee, or a spouse
40 of any of these individuals is an officer, partner, consultant, or

employee of the business entity, the committee's campaign statement shall also contain, in addition to the information required by subdivision (k), that person's name, the relationship of that person to the committee, and a description of that person's ownership interest or position with the business entity.

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

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

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

(3) If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession ~~which~~ *that* it represents, including a specific description of any portion or faction of the industry, trade, or profession ~~which~~ *that* the association exclusively or primarily represents.

(4) If the filer is not an individual, business entity, or industry, trade, or professional association, a statement of the person's nature and purposes, including a description of any industry, trade, profession, or other group with a common economic interest ~~which~~ *that* the person principally represents or from which its membership or financial support is principally derived.

(u) *If the filer knows or has reason to know that contributions from two or more persons have been made at the behest of a third party, and the cumulative amount of those contributions plus any amounts the third party has contributed to the filer directly equals or exceeds the maximum amount that the third party would be permitted to contribute to the filer under this title, all of the information required by subdivision (f) with respect to that third party and the contributions made at the behest of that third party.*

SEC. 21. Section 84218 of the Government Code is amended to read:

84218. (a) (1) A slate mailer organization shall file ~~semiannual~~ campaign statements ~~no later than July 31 for the period ending June 30, and no later than January 31 for the period ending December 31.~~ for each calendar quarter as follows:

(A) No later than April 15 for the quarter ending March 31.

1 (B) No later than July 15 for the quarter ending June 30.

2 (C) No later than October 15 for the quarter ending September
3 30.

4 (D) No later than January 31 for the quarter ending December
5 31.

6 (2) A slate mailer organization that has received payments of
7 less than five hundred dollars (\$500) and made expenditures of
8 less than five hundred dollars (\$500) during a calendar quarter
9 shall be permitted to file a statement of inactivity for that quarter,
10 as prescribed by the Commission.

11 (b) In addition to the ~~semiannual~~ quarterly statements required
12 by subdivision (a), slate mailer organizations shall file preelection
13 statements as follows:

14 ~~(1) A~~ (a), a slate mailer organization ~~which~~ that produces a slate
15 mailer supporting or opposing candidates or measures being voted
16 on in an election held ~~upon the first Tuesday after the first Monday~~
17 ~~in June or November of an even-numbered year~~ shall file the
18 ~~statements~~ statement specified in subdivision (a) of Section ~~84200.7~~
19 84200.5 if, during the period covered by the preelection statement,
20 the slate mailer organization receives payments totaling five
21 hundred dollars (\$500) or more from any person for the support
22 of or opposition to candidates or ballot measures in one or more
23 slate mailers, or expends five hundred dollars (\$500) or more to
24 produce one or more slate mailers.

25 ~~(2) Any slate mailer organization which produces a slate mailer~~
26 ~~supporting or opposing candidates or measures being voted on in~~
27 ~~an election held on a date other than the first Tuesday after the~~
28 ~~first Monday in June or November of an even-numbered year shall~~
29 ~~file the statements specified in Section 84200.8 if, during the period~~
30 ~~covered by the preelection statement, the slate mailer organization~~
31 ~~receives payments totaling five hundred dollars (\$500) or more~~
32 ~~from any person for the support of or opposition to candidates or~~
33 ~~ballot measures in one or more slate mailers, or expends five~~
34 ~~hundred dollars (\$500) or more to produce one or more slate~~
35 ~~mailers.~~

36 (c) A slate mailer organization shall file two copies of its
37 campaign reports with the clerk of the county in which it is
38 domiciled. A slate mailer organization is domiciled at the address
39 listed on its statement of organization unless it is domiciled outside

1 California, in which case its domicile shall be deemed to be Los
2 Angeles County for purposes of this section.

3 In addition, slate mailer organizations shall file campaign reports
4 as follows:

5 (1) A slate mailer organization ~~which~~ *that* produces one or more
6 slate mailers supporting or opposing candidates or measures voted
7 on in a state election, or in more than one county, shall file
8 campaign reports in the same manner as state general purpose
9 committees pursuant to subdivision (a) of Section 84215.

10 (2) A slate mailer organization ~~which~~ *that* produces one or more
11 slate mailers supporting or opposing candidates or measures voted
12 on in only one county, or in more than one jurisdiction within one
13 county, shall file campaign reports in the same manner as county
14 general purpose committees pursuant to subdivision (c) of Section
15 84215.

16 (3) A slate mailer organization ~~which~~ *that* produces one or more
17 slate mailers supporting or opposing candidates or measures voted
18 on in only one city shall file campaign reports in the same manner
19 as city general purpose committees pursuant to subdivision (d) of
20 Section 84215.

21 (4) Notwithstanding the above, no slate mailer organization
22 shall be required to file more than the original and one copy, or
23 two copies, of a campaign report with any one county or city clerk
24 or with the Secretary of State.

25 *SEC. 22. Section 84252 of the Government Code is amended*
26 *to read:*

27 84252. ~~(a)~~—A committee primarily formed to support or oppose
28 a LAFCO proposal shall file all statements required under this
29 chapter except that, in lieu of the statements required by ~~Sections~~
30 ~~Section 84200 and 84202.3~~, the committee shall file monthly
31 campaign statements from the time circulation of a petition begins
32 until a measure is placed on the ballot or, if a measure is not placed
33 on the ballot, until the committee is terminated pursuant to Section
34 84214. The committee shall file an original and one copy of each
35 statement on the 15th day of each calendar month, covering the
36 prior calendar month, with the clerk of the county in which the
37 measure may be voted on. If the petition results in a measure that
38 is placed on the ballot, the committee thereafter shall file campaign
39 statements required by this chapter.

~~(b) In addition to any other statements required by this chapter, a committee that makes independent expenditures in connection with a LAFCO proposal shall file statements pursuant to Section 84203.5.~~

SEC. 23. *Section 84305.5 of the Government Code is amended to read:*

84305.5. (a) ~~No~~A slate mailer organization or committee primarily formed to support or oppose one or more ballot measures shall *not* send a slate mailer unless *the slate mailer complies with all of the following:*

(1) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures are shown on the outside of each piece of slate mail and on at least one of the inserts included with each piece of slate mail in no less than 8-point roman type, which shall be in a color or print ~~which~~ *that* contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the street address of the slate mailer organization or the committee primarily formed to support or oppose one or more ballot ~~measure~~ *measures* is a matter of public record with the Secretary of State's Political Reform Division.

(2) At the top or bottom of the front side or surface of at least one insert, or at the top or bottom of one side or surface of a postcard or other self-mailer, there is a notice in at least 8-point roman boldface type, which shall be in a color or print ~~which~~ *that* contrasts with the background so as to be easily legible, and in a printed or drawn box and set apart from any other printed matter. The notice shall consist of the following statement:

NOTICE TO VOTERS

THIS DOCUMENT WAS PREPARED BY (name of slate mailer organization or committee primarily formed to support or oppose one or more ballot measures), NOT AN OFFICIAL POLITICAL PARTY ORGANIZATION. Appearance in this mailer does not necessarily imply endorsement of others appearing in this mailer, nor does it imply endorsement of, or opposition to, any issues set forth in this mailer. Appearance

NOTICE TO VOTERS

is paid for and authorized by each candidate and ballot
measure ~~which that~~ is designated by an *.

~~(3) The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures as required by paragraph (1) and the notice required by paragraph (2) may appear on the same side or surface of an insert.~~

~~(4)~~

(3) (A) Each candidate and each ballot measure that has paid to appear in the slate mailer is designated by an *. ~~Any A~~ candidate or ballot measure that has not paid to appear in the slate mailer ~~is shall~~ not be designated by an *.

The

(B) The * required by this ~~subdivision~~ paragraph shall be of the same type size, type style, color or contrast, and legibility as is used for the name of the candidate, or the ballot measure name or number and position advocated, to which the * designation applies, except that in no case shall the * be required to be larger than 10-point boldface type. The designation shall immediately follow the name of the candidate, or the name or number and position advocated on the ballot measure, where the designation appears in the slate of candidates and measures. If there is no slate listing, the designation shall appear at least once in at least 8-point boldface type, immediately following the name of the candidate, or the name or number and position advocated on the ballot measure.

~~(5)~~

(4) The name of ~~any a~~ candidate appearing in the slate mailer who is a member of a political party differing from the political party ~~which that~~ the mailer appears by representation or indicia to represent is accompanied, immediately below the name, by the party designation of the candidate, in no less than 9-point roman type, which shall be in a color or print that contrasts with the background so as to be easily legible. The designation shall not be required in the case of candidates for nonpartisan office.

(b) For purposes of the designations required by paragraph (4) (3) of subdivision (a), the payment of any sum made reportable by subdivision (c) of Section 84219 by or at the behest of a candidate or committee, whose name or position appears in the mailer, to the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, shall constitute a payment to appear, requiring the * designation. The payment shall also be deemed to constitute authorization to appear in the mailer.

(c) *The name, street address, and city of the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures, as required by paragraph (1) of subdivision (a), and the notice required by paragraph (2) of subdivision (a) may appear on the same side or surface of an insert in the slate mailer.*

(d) *The Commission may, by regulation, impose other requirements regarding the content of a slate mailer in addition to those contained in this section.*

SEC. 24. *Section 84310 of the Government Code is amended to read:*

84310. (a) A candidate, committee, or slate mailer organization may not expend campaign funds, directly or indirectly, to pay for telephone calls that are similar in nature and aggregate 500 or more in number, made by an individual, or individuals, or by electronic means and that advocate support of, or opposition to, a candidate, ballot measure, or both, unless during the course of each call the name of the organization that authorized or paid for the call is disclosed to the recipient of the call. Unless the organization that authorized the call and in whose name it is placed has filing obligations under this title, and the name announced in the call either is the full name by which the organization or individual is identified in any statement or report required to be filed under this title or is the name by which the organization or individual is commonly known, the candidate, committee, or slate mailer organization that paid for the call shall be disclosed. This section shall not apply to telephone calls made by the candidate, the campaign manager, or individuals who are volunteers.

(b) Campaign and ballot measure committees are prohibited from contracting with any phone bank vendor that does not disclose the information required to be disclosed by subdivision (a).

(c) A candidate, committee, or slate mailer organization that pays for telephone calls as described in subdivision (a) shall maintain a record of the script of the call for the period of time set forth in Section 84104. If any of the calls qualifying under subdivision (a) were recorded messages, a copy of the recording shall be maintained for that period.

(d) Notwithstanding Article 1 (commencing with Section 2871) of Chapter 10 of Part 2 of Division 1 of the Public Utilities Code, the Commission may regulate the content of a prerecorded telephonic message that is disseminated by means of an automatic dialing-announcing device and that advocates support of, or opposition to, a candidate, ballot measure, or both.

SEC. 25. Section 84507 of the Government Code is amended to read:

84507. ~~Any~~(a) A disclosure statement required by this article shall be printed clearly and legibly in no less than 10-point type and in a conspicuous manner as defined by the ~~commission~~ Commission or, if the communication is broadcast, the ~~information~~ disclosure statement shall be spoken so as to be clearly audible and understood by the intended public and otherwise appropriately conveyed for the hearing impaired.

(b) The Commission may adopt regulations exempting an advertisement from the requirements of this article in any circumstance when the relevant disclosure statement required by this article would not be feasible or would not be sufficiently legible so as to be informative to the intended public.

SEC. 26. Section 85301 of the Government Code is amended to read:

85301. (a) A person, other than a small contributor committee or political party committee, may not make to ~~any~~ a candidate for elective state office other than a candidate for statewide elective office, and a candidate for elective state office other than a candidate for statewide elective office may not accept from a person, any contribution totaling more than three thousand *nine hundred* dollars ~~(\$3,000)~~ (\$3,900) per election.

(b) Except to a candidate for Governor, a person, other than a small contributor committee or political party committee, may not make to ~~any~~ a candidate for statewide elective office, and, except a candidate for Governor, a candidate for statewide elective office may not accept from a person other than a small contributor

1 committee or a political party committee, any contribution totaling
2 more than ~~five~~ six thousand ~~five hundred~~ dollars ~~(\$5,000)~~ (\$6,500)
3 per election.

4 (c) A person, other than a small contributor committee or
5 political party committee, may not make to ~~any~~ a candidate for
6 Governor, and a candidate for ~~governor~~ Governor may not accept
7 from ~~any~~ a person other than a small contributor committee or
8 political party committee, any contribution totaling more than
9 twenty six thousand dollars ~~(\$20,000)~~ (\$26,000) per election.

10 (d) The provisions of this section do not apply to a candidate's
11 contributions of his or her personal funds to his or her own
12 campaign.

13 SEC. 27. Section 85302 of the Government Code is amended
14 to read:

15 85302. (a) A small contributor committee may not make to
16 ~~any~~ a candidate for elective state office other than a candidate for
17 statewide elective office, and a candidate for elective state office;
18 other than a candidate for statewide elective office may not accept
19 from a small contributor committee, any contribution totaling more
20 than ~~six~~ seven thousand ~~eight hundred~~ dollars ~~(\$6,000)~~ (\$7,800)
21 per election.

22 (b) Except to a candidate for Governor, a small contributor
23 committee may not make to ~~any~~ a candidate for statewide elective
24 office, and, except for a candidate for Governor, a candidate for
25 statewide elective office may not accept from a small contributor
26 committee, any contribution totaling more than ~~ten~~ thirteen
27 thousand dollars ~~(\$10,000)~~ (\$13,000) per election.

28 (c) A small contributor committee may not make to ~~any~~ a
29 candidate for Governor, and a candidate for ~~governor~~ Governor
30 may not accept from a small contributor committee, any
31 contribution totaling more than twenty six thousand dollars
32 ~~(\$20,000)~~ (\$26,000) per election.

33 SEC. 28. Section 85303 of the Government Code is amended
34 to read:

35 85303. (a) A person may not make to ~~any~~ a committee; other
36 than a political party committee, and a committee other than a
37 political party committee may not accept, any contribution totaling
38 more than ~~five~~ six thousand ~~five hundred~~ dollars ~~(\$5,000)~~ (\$6,500)
39 per calendar year for the purpose of making contributions to
40 candidates for elective state office.

(b) A person may not make to ~~any~~ a political party committee, and a political party committee may not accept, any contribution totaling more than ~~twenty-five~~ *thirty-two* thousand ~~five hundred~~ dollars ~~(\$25,000)~~ *(\$32,500)* per calendar year for the purpose of making contributions for the support or defeat of candidates for elective state office. Notwithstanding Section 85312, this limit applies to contributions made to a political party used for the purpose of making expenditures at the behest of a candidate for elective state office for communications to party members related to the candidate's candidacy for elective state office.

(c) Except as provided in Section 85310, nothing in this chapter shall limit a person's contributions to a committee or political party committee provided the contributions are used for purposes other than making contributions to candidates for elective state office.

(d) Nothing in this chapter limits a candidate for ~~elected~~ *elective* state office from transferring contributions received by the candidate in excess of any amount necessary to defray the candidate's expenses for ~~election-related~~ *election-related* activities or holding office to a political party committee, provided those transferred contributions are used for purposes consistent with paragraph (4) of subdivision (b) of Section 89519.

SEC. 29. *Section 85316 of the Government Code is amended to read:*

85316. (a) Except as provided in subdivision (b), a contribution for an election may be accepted by a candidate for elective state office after the date of the election only to the extent that the contribution does not exceed net debts outstanding from the election, and the contribution does not otherwise exceed the applicable contribution limit for that election.

(b) Notwithstanding subdivision (a), an elected state officer may accept contributions after the date of the election for the purpose of paying expenses associated with holding the office provided that the contributions are not expended for any contribution to any state or local committee. Contributions received pursuant to this subdivision shall be deposited into a bank account established solely for the purposes specified in this subdivision.

(1) No person shall make, and no elected state officer shall receive from a person, a contribution pursuant to this subdivision totaling more than the following amounts per calendar year:

1 (A) Three thousand *two hundred* dollars ~~(\$3,000)~~ (\$3,200) in
2 the case of an elected state officer of the Assembly or Senate.

3 (B) Five thousand *four hundred* dollars ~~(\$5,000)~~ (\$5,400) in the
4 case of a statewide elected state officer other than the Governor.

5 (C) ~~Twenty~~ *Twenty-one* thousand *six hundred* dollars ~~(\$20,000)~~
6 (\$21,600) in the case of the Governor.

7 (2) No elected state officer shall receive contributions pursuant
8 to paragraph (1) that, in the aggregate, total more than the following
9 amounts per calendar year:

10 (A) ~~Fifty~~ *Fifty-three* thousand *nine hundred* dollars ~~(\$50,000)~~
11 (\$53,900) in the case of an elected state officer of the Assembly
12 or Senate.

13 (B) One hundred *seven* thousand *nine hundred* dollars
14 ~~(\$100,000)~~ (\$107,900) in the case of a statewide elected state
15 officer other than the Governor.

16 (C) Two hundred *fifteen* thousand *eight hundred* dollars
17 ~~(\$200,000)~~ (\$215,800) in the case of the Governor.

18 (3) Any contribution received pursuant to this subdivision shall
19 be deemed to be a contribution to that candidate for election to
20 any state office that he or she may seek during the term of office
21 to which he or she is currently elected, including, but not limited
22 to, reelection to the office he or she currently holds, and shall be
23 subject to any applicable contribution limit provided in this title.
24 If a contribution received pursuant to this subdivision exceeds the
25 allowable contribution limit for the office sought, the candidate
26 shall return the amount exceeding the limit to the contributor on
27 a basis to be determined by the Commission. None of the
28 expenditures made by elected state officers pursuant to this
29 subdivision shall be subject to the voluntary expenditure limitations
30 in Section 85400.

31 ~~(4) The commission shall adjust the calendar year contribution~~
32 ~~limitations and aggregate contribution limitations set forth in this~~
33 ~~subdivision in January of every odd-numbered year to reflect any~~
34 ~~increase or decrease in the Consumer Price Index. Those~~
35 ~~adjustments shall be rounded to the nearest one hundred dollars~~
36 ~~(\$100).~~

37 *SEC. 30. Section 85400 of the Government Code is amended*
38 *to read:*

39 85400. (a) A candidate for elective state office, other than the
40 Board of Administration of the Public Employees' Retirement

System, who voluntarily accepts expenditure limits may not make campaign expenditures in excess of the following:

(1) For an Assembly candidate, ~~four~~ *five* hundred *twenty* thousand dollars ~~(\$400,000)~~ *(\$520,000)* in the primary or special primary election and ~~seven~~ *nine* hundred *nine* thousand dollars ~~(\$700,000)~~ *(\$909,000)* in the general or special general election.

(2) For a Senate candidate, ~~six~~ *seven* hundred *eighty* thousand dollars ~~(\$600,000)~~ *(\$780,000)* in the primary or special primary election and ~~nine~~ *one million one hundred sixty-nine* thousand dollars ~~(\$900,000)~~ *(\$1,169,000)* in the general or special general election.

(3) For a candidate for the State Board of Equalization, one million *two hundred ninety-nine thousand* dollars ~~(\$1,000,000)~~ *(\$1,299,000)* in the primary election and one million ~~five hundred~~ *nine hundred forty-nine* thousand dollars ~~(\$1,500,000)~~ *(\$1,949,000)* in the general election.

(4) For a statewide candidate other than a candidate for Governor or the State Board of Equalization, ~~four~~ *five* million *one hundred seventy-nine thousand* dollars ~~(\$4,000,000)~~ *(\$5,179,000)* in the primary election and ~~six~~ *seven* million *seven hundred ninety-five thousand* dollars ~~(\$6,000,000)~~ *(\$7,795,000)* in the general election.

(5) For a candidate for Governor, ~~six~~ *seven* million *seven hundred ninety-five thousand* dollars ~~(\$6,000,000)~~ *(\$7,795,000)* in the primary election and ~~ten~~ *twelve* million *nine hundred ninety-two thousand* dollars ~~(\$10,000,000)~~ *(\$12,992,000)* in the general election.

(b) For purposes of this section, “campaign expenditures” has the same meaning as “election-related activities” as defined in clauses (i) to (vi), inclusive, and clause (viii) of subparagraph (C) of paragraph (2) of subdivision (b) of Section 82015.

(c) A campaign expenditure made by a political party on behalf of a candidate may not be attributed to the limitations on campaign expenditures set forth in this section.

SEC. 31. Section 86203 of the Government Code is repealed.

86203. It shall be unlawful for a lobbyist, or lobbying firm, to make gifts to one person aggregating more than ten dollars (\$10) in a calendar month, or to act as an agent or intermediary in the making of any gift, or to arrange for the making of any gift by any other person.

1 SEC. 32. Section 86203 is added to the Government Code, to
2 read:

3 86203. A lobbyist or lobbying firm shall not give a gift of any
4 value, act as an agent or intermediary in the giving of a gift, or
5 arrange for the giving of a gift by another person to an individual
6 specified in Section 87200, an elected officer of a local government
7 agency, a candidate for elective office in a local government
8 agency, a member of a state board or commission, or a designated
9 employee of a state or local government agency.

10 SEC. 33. Section 87103 of the Government Code is amended
11 to read:

12 87103. A public official has a financial interest in a decision
13 within the meaning of Section 87100 if it is reasonably foreseeable
14 that the decision will have a material financial effect,
15 distinguishable from its effect on the public generally, on the
16 official, a member of his or her immediate family, or on any of
17 the following:

18 (a) Any business entity in which the public official has a direct
19 or indirect investment worth two thousand dollars (\$2,000) or
20 more.

21 (b) Any real property in which the public official has a direct
22 or indirect interest worth two thousand dollars (\$2,000) or more.

23 (c) Any source of income, except gifts or loans by a commercial
24 lending institution made in the regular course of business on terms
25 available to the public without regard to official status, aggregating
26 five hundred dollars (\$500) or more in value provided or promised
27 to, or received by, the public official within 12 months prior to the
28 time when the decision is made.

29 (d) Any business entity in which the public official is a director,
30 officer, partner, trustee, or employee, or *in which the public official*
31 holds any position of management.

32 (e) Any donor of, or any intermediary or agent for a donor of,
33 a gift or gifts aggregating two hundred fifty dollars (\$250) or more
34 in value provided to, received by, or promised to the public official
35 within 12 months prior to the time when the decision is made. ~~The~~
36 ~~amount of the value of gifts specified by this subdivision shall be~~
37 ~~adjusted biennially by the commission to equal the same amount~~
38 ~~determined by the commission pursuant to subdivision (f) of~~
39 ~~Section 89503.~~

40 For

(f) For purposes of this section, indirect investment or interest means any investment or interest owned by the spouse or dependent child of a public official, by an agent on behalf of a public official, or by a business entity or trust in which the official; *or the official's* agents, spouse, ~~and~~ *or* dependent children own directly, indirectly, or beneficially a 10-percent interest or greater.

SEC. 34. Section 87406 of the Government Code is amended to read:

87406. (a) This section shall be known, and may be cited, as the Milton Marks Postgovernment Employment Restrictions Act of 1990.

(b) No Member of the Legislature, for a period of one year after leaving office, *and no designated employee of the Legislature, for a period of one year after leaving his or her employment with the Legislature,* shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making ~~any~~ a formal or informal appearance, or by making ~~any~~ an oral or written communication, before the Legislature, ~~any~~ a committee or subcommittee thereof, ~~any~~ ~~present~~ a current Member of the Legislature, or ~~any~~ an officer or employee thereof, if the appearance or communication is made for the purpose of influencing legislative action.

(c) No elected state officer, other than a Member of the Legislature, for a period of one year after leaving office, shall, for compensation, act as agent or attorney for, or otherwise represent, any other person by making ~~any~~ a formal or informal appearance, or by making ~~any~~ an oral or written communication, before ~~any~~ a state administrative agency, or ~~any~~ an officer or employee thereof, if the appearance or communication is for the purpose of influencing administrative action; or influencing ~~any~~ an action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property. For purposes of this subdivision, an appearance before a "state administrative agency" does not include an appearance in a court of law, before an administrative law judge, or before the Workers' Compensation Appeals Board.

(d) (1) No designated employee of a state administrative agency, ~~any~~ an officer, employee, or consultant of a state administrative agency who holds a position ~~which~~ *that* entails the making, or participation in the making, of decisions ~~which~~ *that* may

1 foreseeably have a material effect on ~~any~~ a financial interest, and
2 no member of a state administrative agency, for a period of one
3 year after leaving office or employment, shall, for compensation,
4 act as agent or attorney for, or otherwise represent, any other
5 person; by making ~~any~~ a formal or informal appearance, or by
6 making ~~any~~ an oral or written communication, before ~~any~~ a state
7 administrative agency, or an officer or employee thereof, for which
8 he or she worked or *that he or she* represented during the 12
9 months before leaving office or employment, if the appearance or
10 communication is made for the purpose of influencing
11 administrative or legislative action, or influencing ~~any~~ an action
12 or proceeding involving the issuance, amendment, awarding, or
13 revocation of a permit, license, grant, or contract, or the sale or
14 purchase of goods or property. For purposes of this paragraph, an
15 appearance before a state administrative agency does not include
16 an appearance in a court of law, before an administrative law judge,
17 or before the Workers' Compensation Appeals Board. The
18 prohibition of this paragraph ~~shall~~ only apply to designated
19 employees employed by a state administrative agency on or after
20 January 7, 1991.

21 (2) For purposes of paragraph (1), a state administrative agency
22 of a designated employee of the Governor's office includes any
23 state administrative agency subject to the direction and control of
24 the Governor.

25 (e) The prohibitions contained in subdivisions (b), (c), and (d)
26 ~~shall do not~~ apply to ~~any~~ an individual subject to this section who
27 is or becomes any of the following:

28 (1) An officer or employee of another state agency, board, or
29 commission if the appearance or communication is for the purpose
30 of influencing legislative or administrative action on behalf of the
31 state agency, board, or commission.

32 (2) An official holding an elective office of a local government
33 agency if the appearance or communication is for the purpose of
34 influencing legislative or administrative action on behalf of the
35 local government agency.

36 (f) This section shall become operative on January 1, 1991, but
37 only if Senate Constitutional Amendment No. 32 of the 1989–90
38 Regular Session is approved by the voters. With respect to
39 Members of the Legislature whose current term of office on

1 January 1, 1991, began in December 1988, this section shall not
2 apply until January 1, 1993.

3 *SEC. 35. Section 89503 of the Government Code is amended*
4 *to read:*

5 89503. (a) ~~No~~An elected state officer, elected officer of a local
6 government agency, or other individual specified in Section 87200
7 shall *not* accept gifts from any single source in ~~any~~ a calendar year
8 with a total value of more than two hundred fifty dollars (\$250).

9 (b) (1) ~~No~~A candidate for elective state office, for judicial
10 office, or for elective office in a local government agency shall
11 *not* accept gifts from any single source in ~~any~~ a calendar year with
12 a total value of more than two hundred fifty dollars (\$250). A
13 person ~~shall be deemed~~ is a candidate for purposes of this
14 subdivision when the person has filed a statement of organization
15 as a committee for election to a state or local office, a declaration
16 of intent, or a declaration of candidacy, whichever occurs first. A
17 person ~~shall is not be deemed~~ a candidate for purposes of this
18 subdivision after he or she is sworn into the elective office, or, if
19 the person lost the election, after the person has terminated his or
20 her campaign statement filing obligations for that office pursuant
21 to Section 84214 or after certification of the election results,
22 ~~whichever is~~ occurs earlier.

23 (2) Paragraph (1) shall not apply to ~~any~~ a person who is a
24 candidate as described in paragraph (1) for judicial office on or
25 before December 31, 1996.

26 (c) ~~No~~A member of a state board or commission or designated
27 employee of a state or local government agency shall *not* accept
28 gifts from any single source in ~~any~~ a calendar year with a total
29 value of more than two hundred fifty dollars (\$250) if the member
30 or employee would be required to report the receipt of income or
31 gifts from that source on his or her statement of economic interests.

32 (d) This section shall not apply to a person in his or her capacity
33 as judge. This section shall not apply to a person in his or her
34 capacity as a part-time member of the governing board of ~~any~~ a
35 public institution of higher education unless that position is an
36 elective office.

37 (e) This section shall not prohibit or limit the following:

38 (1) Payments, advances, or reimbursements for travel and related
39 lodging and subsistence permitted by Section 89506.

(2) Wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

~~(f) Beginning on January 1, 1993, the commission shall adjust the gift limitation in this section on January 1 of each odd-numbered year to reflect changes in the Consumer Price Index, rounded to the nearest ten dollars (\$10).~~

~~(f) The limitations on gifts in this section are effective beginning on January 1, 2012.~~

(g) The limitations in this section are in addition to the limitations on gifts in Section 86203.

SEC. 36. Section 91013 of the Government Code is amended to read:

91013. (a) If ~~any~~ a person files an original statement or report after ~~any~~ the applicable deadline imposed by this act, he or she shall, in addition to any other penalties or remedies established by this act title, be liable in the amount of ~~ten~~ twenty-five dollars ~~(\$10)~~ (\$25) per day after the deadline until the statement or report is filed, to the officer with whom the statement or report is required to be filed. Liability need not be enforced by the filing officer if, on an impartial basis, he or she determines that the late filing was not willful and that enforcement of the liability will not further the purposes of the act, except that no liability shall be waived if a statement or report is not filed within 30 days for a statement of economic ~~interest~~ interests, other than a candidate's statement filed pursuant to Section 87201, five days for a campaign statement required to be filed ~~12~~ 16 days before an election, and 10 days for all other statements or reports, after the filing officer has sent specific written notice of the filing requirement.

(b) If ~~any~~ a person files a copy of a statement or report after ~~any~~ the applicable deadline imposed by this act title, he or she shall, in addition to any other penalties or remedies established by this chapter title, be liable in the amount of ~~ten~~ twenty-five dollars ~~(\$10)~~ (\$25) per day, starting 10 days, or five days in the case of a campaign statement required to be filed ~~12~~ 16 days before an election, after the filing officer has sent specific written notice of the filing requirement and until the statement or report is filed.

(c) The filing officer shall deposit any funds received under this section into the general fund of the jurisdiction of which he or she is an officer. No liability under this section shall exceed 150

1 percent of the cumulative amount stated in the late statement or
2 report, or ~~one~~ ^{five} hundred fifty dollars (~~\$100~~) (\$750), whichever
3 is greater.

4 (d) Notwithstanding Section 89513 or 89514 or any other
5 provision of this title, a candidate or elected officer shall not use
6 campaign funds to pay a fine imposed on him or her pursuant to
7 this section.

8 SEC. 37. (a) It is the intent of the Legislature to develop a
9 single, statewide electronic filing system that consolidates the
10 filing of all state and local campaign statements and reports
11 required by the Political Reform Act of 1974 (Title 9 (commencing
12 with Section 81000) of the Government Code) into one searchable
13 database that provides for, but is not limited to, all of the following:

14 (1) Electronic filing of committee organization statements.

15 (2) Electronic filing of campaign statements by all state
16 committees, without regard to the amounts of contributions and
17 expenditures.

18 (3) Electronic filing of reports by all major donors at the state
19 and local levels when specified thresholds are met.

20 (4) A consolidated statewide network that includes a process
21 to import into the statewide database state-required committee
22 disclosures from each local jurisdiction that has its own electronic
23 filing system.

24 (5) A statewide, Internet Web-based database with expanded
25 filing and public search capabilities that are data-driven and
26 user-friendly for all members of the public.

27 (b) The Secretary of State and the Fair Political Practices
28 Commission shall jointly work toward development of the
29 electronic filing system described in subdivision (a) as follows:

30 (1) Not later than August 31, 2012, the Secretary of State and
31 the Commission shall develop a technology plan that will outline
32 the technology requirements and the costs of the electronic filing
33 system.

34 (2) The Secretary of State and the Commission shall develop a
35 funding plan that includes a comprehensive and detailed project
36 budget that will be accurate through the duration of the project
37 and will include appropriate and reasonable contingencies. The
38 funding plan shall describe proposals for raising funds for
39 development of the electronic filing system, including grants from
40 private and public sources, federal funds, state appropriations,

1 and fees charged to filers of committee organization statements
2 and campaign statements.

3 (3) The Secretary of State and the Commission shall engage in
4 fundraising pursuant to the plan developed pursuant to paragraph
5 (2) and pursuant to the Commission's authority to accept funding
6 under Section 83117 of the Government Code.

7 (4) Not later than December 31, 2014, the Secretary of State
8 and the Commission shall complete work on the development,
9 construction, and launch of the electronic filing system described
10 by this section.

11 SEC. 38. No reimbursement is required by this act pursuant
12 to Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the penalty
16 for a crime or infraction, within the meaning of Section 17556 of
17 the Government Code, or changes the definition of a crime within
18 the meaning of Section 6 of Article XIII B of the California
19 Constitution.

20 SEC. 39. The Legislature finds and declares that this bill
21 furthers the purposes of the Political Reform Act of 1974 within
22 the meaning of subdivision (a) of Section 81012 of the Government
23 Code.

24 ~~SECTION 1. It is the intent of the Legislature to enact~~
25 ~~legislation relating to the Political Reform Act of 1974.~~