

Fair Political Practices Commission

MEMORANDUM

To: Chairman Schnur, Commissioners Garrett, Hodson, Montgomery, and Rotunda

From: Brian G. Lau, Commission Counsel
Scott Hallabrin, General Counsel

Subject: CalSTRS and CalPERS Elections

Date: January 31, 2011

Proposed Commission Action and Staff Recommendation:

- Repeal Regulations 18451, 18452, and 18453 to delete existing rules specific to CalPERS¹ elections that have been superseded by Senate Bill 1007 (Hancock).
- Adopt Regulation 18451 to clarify electronic reporting requirements related to both CalSTRS² and CalPERS elections.

Reasons for Proposal:

Effective January 1, 2011, SB 1007 imposes the full scope of the Act's campaign reporting provisions on both CalSTRS and CalPERS candidates, as well as committees primarily formed to support or oppose these candidates.

For comparison, campaign activity in CalSTRS elections is not currently subject to the Act's campaign reporting requirements because elected membership on the CalSTRS Board is not included in the Act's existing definition of "elective office" or "elective state office." (Sections 82023 and 82024.) Moreover, despite the fact that elected membership on the CalPERS Board is included in the Act's existing definition of "elective office" and "elective state office," current Section 84225 provides less stringent reporting requirements for CalPERS candidates excluding these candidates from the full requirements of Chapter 4, Article 2, of the Act (Sections 84200-84225).³

Discussion and Summary of Proposed Actions:

Repeal Regulations 18451, 18452, and 18453 – Existing Regulations 18451, 18452, and 18453 interpret the abbreviated reporting requirements applicable to CalPERS elections under

¹ The California Public Employees' Retirement System.

² The California State Teachers' Retirement System.

³ The abbreviated reporting rules for CalPERS candidates in current Section 84225 have also been applied to committees primarily formed to support or oppose CalPERS candidates. (*Fishburn* Advice Letter, No. I-02-196.)

current Section 84225. However, SB 1007 merges CalPERS elections into existing reporting requirements for other elective state offices and eliminates the abbreviated CalPERS specific provisions. Therefore, current Regulations 18451, 18452, and 18453 are generally inconsistent with SB 1007, and those specific provisions that are otherwise consistent are duplicative of the existing statutory and regulatory framework.

Adopt Regulation 18451 – New Section 84215(e) provides the filing location for reporting campaign activity in CalPERS and CalSTRS elections. Specifically, new Section 84215(e) requires CalSTRS and CalPERS candidates, as well as committees primarily formed to support or oppose these candidates, to file an original and one copy of any required campaign report or statement with the Secretary of State and a copy with the relevant CalPERS or CalSTRS office in Sacramento. New Section 84215(e) also excludes CalPERS and CalSTRS candidates from the requirement to file in their county of domicile.

In addition to the filing locations specified in new Section 84215(e), Section 84605⁴ requires online or electronic reporting for state elections at specified monetary thresholds. Because Section 84605 applies to candidates and committees required to file “statements, reports, or other documents in connection with a state elective office,” Section 84605 already imposes online or electronic filing in CalPERS elections and will be extended, upon the effective date of SB 1007, to CalSTRS elections.

Nonetheless, new Section 84215(e) does not cross-reference the online or electronic reporting requirements of Section 84605. This omission is troublesome only because Section 84215(a), which specifies the filing location for other state elective offices, expressly references the online or electronic reporting requirements of Section 84605. Therefore, candidates and committees in CalPERS and CalSTRS elections relying on Section 84215 to determine their filing locations can easily overlook Section 84605, mistakenly believing that it applies only to those state elective offices specified in 84215(a).

Proposed Regulation 18451 clarifies that persons reporting campaign activity in CalPERS and CalSTRS elections are required to file campaign statements and reports online or electronically pursuant to Section 84605 if their activity meets the thresholds specified.

Attachments:

- 1 – Proposed Repeal of Regulation 18451**
- 2 – Proposed Repeal of Regulation 18452**
- 3 – Proposed Repeal of Regulation 18453**
- 4 – Proposed Adoption of Regulation 18451**
- 5 – Senate Bill 1007 (Hancock)**

⁴ Assembly Bill 1181(Huber), also effective January 1, 2011, amends current Section 84605 by adding superior court judges to electronic filing requirements and lowering the monetary thresholds triggering electronic filing from \$50,000 to \$25,000 for most filers and from \$5,000 to \$2,500 for lobbyist, lobbyist firms, lobbyist employers, and other persons required to file lobbyist statements or reports.

1 Adopt 2 Cal. Code Regs. Section 18451 to read:

2 **§ 18451. CalPERS and CalSTRS Board Member Elections; Where to File Campaign**

3 **Reports and Statements.**

4 Candidates for, and elected members of, the Board of Administration of the Public
5 Employees' Retirement System or the Teachers' Retirement Board, their controlled committees,
6 and committees formed or existing primarily to support or oppose these candidates or elected
7 members, shall file campaign reports and statements pursuant to Section 84215(e) and by online
8 or electronic means as required by Section 84605.

9 Note: Authority cited: Sections 83112 and 84225, Government Code. Reference: Sections
10 84215(e) and 84605, Government Code.

1 Repeal 2 Cal. Code Regs. Section 18451 to read:

2 ~~§ 18451. CalPERS Board Member Elections Campaign Statements.~~

3 Definitions. For purposes of Government Code section 84225 and 2 Cal. Code Regs.
4 section 18452 only, the following definitions apply.

5 (a) "Board" means the Board of Administration of the Public Employees' Retirement
6 System as established under Article 1 (commencing with Section 20090) of Chapter 2 of Part 3
7 of Division 5 of Title 2 of the Government Code.

8 (b) "Campaign statement" means an itemized report filed pursuant to Government Code
9 section 84225 that is prepared on a form prescribed by the Commission and that provides the
10 information specified in 2 Cal. Code Regs. section 18452. Campaign statements are not governed
11 by the provisions of Article 2 (commencing with Section 84200) of Chapter 4 of Title 9 of the
12 Government Code.

13 (c) "Candidate" means an individual who qualifies for or accepts nomination pursuant to
14 2 Cal. Code Regs. section 554.3 for an election conducted under Government Code section
15 20096 or Government Code section 20095, including incumbents running for reelection.

16 (d) "Executive Officer" means the Chief Executive Officer of the Board.

17 (e) "Election year" means the calendar year in which an election is conducted under
18 Government Code section 20096 or Government Code section 20095.

19 (f) "Ballot period" means the period beginning on the date of the mailing of the ballots to
20 eligible active members in connection with an election held pursuant to Government Code
21 section 20096 or Government Code section 20095 and ending on the date set as the deadline for
22 the ballots to be returned.

- 1 ~~Note: Authority cited: Section 83112, Government Code. Reference: Section 84225,~~
- 2 ~~Government Code.~~

1 Repeal 2 Cal. Code Regs. Section 18452 to read:

2 ~~§ 18452. Reporting Requirements.~~

3 ~~(a) The definitions of 2 Cal. Code Regs. section 18451 apply to this regulation.~~

4 ~~(b) Candidates for Board seats described in subdivision (g) of Government Code section~~
5 ~~20090 are required to file campaign statements under Government Code section 84225.~~

6 ~~(1) Except as provided in subdivision (b)(3) of this regulation, candidates running for~~
7 ~~election in any election year shall file a pre-election and a post-election campaign statement. The~~
8 ~~pre-election statement shall be filed no later than two days before the first day of the ballot~~
9 ~~period. The statement shall cover the period beginning January 1 of the election year and ending~~
10 ~~five days before the beginning of the ballot period. The post-election statement shall be filed no~~
11 ~~later than January 10 of the calendar year following the election year; it shall cover the period the~~
12 ~~day after the closing date of the pre-election statement and ending December 31 of the election~~
13 ~~year.~~

14 ~~(2) In the case of a runoff election, in addition to the pre-election statement specified in~~
15 ~~subdivision (b)(1) of this regulation, each candidate participating in the runoff election shall file~~
16 ~~a pre-runoff election statement no later than two days before the first day of the runoff ballot~~
17 ~~period. The statement shall cover the period beginning the day after the closing date of the pre-~~
18 ~~election statement specified in subdivision (b)(1) of this regulation and ending five days before~~
19 ~~the beginning of the runoff ballot period. The post-election statement specified in subdivision~~
20 ~~(b)(1) of this regulation shall be filed no later than January 10 of the calendar year following the~~
21 ~~election year; it shall cover the period beginning the day after the closing date of the pre-runoff~~
22 ~~election statement and ending December 31 of the election year.~~

23 ~~(3) In the case of a special election held pursuant to Government Code section 20095, the~~

1 period covered by the pre-election statement shall begin on the day after the vacancy for which
2 the special election is being held occurs and shall end five days before the beginning of the ballot
3 period. The statement shall be filed no later than two days before the first day of the ballot
4 period. The period covered by the post-election statement shall cover the period beginning four
5 days before the beginning of the ballot period and ending 30 days after the election results are
6 certified pursuant to the requirements of Government Code section 20096. The post-election
7 statement shall be filed no later than 40 days following certification of the election.

8 (4) In the case of a runoff election held after a special election, in addition to the pre-
9 election statement specified in subdivision (b)(3), each candidate participating in the runoff
10 election shall file a pre-runoff election statement no later than two days before the first day of the
11 runoff ballot period. The statement shall cover the period beginning the day after the closing date
12 of the pre-election statement specified in subdivision (b)(3) of this regulation and ending five
13 days before the beginning of the runoff ballot period. The post-election statement specified in
14 subdivision (b)(3) of this regulation shall be filed no later than 40 days following certification of
15 the election; it shall cover the period beginning the day after the closing date of the pre-runoff
16 election statement and ending 30 days after certification of the election.

17 (e) Every candidate shall file with the Secretary of State an original and a copy of any
18 campaign statement required to be filed by subdivision (b) of this regulation and a copy with the
19 Executive Officer who shall retain the copy as a public record.

20 (d) Each campaign statement shall contain the following information:

21 (1) The total amount of contributions received during the period covered by the campaign
22 statement.

23 (2) The total amount of contributions received during the period covered by the campaign

1 statement from persons who have given a cumulative amount of one hundred dollars (\$ 100) or
2 more.

3 ~~(3) The total amount of contributions received by a candidate during the period covered~~
4 ~~by the campaign statement from persons who have given a cumulative amount of less than one~~
5 ~~hundred dollars (\$ 100).~~

6 ~~(4) If the cumulative amount of contributions received from any person is one hundred~~
7 ~~dollars (\$ 100) or more and a contribution has been received from that person during the period~~
8 ~~covered by the campaign statement, all of the following:~~

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

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

11 ~~(C) His or her occupation.~~

12 ~~(D) The name of his or her employer, or if self-employed, the name of the business.~~

13 ~~(E) The date and amount received for each contribution received during the period~~
14 ~~covered by the campaign statement.~~

15 ~~(F) The cumulative amount of contributions.~~

16 ~~(5) The full name, residential or business address, and telephone number of the filer.~~

17 ~~(6) The total amount of expenditures made during the period covered by the campaign~~
18 ~~statement and the total cumulative amount of expenditures made.~~

19 ~~(7) The total amount of expenditures made by a candidate during the period covered by~~
20 ~~the campaign statement to persons who have received one hundred dollars (\$ 100) or more.~~

21 ~~(8) The total amount of expenditures made by a candidate during the period covered by~~
22 ~~the campaign statement to persons who have received less than one hundred dollars (\$ 100).~~

23 ~~(9) For each person to whom an expenditure of one hundred dollars (\$ 100) has been~~

1 ~~made during the period covered by the campaign statement, all of the following:~~

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

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

4 ~~(C) The date and amount of the expenditure during the period covered by the campaign~~
5 ~~statement.~~

6 ~~(D) A brief description of the consideration for which each expenditure was made.~~

7 ~~(e) Each campaign statement shall be signed and verified by the candidate.~~

8 ~~(f) A contribution need not be reported nor shall it be deemed accepted or received if it is~~
9 ~~not cashed, negotiated, or deposited and is returned to the donor before the closing date of the~~
10 ~~campaign statement on which the contribution would otherwise be reported.~~

11 ~~(1) Except for contributions received before January 1, 1999, any contribution received~~
12 ~~by a candidate before January 1 of an election year which has not previously been reported is~~
13 ~~deemed received on January 1 of the election year and is reportable pursuant to the requirements~~
14 ~~of subdivision (b)(1) of this regulation.~~

15 ~~(2) In the case of a special election, a contribution received prior to the time the vacancy~~
16 ~~occurs is deemed received on the day the vacancy occurs and is reportable on the first statement~~
17 ~~required to be filed under subdivision (b)(3) of this regulation.~~

18 ~~Note: Authority cited: Section 83112, Government Code. Reference: Section 84225,~~
19 ~~Government Code.~~

1 Repeal 2 Cal. Code Regs. Section 18453 to read:

2 **~~§ 18453. CalPERS Board Member Elections—Record Keeping Requirements.~~**

3 ~~(a) It shall be the duty of every candidate to maintain those documents and records as~~
4 ~~enumerated and identified in 2 Cal. Code Regs. §18401, subd. (a), but only to the extent~~
5 ~~necessary to comply with the provisions of the Government Code, Title 9, Chapter 4 (section~~
6 ~~84225) and 2 Cal. Code Regs. §§18451 and 18452.~~

7 ~~(b) The retention of original source documents shall be in accordance with 2 Cal. Code~~
8 ~~Regs. §18401, subd. (b).~~

9 ~~Note: Authority cited: Section 83112, Government Code. Reference: Section 90001,~~
10 ~~Government Code.~~

Senate Bill No. 1007

CHAPTER 633

An act to amend Sections 82023, 82024, 82036, 82036.5, 84101, 84200.5, 84215, and 85204 of, to add Section 84200.9 to, and to repeal and add Section 84225 of, the Government Code, relating to the Political Reform Act of 1974.

[Approved by Governor September 30, 2010. Filed with
Secretary of State September 30, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1007, Hancock. Political Reform Act of 1974: retirement system boards.

The Political Reform Act of 1974 provides for the comprehensive regulation of campaign financing and requires candidates for elective office, candidates for elective state office, and committees formed or existing primarily to support or oppose those candidates to file specified reports disclosing contributions and independent expenditures made in connection with the campaigns of those candidates.

Existing law further establishes the Board of Administration of the Public Employees' Retirement System to administer the Public Employees' Retirement System and the Teachers' Retirement Board to administer the State Teachers' Retirement System. Existing law specifies the composition of those boards and requires that designated positions on the boards be filled by election. With limited exception, as specified, candidates for election to those boards are not required to comply with the various reporting requirements imposed by the Political Reform Act of 1974.

This bill would revise the definitions of "elective office" and "elective state office" for purposes of the Political Reform Act of 1974 to include membership on the boards described above and would repeal the provision that exempts from the act candidates for election to those boards, thereby subjecting those candidates, and committees formed or existing primarily to support or oppose those candidates, to the reporting requirements of the act. The bill would further make conforming changes to provisions of the act relating to the reporting of late contributions, the reporting of late independent expenditures, the filing of committee organization statements, and the filing of campaign statements and preelection statements. In addition, the bill would give the Fair Political Practices Commission the authority to adopt regulations to tailor the act's reporting and disclosure requirements for those candidates and committees consistent with the purposes and provisions of the act.

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.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

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

SECTION 1. Section 82023 of the Government Code is amended to read:

82023. "Elective office" means any state, regional, county, municipal, district or judicial office that is filled at an election. "Elective office" also includes membership on a county central committee of a qualified political party, and membership through election on the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board.

SEC. 2. Section 82024 of the Government Code is amended to read:

82024. "Elective state office" means the office of Governor, Lieutenant Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Treasurer, Superintendent of Public Instruction, Member of the Legislature, member elected to the Board of Administration of the Public Employees' Retirement System, member elected to the Teachers' Retirement Board, and member of the State Board of Equalization.

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

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

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

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

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

82036.5. “Late independent expenditure” means any independent expenditure that totals in the aggregate one thousand dollars (\$1,000) or more and is made for or against any specific candidate or measure involved in an election before the date of the election but after the closing date of the last campaign statement required to be filed prior to the election by a candidate or committee participating in the election. For purposes of the Board of Administration of the Public Employees’ Retirement System and the Teachers’ Retirement Board, “the date of the election” is the deadline to return ballots.

SEC. 5. Section 84101 of the Government Code is amended to read:

84101. (a) A committee that is a committee by virtue of subdivision (a) of Section 82013 shall file a statement of organization. The committee shall file the original of the statement of organization with the Secretary of State and shall also file a copy of the statement of organization 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. The original and copy of the statement of organization shall be filed within 10 days after the committee has qualified as a committee. The Secretary of State shall assign a number to each committee that files a statement of organization and shall notify the committee of the number. The Secretary of State shall send a copy of statements filed pursuant to this section to the county elections official of each county that he or she deems appropriate. A county elections official who receives a copy of a statement of organization from the Secretary of State pursuant to this section shall send a copy of the statement to the clerk of each city in the county that he or she deems appropriate.

(b) In addition to filing the statement of organization as required by subdivision (a), if a committee qualifies as a committee under subdivision (a) of Section 82013 before the date of an election in connection with which the committee is required to file preelection statements, but after the closing date of the last campaign statement required to be filed before the election pursuant to Section 84200.7, 84200.8, 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 shall be filed with the filing officer with whom the committee is required to file the original 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 are in addition to filings that may be required by Sections 84203.5 and 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. 6. 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 file the applicable preelection statements specified in Section 84200.7 or 84200.8. All elected state officers who, during the applicable reporting periods covered by Section 84200.7 or 84200.8, contribute to any committee required to report receipts, expenditures, or contributions pursuant to this title, or make an independent expenditure, shall file the applicable preelection statements specified in Section 84200.7 or 84200.8. However, a candidate for an office that is not being voted upon in the November election, his or her controlled committee, and any committee primarily formed to support or oppose that candidate is not required to file statements in connection with the November election pursuant to subdivision (b) of Section 84200.7 unless, during the reporting periods covered by Section 84200.7, the candidate, his or her controlled committee, or any committee primarily formed to support or oppose that candidate contributes to any committee required to report receipts, expenditures, or contributions pursuant to this title or makes independent expenditures.

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

(c) All candidates for offices being voted upon on a date other than the first Tuesday after the first Monday in June or November of an even-numbered year, their controlled committees, and committees primarily formed to support or oppose a candidate or a measure being voted upon on a date other than the first Tuesday after the first Monday in June or

November of an even-numbered year shall file the preelection statements specified in Section 84200.8.

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

(e) In an even-numbered year in which the statewide direct primary election is held on the first Tuesday after the first Monday in June, a state or county general purpose committee formed pursuant to subdivision (a) of Section 82013, other than a political party committee as defined in Section 85205, shall file the preelection statements specified in Section 84200.7 if it makes contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the preelection statement. A state or county general purpose committee formed pursuant to subdivision (b) or (c) of Section 82013 is not required to file the statements specified in Section 84200.7.

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

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

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

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

(1) City general purpose committees in a city that has an election on the first Tuesday after the first Monday in June or November of an even-numbered year shall file the statements specified in subdivision (a) or (b) of Section 84200.7 for the six-month period in which the city election is held, if they make contributions or independent expenditures totaling five hundred dollars (\$500) or more during the period covered by the preelection statement.

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

SEC. 7. Section 84200.9 is added to the Government Code, to read:

84200.9. Preelection statements for an election period for the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board shall be filed as follows:

(a) For the period ending five days before the beginning of the ballot period, as determined by the relevant board, a statement shall be filed no later than two days before the beginning of the ballot period.

(b) For the period ending five days before the deadline to return ballots, as determined by the relevant board, a statement shall be filed no later than two days before the deadline to return ballots.

(c) In the case of a runoff election, for the period ending five days before the deadline to return runoff ballots, as determined by the relevant board, a statement shall be filed no later than two days before the deadline to return runoff ballots.

(d) All candidates being voted upon, their controlled committees, and committees primarily formed to support or oppose a candidate being voted upon in that election shall file the statements specified in subdivisions (b) and (c) by guaranteed overnight delivery service or by personal delivery.

SEC. 8. Section 84215 of the Government Code, as amended by Chapter 18 of the Statutes of 2010, is amended to read:

84215. All candidates and elected officers and their controlled committees, except as provided in subdivisions (d) and (e), shall file one copy of the campaign statements required by Section 84200 with the elections official of the county in which the candidate or elected official is domiciled, as defined in subdivision (b) of Section 349 of the Elections Code. In addition, campaign statements shall be filed at the following places:

(a) Statewide elected officers, including members of the State Board of Equalization; Members of the Legislature; Supreme Court justices, court of appeal justices, and superior court judges; candidates for those offices and their controlled committees; committees formed or existing primarily to support or oppose these candidates, elected officers, justices and judges, or statewide measures, or the qualification of state ballot measures; and all state general purpose committees and filers not specified in subdivisions (b) to (e), inclusive, shall file a campaign statement by online or electronic

means, as specified in Section 84605, and shall file the original and one copy of the campaign statement in paper format with the Secretary of State.

(b) Elected officers in jurisdictions other than legislative districts, State Board of Equalization districts, or appellate court districts that contain parts of two or more counties, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one of these jurisdictions shall file the original and one copy with the elections official of the county with the largest number of registered voters in the jurisdiction.

(c) County elected officers, candidates for these offices, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in any number of jurisdictions within one county, other than those specified in subdivision (d), and county general purpose committees shall file the original and one copy with the elections official of the county.

(d) City elected officers, candidates for city office, their controlled committees, committees formed or existing primarily to support or oppose candidates or local measures to be voted upon in one city, and city general purpose committees shall file the original and one copy with the clerk of the city and are not required to file with the local elections official of the county in which they are domiciled.

(e) Elected members of the Board of Administration of the Public Employees' Retirement System, elected members of the Teachers' Retirement Board, candidates for these offices, their controlled committees, and committees formed or existing primarily to support or oppose these candidates or elected members shall file the original and one copy with the Secretary of State, and a copy shall be filed at the relevant board's office in Sacramento. These elected officers, candidates, and committees need not file with the elections official of the county in which they are domiciled.

(f) Notwithstanding any other provision of this section, a committee, candidate, or elected officer is not required to file more than the original and one copy, or one copy, of a campaign statement with any one county elections official or city clerk or with the Secretary of State.

(g) If a committee is required to file campaign statements required by Section 84200 or 84200.5 in places designated in subdivisions (a) to (d), inclusive, it shall continue to file these statements in those places, in addition to any other places required by this title, until the end of the calendar year.

SEC. 9. Section 84225 of the Government Code is repealed.

SEC. 10. Section 84225 is added to the Government Code, to read:

84225. The provisions of this title apply to candidates for election to the Board of Administration of the Public Employees' Retirement System or the Teachers' Retirement Board, and to committees formed or existing primarily to support or oppose those candidates. The Commission may adopt regulations to tailor the reporting and disclosure requirements for these candidates and committees consistent with the purposes and provisions of this title.

SEC. 11. Section 85204 of the Government Code is amended to read:

85204. “Election cycle,” for purposes of Sections 85309 and 85500, means the period of time commencing 90 days prior to an election and ending on the date of the election. For purposes of the Board of Administration of the Public Employees’ Retirement System and the Teachers’ Retirement Board, “the date of the election” is the deadline to return ballots.

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

SEC. 13. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.