



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Miadich, Commissioners Baker, Cardenas, Wilson, and Wood

From: Lindsey Nakano, Legislative Counsel

Subject: **Legislative Update – September 2021**

Date: September 3, 2021

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- General update
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General Update

As of the date of this report, four bills that contain proposals approved by the Commission as priority legislation for 2021, and one additional bill that the Commission voted to support, are continuing to move forward through the legislative process. Staff is continuing to advocate for, and express the Commission's preference for bipartisan support on, these bills.

Upcoming Legislative Deadlines

- Sept. 10 – Last day for each house to pass bills
- Oct. 10 – Last day for Governor to sign or veto bills

FPPC Priority Legislation

Updates:

- AB 1367 (Low) passed in both houses.
- AB 1590 (Committee on Elections) passed in both houses.
- SB 686 (Glazer) passed in the Assembly Appropriations Committee.

Status and Summaries:

[AB 378](#) (Bauer-Kahan) – Gendered language cleanup.

Status: Approved by the Governor and Chaptered (7/9/21)

Coauthors: Assembly Members Aguiar-Curry, Boerner Horvath, Burke, Calderon, Carrillo, Cristina Garcia, Petrie-Norris, Quirk-Silva, Reyes, Blanca Rubio, and Wicks; Senators Durazo, Eggman, Gonzalez, Laird, Limón, Skinner, and Wiener.

Summary: AB 378 would remove gendered language from certain portions of the Government Code and other codes, including from the Political Reform Act.

FPPC Position: Support

Cost Estimate: Minor and absorbable

AB 1367 (Low) – Campaign funds: egregious personal use of campaign funds.

Status: Passed in the Senate on 8/30/21 (39-0); Assembly concurred in the Senate amendments on 9/1/21 (78-0); Sent to engrossing and enrolling on 9/1/21

Summary: AB 1367 would increase penalties for egregious personal use of campaign funds to two times the amount of the unlawful expenditure.

FPPC Position: Sponsor

Cost Estimate: Minor and absorbable

AB 1590 (Committee on Elections (Assembly Members Berman (Chair), Bennett, Low, Mayes, Mullin, and Blanca Rubio) – PRA omnibus bill.

Status: Passed in the Senate on 9/1/21 (39-0); Sent to the Assembly and ordered to engrossing and enrolling on 9/1/21

Summary: AB 1590 transfers the responsibility for collecting the \$150 penalty for failure to pay the annual \$50 committee fee from the FPPC to the Secretary of State. Under existing law, the SOS is responsible for collecting the original \$50 fee, and referrals for nonpayment are sent to the FPPC. AB 1590 also makes other nonsubstantive changes to the PRA.

FPPC Position: Support

Cost Estimate: Minor and absorbable

SB 686 (Glazer) – Campaign disclosure: limited liability companies.

Status: Passed in the Assembly Appropriations Committee on 8/26/21 (12-4); Ordered to third reading (8/30/21)

Principal coauthor: Assembly Member Berman

Coauthors: Senator Umberg; Assembly Members Bennett, Kalra, and Lorena Gonzalez

Summary: SB 686 would require an LLC, if it qualifies as a committee or committee sponsor, to file a statement of members with the Secretary of State. The bill would require the statement of members to include certain information about the LLC, including a list of all persons who have a membership interest in the LLC of at least 10% or who made a cumulative capital contribution of at least \$10,000 to the LLC after it qualified as a committee or sponsor of a committee, or within the 12 months before it qualified.

FPPC Position: Sponsor

Cost Estimate: FPPC – 1 Special Investigator (\$126,000 for the first year) and \$119,000 ongoing); SOS – One-time cost of \$561,000 and \$121,000 ongoing

Other Commission-Related Bills

Updates:

- AB 319 (Valladares) passed in both houses.
- SB 459 (Allen) was set for hearing in the Assembly Appropriations Committee on 8/26/21, but the hearing cancelled at the request of the author.
- SB 752 (Allen) was heard in the Assembly Appropriations Committee on 8/26/21 and was held in committee and under submission.

Status and Summaries:

AB 319 (Valladares) – Campaign contributions: foreign contribution prohibitions.

Status: Passed in the Senate on consent on 8/30/21 (39-0); Sent to the Assembly and ordered to engrossing and enrolling on 8/31/21.

Summary: AB 319 would prohibit a foreign government or principal from making contributions, expenditures, or independent expenditures in connection with the election of a candidate to state or local office, and would prohibit a person or a committee from soliciting or accepting those contributions. Existing law currently prohibits these foreign contributions and expenditures if they are made in connection with state or local ballot measures.

FPPC Position: Support

Cost Estimate: Minor and absorbable

Bills Unlikely to Move Forward This Year

AB 20 (Lee and Kalra) – Contribution prohibitions: business entities.

Status: Heard in the Assembly Committee on Elections on 4/29/21; held without recommendation

AB 40 (Lorena Gonzalez) – Slate mailer disclosures.

Status: Ordered to the inactive file at the request of the author (6/3/21)

AB 227 (Davies) – Contribution prohibitions: Governor’s appointees.

Status: Set for hearing in the Assembly Committee on Elections on 4/15/21; hearing cancelled at the request of the author

AB 236 (Berman) – Campaign disclosure: limited liability companies.

Status: Ordered to the inactive file at the request of the author (6/3/21)

AB 775 (Berman and Lorena Gonzalez) – Recurring contributions.

Status: Ordered to the inactive file at the request of the author (8/19/21)

AB 871 (Kiley) – Contribution prohibitions: investor-owned utilities.

Status: Heard in the Assembly Committee on Elections on 4/15/21; held without recommendation

AB 975 (Luz Rivas) – SEI electronic filing and gift rules.

Status: Ordered to the inactive file at the request of the author (6/1/21)

AB 1379 (Eduardo Garcia) – Online platform disclosures.

Status: Amended and Re-referred to the Assembly Committee on Elections (4/13/21)

SB 78 (Nielsen) – Paid campaign or political consultants.

Status: Set for hearing on 3/15/21; hearing cancelled at the request of the author

SB 305 (Jones) – Effective date of electronic filing requirements.

Status: Heard in the Senate Appropriations Committee on 5/20/21; held in committee and under submission

SB 459 (Allen) – Lobbying transparency.

Status: Set for hearing on 8/26/21; hearing cancelled at the request of the author.

SB 752 (Allen) – Campaign advertisements.

Status: Heard in the Assembly Appropriations Committee on 8/26/21; held in committee and under submission