

Meeting Minutes
(Unapproved and Subject to Change)
Fair Political Practices Commission
Law and Policy Committee Meetingⁱ
February 3, 2021 10:00 a.m.

The Law and Policy Committee was called to order at 10:06 a.m.

A. Public Comment for items not on the agenda.

B. Approval of January 13, 2021 minutes.

MOTION: To approve January 13, 2021 Committee minutes. Moved by Commissioner Cardenas, seconded by Chair Miadich. The motion was approved 2-0.

C. Legislative Update.

Lindsey Nakano, Legislative Counsel, provided updates on draft language requests, committee memberships, and recently introduced AB 319. Ms. Nakano also discussed the legislative proposal update split into three categories: Enforcement of the Political Reform Act, Increasing Transparency, and Modernization, Efficiency and Consistency. The first proposal would give the FPPC special investigators additional authority to access state and law enforcement databases and carry official identification. The second proposal would authorize the Commission to access tax records of public officials under investigation by requiring Franchise Tax Board to permit a designee of the Commission to inspect those tax records. The third proposal would provide for increased penalties for a person who uses campaign funds in a manner that violates the act and results in an egregious personal benefit with a value of \$10,000 or more to a candidate, elected officer, or individuals with authority to approve the expenditure of campaign funds held by a committee. The fourth proposal relates to increasing disclosure and how to determine the source of funds. LLC's would be required to file a statement of members with the Secretary of State's office when an LLC qualifies as a committee or as a committee sponsor under the act. If an LLC receives a capital contribution of \$1,000 or more after filing its statement of members, they would be required to file an amended statement. The fifth proposal would transfer the duty to conduct lobbyist audits from the FTB to the Commission and would require monthly reporting in the third calendar quarter of each year. The sixth proposal would extend the one bank account rule. The seventh proposal would

transfer the duty to collect the penalty for failure to pay the annual committee fee and the original unpaid fee from the Commission to the Secretary of State. The eighth proposal would require statements of economic interests filed by a public official and filing officers to file using the Commission's electronic filing system, cap the gift limit at \$500, and eliminate the biennial cost of living adjustment. The ninth proposal would require behested payment reports to be filed electronically. The tenth proposal would remove gendered terms from the act.

Commission Cardenas asked if the proposals would be amended under the existing law. Ms. Nakano responded that these proposals would be amendments to existing laws and would add new sections to code. Commissioner Cardenas suggested for a potential ban above a certain dollar level of contributions made by LLC's.

D. Discussion of items for March 2021 Committee meeting.

Chair Miadich stated there would be a legislative update from Ms. Nakano during the March Committee meeting.

MOTION: To adjourn the meeting. Moved by Commissioner Cardenas, seconded by Chair Miadich. The motion was approved 2-0.

The meeting concluded at 10:33 a.m.

ADDITIONAL INFORMATION.

- You may listen to and participate in this committee meeting by teleconference by calling: (877) 411-9748; access code 723284.
- For questions about this meeting, you may contact the Commission Assistant at (916) 322-5660.