



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
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# First Quarter Update

Lobbying

## Regulations adopted by the Commission

The following are regulatory changes approved by the Commission during the past quarter concerning lobbying. To receive updates for all regulations before the Commission, please sign up for our [mailing list here](#).

None.

## Advice Letters

The following are advice letters issued by the Commission's Legal Division during the past quarter concerning lobbying. To receive the monthly report with all advice letters issued, please sign up for our [mailing list here](#).

### **Gina Biondo**

[A-20-115](#)

Two affiliated private real estate funds that are sponsored by the same investment firm, which employs a placement agent on their behalf, need not register and file as separate lobbyist employers, as long as the affiliated funds are not involved with lobbying activity and do not make payments to the placement agent (lobbying firm). The sponsoring firm may file a single lobbyist employer report, and the sponsored funds need not be identified.

### **James C. Harrison**

[A-21-018](#)

Where affiliated members of an ongoing organization pay annual dues to the organization, a portion of which are used to influence legislative and administrative action including hiring in-house and contracted lobbyists, only the larger organization qualifies as a lobbyist employer. However, if a member makes payments on its own behalf, the member may separately qualify as a lobbyist employer.

## Commission Opinions

None

## Enforcement Matters

The following are summaries of significant enforcement actions approved by the Commission in the past quarter involving violations of the Act's lobbying laws. To receive a monthly report of all enforcement actions, please sign up for our [mailing list here](#).

None.

## Legislation

### **[SB 78](#) (Nielsen) – Paid campaign or political consultants.**

Status: Set for hearing on 3/15/21; hearing cancelled at the request of the author (3/11/21)

Summary: SB 78 would prohibit a lobbyist from serving as a paid campaign or political consultant to an elected state officer. The bill would also prohibit a paid campaign or political consultant to any elected state officer from directly communicating on behalf of a client with any elected state officer, any employee of an elective state office, or any state agency for the purpose of influencing legislative or administrative action.

**SB 459 (Allen) – Lobbying transparency.**

Status: Amended (3/10/21)

Summary: SB 459 would require lobbyists, lobbying firms, and lobbyist employers to include information in their periodic reports that identifies each bill or administrative action subject to lobbying activity, and the respective position advocated for, during that period. This bill would require a lobbying firm or lobbyist employer to file a monthly report for any calendar month in which the total amount of payments subject to reporting exceeds \$15,000, and would require a lobbying firm or lobbyist employer to file monthly reports for 12 months following any calendar quarter in which the total amount of payments subject to reporting exceeds \$45,000. The bill would require certain persons to file specified reports following a calendar quarter in which that person incurs cumulative costs equal to or exceeding \$5,000 for issue lobbying advertisements. The bill defines “issue lobbying advertisement” for its purposes to mean certain communications paid for by

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

Status: Introduced (2/19/21)

Summary: The bill would revise and recast provisions relating to statements of economic interests, including by requiring certain public officials to file those statements using the Commission’s electronic filing system. The bill would also extend the time that a gift of admission to an invitation-only event may be returned, reimbursed, or donated from 30 days from receipt of the gift to 30 days from the end of the calendar quarter in which the gift was received, and would codify existing regulations relating to returning, reimbursing, or donating gifts. The bill would reduce the amount of time in which lobbyists, lobbying firms, and lobbyist employers must provide a beneficiary of a gift certain information about that gift from 30 days to 15 days following the end of each calendar quarter in which the gift was provided.