An act to amend Sections 81010, 82007, 82013, 82015, 84101, 84211, 84215, 84605, and 85201 of, and to add Sections 84215.5, 86119, and 90009 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL’S DIGEST


(1) The Political Reform Act of 1974 defines various terms for purposes of the reporting and disclosure requirements under the act. The act defines the term “candidate” as including, in addition to other individuals, an officeholder who is the subject of a recall election. This definition also provides that an individual who becomes a candidate retains his or her status as a candidate until the time that this status is terminated.

This bill would revise this definition to provide that the term “candidate” includes any officeholder, regardless of whether he or she is the subject of a recall election, and would provide that a candidate retains that status until the time that he or she leaves office and the status is terminated.
The act defines a “committee” as any person or combination of persons who receives contributions or makes independent expenditures totaling $1,000 or more in a calendar year.

This bill would increase the monetary threshold of contributions or independent expenditures that qualify a person or combination of persons as a committee to $2,000. The bill also would make conforming changes.

(2) The act requires committees to file periodic campaign statements. The act requires that the campaign statements disclose certain information about contributors who have made aggregate contributions, as defined, of $100 or more.

This bill would increase the monetary contribution threshold for requiring the disclosure of contributor information to $200. The bill would require the Fair Political Practices Commission to adopt regulations establishing reporting thresholds, with a minimum of $500 and a maximum of $2,500, for disclosure of contributions and expenditures, as specified, for a committee primarily formed to support or oppose a statewide ballot measure, and would authorize the Commission to adopt regulations to adjust these thresholds in any odd-numbered year after 2013 to reflect any increase or decrease in the Consumer Price Index, rounded to the nearest $100.

This bill would revise the definition of “contribution” to include a payment to a multipurpose organization, as defined, made by a person who knows or has reason to know that the payment or portion of the payment will be used to make a contribution or an independent expenditure. The bill imposes a presumption that a donor has reason to know that his or her payment will be used to make a contribution or an independent expenditure if the recipient organization has made aggregate contributions or independent expenditures of $2,000 or more within the calendar year in which the payment is made or four preceding calendar years or if the donor payment is $50,000 or more, is made within the 6 months preceding the election, and the multipurpose organization makes a contribution or an independent expenditure of $50,000 or more within the 6 months prior to the election.

(3) The act imposes specified duties on a filing officer with respect to reports and statements filed with that filing officer, including supplying the necessary forms and manuals and determining whether required documents have been filed and conform on their face with the requirements of the act.
This bill would additionally require a filing officer to immediately affix a date stamp to each statement of economic interests that the officer receives to reflect the date of receipt. By imposing additional duties on local officials, this bill would impose a state-mandated local program.

(4) The act requires that certain campaign statements be filed with the Secretary of State online or electronically. The act requires that persons filing campaign statements online or electronically also continue to file the statements in a paper format.

This bill would repeal the requirement that a person file a paper copy of a campaign statement that is filed with the Secretary of State online or electronically, except during such times as the online or electronic system operated by the Secretary of State is malfunctioning, unavailable, or otherwise not capable of receiving online or electronically filed campaign statements.

(5) The act is administered and enforced by the Fair Political Practices Commission.

This bill would authorize the Commission to seek injunctive relief in a superior court to compel disclosure consistent with the act, and would require a court to grant expedited review of an action filed pursuant to this provision, as specified.

(6) The act requires a lobbying firm and a lobbyist employer, as defined, to register and file periodic activity reports with the Secretary of State disclosing specified information. The act requires lobbyists, lobbying firms, and lobbyist employers to periodically report activity expenses, as defined.

This bill would require the Secretary of State to make these registration documents and reports that are filed with the Secretary of State available to the Commission, upon request by the Commission.

(7) The act makes a knowing or willful violation of its provisions a misdemeanor and subjects offenders to criminal penalties.

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

(8) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs
so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(9) 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 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 81010 of the Government Code is amended to read:

81010. With respect to reports and statements filed with him or her pursuant to this title, the filing officer shall do all of the following:

(a) Supply the necessary forms and manuals prescribed by the Commission.

(b) Immediately affix a date stamp to each statement of economic interests filed pursuant to Chapter 7 (commencing with Section 87100) to reflect the date of receipt by the filing officer.

(c) Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this title.

(d) Notify promptly all persons and known committees who have failed to file a report or statement in the form and at the time required by this title.

(e) Report apparent violations of this title to the appropriate agencies.

(f) Compile and maintain a current list of all reports and statements filed with this office.

SEC. 2. Section 82007 of the Government Code is amended to read:

82007. “Candidate” means an individual who is listed on the ballot, or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to an elective office, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to
1 bringing about his or her nomination or election to an elective
2 office, whether or not the specific elective office for which he or
3 she will seek nomination or election is known at the time the
4 contribution is received or the expenditure is made and whether
5 or not he or she has announced his or her candidacy or filed a
6 declaration of candidacy at that time. “Candidate” also includes
7 an officeholder. An individual who becomes a candidate shall
8 retain his or her status as a candidate until the time he or she leaves
9 office and his or her status as a candidate is terminated pursuant
10 to Section 84214. “Candidate” does not include a person within
11 the meaning of Section 301(b) of the Federal Election Campaign

SEC. 3. Section 82013 of the Government Code is amended
to read:

82013. “Committee” means any person or combination of
persons who directly or indirectly does any of the following:
(a) Receives contributions totaling two thousand dollars ($2,000)
or more in a calendar year.
(b) Makes independent expenditures totaling two thousand
dollars ($2,000) or more in a calendar year.
(c) Makes contributions totaling ten thousand dollars ($10,000)
or more in a calendar year to or at the behest of candidates or
committees.

A person or combination of persons that becomes a committee
shall retain its status as a committee until such time as that status
is terminated pursuant to Section 84214.

SEC. 4. Section 82015 of the Government Code is amended
to read:

82015. (a) “Contribution” means a payment, a forgiveness of
a loan, a payment of a loan by a third party, or an enforceable
promise to make a payment except to the extent that full and
adequate consideration is received, unless it is clear from the
surrounding circumstances that it is not made for political purposes.

(b) (1) A payment made at the behest of a committee, as defined
in subdivision (a) of Section 82013, is a contribution to the
committee unless full and adequate consideration is received from
the committee for making the payment.

(2) A payment made at the behest of a candidate is a contribution
to the candidate unless the criteria in either subparagraph (A) or
(B) are satisfied:
(A) Full and adequate consideration is received from the candidate.

(B) It is clear from the surrounding circumstances that the payment was made for purposes unrelated to his or her candidacy for elective office. The following types of payments are presumed to be for purposes unrelated to a candidate’s candidacy for elective office:

(i) A payment made principally for personal purposes, in which case it may be considered a gift under the provisions of Section 82028. Payments that are otherwise subject to the limits of Section 86203 are presumed to be principally for personal purposes.

(ii) A payment made by a state, local, or federal governmental agency or by a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) A payment not covered by clause (i), made principally for legislative, governmental, or charitable purposes, in which case it is neither a gift nor a contribution. However, payments of this type that are made at the behest of a candidate who is an elected officer shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the elected officer with the elected officer’s agency and shall be a public record subject to inspection and copying pursuant to subdivision (a) of Section 81008. The report shall contain the following information: name of payer, address of payer, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar ($5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source must be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, state agencies shall forward a copy of these reports to the Fair Political Practices Commission, and local agencies shall forward a copy of these reports to the officer with whom elected officers of that agency file their campaign statements.
(C) For purposes of subparagraph (B), a payment is made for purposes related to a candidate’s candidacy for elective office if all or a portion of the payment is used for election-related activities. For purposes of this subparagraph, “election-related activities” shall include, but are not limited to, the following:

(i) Communications that contain express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(ii) Communications that contain reference to the candidate’s candidacy for elective office, the candidate’s election campaign, or the candidate’s or his or her opponent’s qualifications for elective office.

(iii) Solicitation of contributions to the candidate or to third persons for use in support of the candidate or in opposition to his or her opponent.

(iv) Arranging, coordinating, developing, writing, distributing, preparing, or planning of any communication or activity described in clause (i), (ii), or (iii).

(v) Recruiting or coordinating campaign activities of campaign volunteers on behalf of the candidate.

(vi) Preparing campaign budgets.

(vii) Preparing campaign finance disclosure statements.

(viii) Communications directed to voters or potential voters as part of activities encouraging or assisting persons to vote if the communication contains express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(D) A contribution made at the behest of a candidate for a different candidate or to a committee not controlled by the behesting candidate is not a contribution to the behesting candidate.

(3) A payment made at the behest of a member of the Public Utilities Commission, made principally for legislative, governmental, or charitable purposes, is not a contribution. However, payments of this type shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the member with the Public Utilities Commission and shall be a public record subject to inspection and copying pursuant to subdivision (a) of Section 81008. The report shall contain the following information: name of payer, address
of payer, amount of the payment, date or dates the payment or
payments were made, the name and address of the payee, a brief
description of the goods or services provided or purchased, if any,
and a description of the specific purpose or event for which the
payment or payments were made. Once the five-thousand-dollar
($5,000) aggregate threshold from a single source has been reached
for a calendar year, all payments for the calendar year made by
that source must be disclosed within 30 days after the date the
threshold was reached or the payment was made, whichever occurs
later. Within 30 days after receipt of the report, the Public Utilities
Commission shall forward a copy of these reports to the Fair
Political Practices Commission.

(c) “Contribution” includes the purchase of tickets for events
such as dinners, luncheons, rallies, and similar fundraising events;
the candidate’s own money or property used on behalf of his or
her candidacy other than personal funds of the candidate used to
pay either a filing fee for a declaration of candidacy or a candidate
statement prepared pursuant to Section 13307 of the Elections
Code; the granting of discounts or rebates not extended to the
public generally or the granting of discounts or rebates by television
and radio stations and newspapers not extended on an equal basis
to all candidates for the same office; the payment of compensation
by any person for the personal services or expenses of any other
person if the services are rendered or expenses incurred on behalf
of a candidate or committee without payment of full and adequate
consideration.

(d) “Contribution” further includes any transfer of anything of
value received by a committee from another committee, unless
full and adequate consideration is received.
(e) “Contribution” does not include amounts received pursuant
to an enforceable promise to the extent those amounts have been
previoulsy reported as a contribution. However, the fact that those
amounts have been received shall be indicated in the appropriate
campaign statement.

(f) “Contribution” does not include a payment made by an
occupant of a home or office for costs related to any meeting or
fundraising event held in the occupant’s home or office if the costs
for the meeting or fundraising event are five hundred dollars ($500)
or less.
(g) Notwithstanding the foregoing definition of “contribution,”
the term does not include volunteer personal services or payments
made by any individual for his or her own travel expenses if the
payments are made voluntarily without any understanding or
agreement that they shall be, directly or indirectly, repaid to him
or her.
(h) “Contribution” further includes the payment of public
moneys by a state or local governmental agency for a
communication to the public that satisfies both of the following:
(1) The communication expressly advocates the election or
defeat of a clearly identified candidate or the qualification, passage,
or defeat of a clearly identified measure, or, taken as a whole and
in context, unambiguously urges a particular result in an election.
(2) The communication is made at the behest of the affected
candidate or committee.
(i) (1) “Contribution” further includes a payment made to a
multipurpose organization if the donor knows or has reason to
know that the payment, or part of the payment, will be used to
make a contribution or an independent expenditure.
(2) For purposes of paragraph (1), a donor knows that a payment
to a multipurpose organization will be used to make a contribution
or an independent expenditure if the donor specifies that to be the
purpose for which the payment must be used or if the donor makes
the payment in response to a message or solicitation indicating the
multipurpose organization’s intent to make a contribution or an
independent expenditure.
(3) For purposes of paragraph (1), a donor is presumed to have
reason to know that a payment to a multipurpose organization will
be used to make a contribution or an independent expenditure if
the recipient multipurpose organization has made aggregate
contributions or independent expenditures of two thousand dollars
($2,000) or more during the calendar year in which the payment
is made or during any of the four preceding calendar years.
(4) For purposes of paragraph (1), a donor who makes an
aggregate payment of fifty thousand dollars ($50,000) or more to
a multipurpose organization within the six months prior to an
election is presumed to have reason to know that the aggregate
payments will be used by the multipurpose organization to make
a contribution or an independent expenditure if the multipurpose
organization makes an aggregate contribution or independent
expenditure of fifty thousand dollars ($50,000) or more to support
or oppose a candidate or ballot measure within the six months prior
to that election.

(5) A donor who makes a contribution described in paragraph
(1) shall be identified and reported by the multipurpose
organization receiving the contribution in accordance with
regulations adopted by the Commission.

(6) For purposes of this subdivision, “multipurpose organization”
means a nonprofit organization, a federal or out-of-state political
action committee, or a local club focusing on educational or social
activities.

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 two
thousand dollars ($2,000) 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 84211 of the Government Code is amended
to read:
84211. Each campaign statement required by this article shall
contain all of the following information:
(a) The total amount of contributions received during the period
covered by the campaign statement and the total cumulative amount
of contributions received.
(b) The total amount of expenditures made during the period
covered by the campaign statement and the total cumulative amount
of expenditures made.
(c) The total amount of contributions received during the period
covered by the campaign statement from persons who have given
two one hundred dollars ($200) ($100)
or more.
(d) The total amount of contributions received during the period covered by the campaign statement from persons who have given a cumulative amount of less than two one hundred dollars ($200) ($100).

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

(f) If the cumulative amount of contributions (including loans) received from a person is two one hundred dollars ($200) ($100) or more and a contribution or loan has been received from that person during the period covered by the campaign statement, all of the following:

1. His or her full name.
2. His or her street address.
3. His or her occupation.
4. The name of his or her employer or, if self-employed, the name of the business.
5. The date and amount received for each contribution received during the period covered by the campaign statement and, if the contribution is a loan, the interest rate for the loan.
6. The cumulative amount of contributions.

(g) If the cumulative amount of loans received from or made to a person is two one hundred dollars ($200) ($100) or more, and a loan has been received from or made to a person during the period covered by the campaign statement, or is outstanding during the period covered by the campaign statement, all of the following:

1. His or her full name.
2. His or her street address.
3. His or her occupation.
4. The name of his or her employer or, if self-employed, the name of the business.
5. The original date and amount of each loan.
6. The due date and interest rate of the loan.
7. The cumulative payment made or received to date at the end of the reporting period.
8. The balance outstanding at the end of the reporting period.
9. The cumulative amount of contributions.

(h) For each person, other than the filer, who is directly, indirectly, or contingently liable for repayment of a loan received
or outstanding during the period covered by the campaign
statement, all of the following:
(1) His or her full name.
(2) His or her street address.
(3) His or her occupation.
(4) The name of his or her employer or, if self-employed, the
name of the business.
(5) The amount of his or her maximum liability outstanding.
(i) The total amount of expenditures made during the period
covered by the campaign statement to persons who have received
one hundred dollars ($100) or more.
(j) The total amount of expenditures made during the period
covered by the campaign statement to persons who have received
less than one hundred dollars ($100).
(k) For each person to whom an expenditure of one hundred
dollars ($100) or more has been made during the period covered
by the campaign statement, all of the following:
(1) His or her full name.
(2) His or her street address.
(3) The amount of each expenditure.
(4) A brief description of the consideration for which each
expenditure was made.
(5) In the case of an expenditure that is a contribution to a
candidate, elected officer, or committee or an independent
expenditure to support or oppose a candidate or measure, in
addition to the information required in paragraphs (1) to (4),
inclusive, the date of the contribution or independent expenditure;
the cumulative amount of contributions made to a candidate,
elected officer, or committee, or the cumulative amount of
independent expenditures made relative to a candidate or measure;
the full name of the candidate, and the office and district for which
he or she seeks nomination or election, or the number or letter of
the measure; and the jurisdiction in which the measure or candidate
is voted upon.
(6) The information required in paragraphs (1) to (4), inclusive,
for each person, if different from the payee, who has provided
consideration for an expenditure of five hundred dollars ($500) or
more during the period covered by the campaign statement.
For purposes of subdivisions (i), (j), and (k) only, the term
“expenditure” or “expenditures” means any individual payment
or accrued expense, unless it is clear from surrounding circumstances that a series of payments or accrued expenses are for a single service or product.

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

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

(n) In a campaign statement filed by a candidate who is a candidate in both a state primary and general election, his or her controlled committee, or a committee primarily formed to support or oppose such a candidate, the total amount of contributions received and the total amount of expenditures made for the period January 1 through June 30 and the total amount of contributions received and expenditures made for the period July 1 through December 31.

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

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

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

(r) If a committee primarily formed for the qualification or support of, or opposition to, an initiative or ballot measure is required to report an expenditure to a business entity pursuant to
subdivision (k) and 50 percent or more of the business entity is
owned by a candidate or person controlling the committee, by an
officer or employee of the committee, or by a spouse of any of
these individuals, 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.

(s) (1) If a committee primarily formed for the qualification or
support of, or opposition to, an initiative or ballot measure is
required to report an expenditure to a business entity pursuant to
subdivision (k), and a candidate or person controlling the
committee, an officer or employee of the committee, or a spouse
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.

(2) For a committee primarily formed to support or oppose a
statewide ballot measure, the reporting thresholds for disclosure
of contributions, including loans, and expenditures specified in
subdivisions (c), (d), (f), (g), (i), (j), and (k) shall be established
in regulations adopted by the Commission and may be adjusted in
regulations adopted by the Commission in any odd-numbered year
after 2013 to reflect any increase or decrease in the Consumer
Price Index, rounded to the nearest one hundred dollars ($100).
The thresholds established pursuant to this paragraph shall be not
less than five hundred dollars ($500) and not greater than two
thousand five hundred dollars ($2,500).

(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.
If the filer is an industry, trade, or professional association, a description of the industry, trade, or profession that it represents, including a specific description of any portion or faction of the industry, trade, or profession 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 that the person principally represents or from which its membership or financial support is principally derived.

SEC. 7. Section 84215 of the Government Code 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, if not required to file the statement by online or electronic means, 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. 8. Section 84215.5 is added to the Government Code, to read:
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84215.5. A statement or report filed with the Secretary of State pursuant to this chapter shall be made available to the Commission by the Secretary of State, upon request of the Commission.

SEC. 9. Section 84605 of the Government Code is amended to read:

84605. (a) The following persons shall file online or electronically with the Secretary of State:

(1) Any candidate, including superior court, appellate court, and Supreme Court candidates and officeholders, committee, or other persons who are required, pursuant to Chapter 4 (commencing with Section 84100), to file statements, reports, or other documents in connection with a state elective office or state measure, provided that the total cumulative reportable amount of contributions received, expenditures made, loans made, or loans received is twenty-five thousand dollars ($25,000) or more. In determining the cumulative reportable amount, all controlled committees, as defined by Section 82016, shall be included. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that is first subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title. A committee, as defined in subdivision (c) of Section 82013, shall file online or electronically if it makes contributions of twenty-five thousand dollars ($25,000) or more in a calendar year.

(2) Any general purpose committees, as defined in Section 82027.5, including the general purpose committees of political parties, and small contributor committees, as defined in Section 85203, that cumulatively receive contributions or make expenditures totaling twenty-five thousand dollars ($25,000) or more to support or oppose candidates for any elective state office or state measure. For a committee subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a committee that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the committee is first subject to this title.

(3) Any slate mailer organization with cumulative reportable payments received or made for the purposes of producing slate mailers of twenty-five thousand dollars ($25,000) or more. For a
slate mailer organization subject to this title prior to January 1, 2000, the beginning date for calculating cumulative totals is January 1, 2000. For a slate mailer organization that first is subject to this title on or after January 1, 2000, the beginning date for calculating cumulative totals is the date the organization is first subject to this title.

(4) Any lobbyist, lobbying firm, lobbyist employer, or other persons required, pursuant to Chapter 6 (commencing with Section 86100), to file statements, reports, or other documents, provided that the total amount of any category of reportable payments, expenses, contributions, gifts, or other items is two thousand five hundred dollars ($2,500) or more in a calendar quarter.

(b) The Secretary of State shall also disclose on the Internet any late contribution or late independent expenditure report, as defined by Sections 84203 and 84204, respectively, not covered by paragraph (1), (2), or (3) of subdivision (a) or any other provision of law.

(c) Committees and other persons that are not required to file online or electronically by this section may do so voluntarily.

(d) Once a person or entity is required to file online or electronically, subject to subdivision (a) or (c), the person or entity shall be required to file all subsequent reports online or electronically.

(e) It shall be presumed that online or electronic filers file under penalty of perjury.

(f) Persons filing online or electronically shall not be required to continue to file required disclosure statements and reports in paper format with the Secretary of State. However, an original paper copy shall be filed with the Secretary of State during any period of time for which the online or electronic system operated by the Secretary of State is malfunctioning, unavailable, or otherwise not capable of receiving online or electronically filed disclosure statements and reports.

(g) The Secretary of State shall maintain at all times a secured, official version of all original online and electronically filed statements and reports required by this chapter. Upon determination by the Secretary of State, pursuant to Section 84606, that the system is operating securely and effectively, this online or electronic version shall be the official version for audit and other legal purposes.
Except for statements related to a local elective office or a local ballot measure filed by a candidate for local elective office who is also a candidate for elective state office, a copy of a statement, report, or other document filed by online or electronic means with the Secretary of State shall not be filed with a local filing officer.

SEC. 10. Section 85201 of the Government Code is amended to read:

85201. (a) Upon the filing of the statement of intention pursuant to Section 85200, the individual shall establish one campaign contribution account at an office of a financial institution located in the state.

(b) As required by subdivision (f) of Section 84102, a candidate who raises contributions of two thousand dollars ($2,000) or more in a calendar year shall set forth the name and address of the financial institution where the candidate has established a campaign contribution account and the account number on the committee statement of organization filed pursuant to Sections 84101 and 84103.

(c) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate’s controlled committee shall be deposited in the account.

(d) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure.

(e) All campaign expenditures shall be made from the account.

(f) Subdivisions (d) and (e) do not apply to a candidate’s payment for a filing fee and statement of qualifications from his or her personal funds.

(g) This section does not apply to a candidate who will not receive contributions and who makes expenditures from personal funds of less than two thousand dollars ($2,000) in a calendar year to support his or her candidacy. For purposes of this section, a candidate’s payment for a filing fee and statement of qualifications shall not be included in calculating the total expenditures made.

(h) An individual who raises contributions from others for his or her campaign, but who raises or spends less than two thousand dollars ($2,000) in a calendar year, and does not qualify as a committee under Section 82013, shall establish a campaign contribution account pursuant to subdivision (a), but is not required
to file a committee statement of organization pursuant to Section 84101 or other statement of bank account information.

SEC. 11. Section 86119 is added to the Government Code, to read:

86119. A registration or report filed with the Secretary of State pursuant to this chapter shall be made available to the Commission by the Secretary of State, upon request of the Commission.

SEC. 12. Section 90009 is added to the Government Code, to read:

90009. (a) To further the purposes of this title, the Commission may seek injunctive relief in a superior court to compel disclosure consistent with this title.

(b) A court shall grant expedited review to an action filed pursuant to subdivision (a) as follows:

(1) The court shall conduct an expedited hearing with an opportunity for the defendant to respond.

(2) Briefs of the parties shall be required pursuant to an expedited schedule.

(c) A superior or appellate court may, at its discretion, grant a stay of an order granting relief pursuant to subdivision (a).

SEC. 13. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, 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 XIIIB of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 14. 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.