

Draft 2

Appendix III.

Section/Subsections Removed from Political Reform Act

Current Law	Proposed Law	Description	Deleted Language
81016	n/a	Effective Date. Deleted because outdated.	§ 81016. Effective Date. Chapter 8 of this title shall go into effect immediately. The Director of Finance shall make sufficient funds available to the Secretary of State out of the emergency fund or any other fund of the state for the immediate implementation of Chapter 8. The remainder of this title shall go into effect on January 7, 1975. Wherever reference is made in this title to the effective date of this title, the date referred to is January 7, 1975.
82009	n/a	Civil Service Employee. Definition deleted because term not used elsewhere in PRA and self-explanatory.	§ 82009. Civil Service Employee. “Civil service employee” means any state employee who is covered by the state civil service system or any employee of a local government agency who is covered by a similar personnel system.
82011	82010 & 89301(b)	Code Reviewing Body. Portions of definition moved to Proposed 89301(b).	n/a
83116.3	90339	Administrative Law Judge; Rejection. Moved to Proposed 90339.	n/a
83123		Local Enforcement.	§ 83123. Local Enforcement. The Commission shall establish a division of local enforcement to administer, interpret, and enforce, in accordance with the findings, declarations,

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83123.5	90201	<p>Enforcement of San Bernardino County Campaign Ordinance. Deleted paragraph (f) requiring a report to the Legislature on partnership between FPPC and County of San Bernardino.</p>	<p>purposes, and provisions of this title, those provisions relating to local government agencies as defined in Section 82041.</p> <p>(f) If an agreement is entered into pursuant to this section, the Commission shall report to the Legislature regarding the performance of that agreement on or before January 1, 2017, and shall submit that report in compliance with Section 9795. The Commission shall develop the report in consultation with the County of San Bernardino. The report shall include, but not be limited to, all of the following: (1) The status of the agreement. (2) The estimated annual cost savings, if any, for the County of San Bernardino. (3) A summary of relevant annual performance metrics, including measures of utilization, § 83123.6. 31 § 83124. enforcement, and customer satisfaction. (4) Any public comments submitted to the Commission or the County of San Bernardino relative to the operation of the agreement. (5) Any legislative recommendations.</p>
84101.5(b)(3)	83106	<p>Annual Fees. Start-up language about committees existing prior to 2013 deleted because unnecessary.</p>	<p>(3) A committee that existed prior to January 1, 2013, shall pay the fee prescribed in subdivision (a) no later than February 15, 2013, and in accordance with paragraph (1) in each year thereafter. A committee that terminates pursuant to Section 84214 prior to January 31, 2013, is not required to pay a fee pursuant to this paragraph.</p>
84200.6	n/a	<p>Special Campaign Statements and Reports. Deleted because the requirement to file late contribution and independent expenditure reports is clear under the PRA.</p>	<p>§ 84200.6. Special Campaign Statements and Reports. In addition to the campaign statements required by Sections 84200 and 84200.5, all candidates and committees shall file the following special statements and reports: (a) Late contribution reports when required by Section 84203. (b) Late independent expenditure reports when required by Section 84204.</p>

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84202.7(b)	84104	Time for Filing by Committees of Odd-Numbered Year Reports. Paragraph (b) deleted as unnecessary. It related to the eliminated supplemental preelection report.	(b) If a committee makes contributions totaling ten thousand dollars (\$10,000) or more to elected state officers, their controlled committees, or committees primarily formed to support or oppose any elected state officer during a period specified in subdivision (a), and all of those contributions are reported pursuant to Section 84202.5 on or before the time specified in subdivision (a), the committee shall not be required to file additional statements for that period pursuant to this section.
84212	n/a	Forms; Loans. Deleted because the FPPC revised Form 460 and its loan schedule to accurately show the status of all outstanding loans over 15 years ago.	§ 84212. Forms; Loans. The forms promulgated by the Commission for disclosure of the information required by this chapter shall provide for the reporting of loans and similar transactions in a manner that does not result in substantial overstatement or understatement of total contributions and expenditures
84216.5	85400(b)	Loans Made by a Candidate or Committee. Moved to proposed 85400(b).	n/a
84217	n/a	Federal Office Candidates; Places Filed. Deleted because outdated. Federal candidates are no longer required to file copies of their statements in these places.	§ 84217. Federal Office Candidates; Places Filed. When the Secretary of State receives any campaign statement filed pursuant to the Federal Election Campaign Act, (2 U.S.C.A. Section 431 et seq.) the Secretary of State shall send a copy of the statement to the following officers: (a) Statements of candidates for President, Vice President or United States Senator and committees supporting such candidates — one copy with the Registrar Recorder of Los Angeles County and one copy with the Registrar of Voters of the City and County of San Francisco; (b) Statements of candidates for United States Representative in Congress and committees supporting such candidates — one copy with the clerk of the county which contains the largest percentage of the registered voters in the election district which the candidate or any of the candidates seek nomination or election and one copy with the clerk of the county within which the candidate resides or in which the

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84602	90242	Secretary of State's Duties. Removed paragraph (j) about past reports to Legislature.	committee is domiciled, provided that if the committee is not domiciled in California the statement shall be sent to the Registrar-Recorder of Los Angeles County. No more than one copy of each statement need be filed with the clerk of any county.
84605	84305	Who Shall File Online. Removed references to committees created prior to January 1, 2000.	<p>(j) Report to the Legislature on the implementation and development of the online and electronic filing and disclosure requirements of this chapter. The report shall include an examination of system security, private security issues, software availability, compliance costs to filers, use of the filing system and software provided by the Secretary of State, and other issues relating to this chapter, and shall recommend appropriate changes if necessary. In preparing the report, the Commission may present to the Secretary of State and the Legislature its comments regarding this chapter as it relates to the duties of the Commission and suggest appropriate changes if necessary. There shall be one report due before the system is operational as set forth in Section 84603, one report due no later than June 1, 2002, and one report due no later than January 31, 2003.</p> <p>(k) Review the current filing and disclosure requirements of this chapter and report to the Legislature, no later than June 1, 2005, recommendations on revising these requirements so as to promote greater reliance on electronic and online submissions.</p> <p>From 84605(a)(1): 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.</p> <p>From 84605(a)(2): For a committee subject to this title prior to January 1, 2000, the beginning date for calculating</p>

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			<p>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.</p> <p>From 84605(a)(3): 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.</p>
85100	n/a	Chapter Title. Deleted.	<p>§ 85100. Chapter Title. This chapter shall be known as the “Campaign Contribution and Voluntary Expenditure Limits Without Taxpayer Financing Amendments to the Political Reform Act of 1974.”</p>
85202	n/a	Interpretation of Chapter 5. Deleted.	<p>§ 85202. Interpretation of Chapter 5. Unless specifically superseded by the act that adds this section, the definitions and provisions of this title shall govern the interpretation of this chapter.</p>
85204.5	85509	Special Election Cycle and special Runoff Election Cycle. Definition moved to Proposed 85509.	n/a
85304	85702 & 86211	Legal Defense Fund. Section moved to proposed 85702 and 86211.	n/a
85306	85601	Transfers Between a Candidate’s Own Committees; Use of Funds Raised Prior to Effective Date. Paragraphs (b) and (c) about pre-2001 contributions removed.	<p>(b) Notwithstanding subdivision (a), a candidate for elective state office, other than a candidate for statewide elective office, who possesses campaign funds on January 1, 2001, may use those funds to seek elective office without attributing the funds to specific contributors.</p> <p>(e) Notwithstanding subdivision (a), a candidate for statewide elective office who possesses campaign funds on November 6,</p>

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85311	82017	Affiliated Entities. Aggregation of Contributions to State Candidates. Moved to Proposed 82017.	2002, may use those funds to seek elective office without attributing the funds to specific contributors. n/a
85321	n/a	Post-Election Fundraising; Elections Held Prior to January 1, 2001. Deleted.	§ 85321. Post-Election Fundraising; Elections Held Prior to January 1, 2001. Notwithstanding any other provision of this chapter, if a candidate for elective state office or the candidate's controlled committee had net debts resulting from an election held prior to January 1, 2001, contributions to that candidate or committee for that election are not subject to the limits of Sections 85301 and 85302.
86109	n/a	Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers. Requirement for hard copy of this document deleted as the Lobbyist book is now produced online only. Online version is required by current 86109.5 and proposed 90009.	§ 86109. Directory of Lobbyists, Lobbying Firms, and Lobbyist Employers. Within 140 days after the commencement of each regular session of the Legislature, the Secretary of State shall publish a directory of registered individual lobbyists, lobbying firms, and lobbyist employers. The Secretary of State shall publish, from time to time, such supplements to the directory as may be necessary.
86115	90027	Periodic Reports; Employers and Others. Moved to proposed 90027.	n/a
86118	90029(b)	Periodic Reports; Where to File. Moved to proposed 90029(b).	n/a
87405	n/a	Application of Requirements. Permanent ban grandfather provision deleted as obsolete.	§ 87405. Application of Requirements. The requirements imposed by this article shall not apply to any person who left government service prior to the effective date of this article except that any such person who returns to government service

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87406	89605	Milton Marks Postgovernmental Employment Restrictions Act. Paragraph (f) deleted.	<p>on or after the effective date of this article [1980] shall thereafter be covered thereby.</p> <p>(f) This section shall become operative on January 1, 1991, but only if Senate Constitutional Amendment No. 32 of the 1989-90 Regular Session is approved by the voters. With respect to Members of the Legislature whose current term of office on January 1, 1991, began in December 1988, this section shall not apply until January 1, 1993.</p>
87500.1	n/a	Statements of Economic Interests – Electronic Filing; Pilot Program. Deleted because SEI pilot program is over.	<p>§ 87500.1. Statements of Economic Interests—Electronic Filing; Pilot Program. (a) The Counties of Los Angeles, Merced, Orange, Santa Clara, Stanislaus, and Ventura and the City of Long Beach may permit the electronic filing of a statement of economic interests required by Article 3 (commencing with Section 87300) in accordance with regulations adopted by the Commission. Each participating county shall use the standard form for electronic filing found online, as required by the Commission. (b) A public official subject to Article 2 (commencing with Section 87200) shall not participate in the pilot program. (c) A statement filed electronically shall include an electronic transmission that is submitted under penalty of perjury and that conforms to subdivision (b) of Section 1633.11 of the Civil Code. (d)(1) The filing officer shall issue to a person who electronically files his or her statement of economic interests or amendment electronic confirmation that notifies the filer that his or her statement of economic interests or amendment was § 87500.2. 112 § 87500.2. received. The confirmation shall include the date and the time that the statement of economic interests or</p>

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			<p>amendment was received by the filing officer and the method by which the filer may view and print the data received by the filing officer. (2) A paper copy retained by the filer of a statement of economic interests or amendment that was electronically filed and the confirmation issued pursuant to paragraph (1) that shows that the filer timely filed his or her statement of economic interests or amendment shall create a rebuttable presumption that the filer filed his or her statement of economic interests or amendment on time. (e) The filing officer shall utilize a system that includes firewalls, data encryption, secure authentication, and all necessary hardware and software and industry best practices to ensure that the security and integrity of the data and information contained in the statement of economic interests are not jeopardized or compromised. (f) The filing officer shall provide the public with a copy of an official's statement of economic interests upon request, in accordance with Section 81008. The paper copy of the electronically filed statement of economic interests shall be identical to the statement of economic interests published by the Commission and shall include the date that the statement was filed. (g)(1) The pilot program shall commence on or after January 1, 2009, and shall be completed by December 31, 2012. The pilot program shall include the reporting periods of 2008 through 2011. A city or county participating in the pilot program shall submit a report to the Commission not later than July 1, 2011. The report shall include the following: (A) A listing and estimate of associated operational efficiencies and related savings. (B) A listing and estimate of associated costs from implementing and operating the pilot program. (C) A listing of safety, security, or privacy</p>

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87500.2	89405	Statements of Economic Interest – Electronic Filing. Paragraph (h) related to Form 700 pilot program for local jurisdictions deleted.	<p>issues encountered and explanation of how those issues were addressed. (D) Available information relating to feedback from electronic filing participants. (E) Any other relevant information on the implementation of the pilot program. (2) The Commission shall transmit the city and county reports received, as well as any comments on the reports, to the Legislative Analyst's Office not later than August 15, 2011. The Legislative Analyst's Office shall provide a report to the Legislature evaluating the pilot program not later than February 1, 2012. (h) The Commission, in conjunction with the Legislative Analyst's Office, may develop additional criteria for the report to be submitted to the Commission by participating city and counties pursuant to paragraph (1) of subdivision (g). (i) This section shall remain in effect until December 31, 2012, and as of that date is repealed, unless a later enacted statute, which is enacted before December 31, 2012, deletes or extends that date.</p> <p>(h) A city or county that developed an electronic filing system pursuant to the pilot program established by Section 87500.1 may continue to use that system for purposes of this section, including, but not limited to, the time during which the Commission is adopting the regulations required by this section. However, after the Commission's regulations take effect, the city or county shall submit a description of its electronic filing system to the Commission for approval and certification, within a reasonable time to be determined by the Commission. A city or county shall not continue to use an electronic filing system originally developed for purposes of Section 87500.1 if the Commission does not approve and</p>

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89500	n/a	Chapter Title. Deleted.	<p>certify that electronic filing system as complying with the requirements of the Commission's regulations and the other requirements of this section.</p> <p>§ 89500. Chapter Title. This chapter shall be known and may be cited as the Ethics in Government Act of 1990.</p>
91000.5	90336	Administrative Proceedings. Entire section moved to proposed 90336.	n/a

Dated: December 6, 2016