



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION

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Dear Californians,

The Political Reform Act is the cornerstone body of law that governs political activity in California: campaign finance, lobbying, and governmental ethics. First adopted by voters in 1974 as Proposition 9, the Act has been amended several times through voter initiative and dozens of times by the Legislature. The result is a body of law that can be hard to understand, overly complex, and inconsistent.

California continues to have some of the toughest governmental ethics laws in the country, however the current condition of the Act raises several concerns. When the Commission confronts public officials with allegations of misconduct, they have used the complexity of the Act as a justification for their noncompliance. Additionally, potential candidates in smaller races have been discouraged from running when faced with either navigating the intricate rules alone or hiring a professional treasurer to assist them. This often-repeated narrative may diminish the significance of California's strong ethical rules.

The Commission has partnered with the University of California Berkeley School of Law, University of California Davis School of Law, and California Forward to conduct a comprehensive review and revision of the Act to ensure decades of amendments are given clarity and continuity. This project is essential to ensure California's 41-year political reform laws are modernized for the next generation of political activity and technology.

The goals of the project require balancing the Commission's mandate to provide strict enforcement while promoting accessibility to the public and transparency to the political system. There are four key elements that will drive the revision of the Act and provide significant improvements:

- Redraft the Act with "plain English" using the simplest, most straightforward language to express ideas and minimize legalese.
- Incorporate key provisions from regulations into the Act.
- Reorganize the Act in order to have all related provisions in the same chapter with self-explanatory titles for each chapter and section.
- Repeal or amend current statutes that are inaccurate or inoperative as a result of judicial decisions and other changes in law.

In this packet and on the FPPC website you can find material related to the Project, including draft language and supplemental appendices to assist in navigating the proposed changes. I invite you to review the draft and share your thoughts with us by emailing pracomment@fppc.ca.gov or submitting comments at <http://www.cafwd.org/pracomment>. Your participation and feedback is essential to the success of a revised and improved Political Reform Act.

Sincerely,

Jodi Remke
Chair, Fair Political Practices Commission



Dear Californians,

California Forward (CA Fwd) is pleased to partner with the Fair Political Practices Commission (FPPC) and the law schools at U.C. Berkeley and U.C. Davis to conduct an ambitious review of the state's historic ethics law to make it easier to understand, comply with and enforce.

Over its lifetime, the 41-year-old Act has been amended dozens of times by the Legislature and ballot measures, changing the rules that govern lobbying, conflicts of interest, ethics, and campaign finance. One unintended result of these amendments is a law that is in places conflicting, confusing, ambiguous and inconsistent. Along with the Commission, civic organizations like CA Fwd share a concern that the complexity discourages public service-minded citizens from running for elected offices; makes it more costly for everyone to comply; and, snares some candidates and incumbents trying to comply while providing cover to other political actors who can blame complexity when accused of violating the law.

Over the last few years, CA Fwd has consulted with senior staff at the FPPC, gathered information and helped them to think through opportunities to improve the Political Reform Act, such as efforts to make conflict of interest information available online and in a searchable format. Bringing California's landmark ethics law into the 21st century aligns with CA Fwd's goal to restore public trust in government. CA Fwd is assisting with the project and facilitating review and comments by the public, the regulated community, advocacy groups, the Legislature and local ethics commissions. Our goals in stewarding public input are to:

- Build public understanding and support around the importance of California's campaign finance, lobbying and conflict of interest laws, barriers and issues presented by the current law, and the value to the public of the FPPC's work to clean up existing law;
- Attract and encourage participation from academic experts, practitioners, other stakeholder groups, and the interested public to both inform the identification of issues and the development of solutions;
- Uphold and publicly promote a transparent, inclusive, and efficient process that will build public, stakeholder, and legislative support for the proposed revisions to law that result from this process;
- Distill and summarize public input, and assist in translating that input into revisions to law that will achieve the intended outcomes of clarity, compliance, enforceability, and civic participation.

CA Fwd is the state's leading organization on smart government and innovation with extensive experience stewarding public and stakeholder input to help solve California's most stubborn issues. We believe a modernization of the Political Reform Act will benefit the public by making the Act easier to understand, comply with, and enforce. All Californians are invited to participate in giving feedback on the proposed revisions to the Act. With your thoughtful input, we are confident this work will keep California at the forefront of political ethics as a model for other states around the country for many years to come.

Please visit our webpage at cafwd.org/pra for additional information or to sign up for updates about the project. And please visit cafwd.org/pracomment to provide public comment on the draft revisions to the Act.

Sincerely,

A handwritten signature in black ink that reads 'James P. Mayer'.

James P. Mayer
President & CEO