



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
1102 Q Street • Suite 3000 • Sacramento, CA 95811  
(916) 322-5660 • Fax (916) 322-0886

# EXECUTIVE STAFF REPORTS

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*March 22, 2018 Commission Hearing*

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# I. ENFORCEMENT DIVISION

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STAFF: GALENA WEST, CHIEF OF ENFORCEMENT

During the period of February 2, 2018 through March 6, 2018, the Enforcement Division received 74 complaints, opened 10 for investigation, and rejected 36. The Enforcement Division received 54 non-filer referrals during this time.

Also during this time, the Enforcement Division closed a total of 116 cases including:

- 60 warning letters,
- 15 no action letters,
- 4 advisory letters,
- 13 as a result of the adoption of stipulations at the February Commission meeting, and
- 24 committees were administratively terminated.

The Division had 1,015 cases in various stages of resolution at the time of the February Monthly Report and currently has approximately 955 cases in various stages of resolution, including the 13 cases before the Commission as listed in the March 2018 agenda.

On May 1, 2015, the Division received from the Secretary of State's office 2,460 \$50 Annual Fee referrals for 2013 fees not paid timely. Of those, 17 remain pending. On October 22, 2015, the Division received the \$50 Annual Fee referrals for 2014, which totaled 1,786. Of those, 30 remain pending. We are receiving 2015, 2016, and 2017 referrals periodically through the new Electronic Complaint System.

## II. LEGAL DIVISION

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**STAFF:****JACK WOODSIDE, GENERAL COUNSEL****BRIAN LAU, ASSISTANT GENERAL COUNSEL****TRISH MAYER, ASSISTANT CHIEF****JOHN FESER, SENIOR COMMISSION COUNSEL IV****A. Pending Litigation***Howard Jarvis Taxpayers Association, et al. v. Edmund Brown, et al.*

On December 12, 2016, the Howard Jarvis Taxpayers Association and retired State Senator and Judge Quentin L. Kopp filed a lawsuit against Governor Brown and the Commission to invalidate a new law that would allow public funds to be used for political campaigning. In September of 2016, the Governor signed Senate Bill 1107 which authorizes the use of public funds to finance campaigns if a jurisdiction adopts a law or ordinance creating a public financing program. Plaintiffs allege the new law improperly eliminates the prohibition against public financing of campaigns, implemented pursuant to Proposition 73 in 1988, because it was done without voter approval. In addition, plaintiffs allege that the new law violates the Political Reform Act<sup>1</sup> (the Act) because it does not “further the purposes of the Act,” an express requirement in the Act for legislative amendment. The Attorney General’s Office is representing both Governor Brown and the Commission in this litigation. A hearing was held in Superior Court on August 4, 2017. After taking the matter under submission, the Court issued a Ruling, dated August 23, 2017, “entering a judgment declaring that the amendments made to Government Code section 85300 by Senate Bill No. 1107 are void and have no legal effect; and an injunction restraining Respondents from enforcing the unconstitutional amendments made by Senate Bill No. 1107.”

In closed session at its meeting on September 21, 2017, the Commission voted to appeal the Superior Court decision. The Notice of Appeal was filed with the Third District Court of Appeal on January 9, 2018.

*Frank J. Burgess v. Fair Political Practices Commission*

Frank J. Burgess filed a writ of mandate in Riverside Superior Court on October 4, 2015, seeking relief from the Commission’s decision and order in *In re Frank J. Burgess*, Case No. 12/516.

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<sup>1</sup> The Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to this source, unless otherwise indicated.

Mr. Burgess's case was first heard by an Administrative Law Judge (ALJ), and then Mr. Burgess challenged the ALJ's decision to the Commission. On March 19, 2015, the Commission rejected the ALJ's decision and decided the case based on the record and the parties' supplemental briefing. Ultimately, the Commission found that Mr. Burgess had violated Section 87100 of the Act and imposed a \$5,000 fine on July 7, 2015.

Mr. Burgess challenged that decision as an excess of the Commission's jurisdiction, an abuse of discretion, and a denial of due process rights. On September 15, 2016, the Superior Court issued its judgment granting the petition on due process grounds. The Court further ordered the Commission to file a Return to the Writ on or before November 7, 2016.

After a closed session discussion at the Commission meeting on October 20, 2016, the Commission voted to let the Superior Court's judgment stand and to vacate and set aside its Decision and Order in the underlying matter, thereby dismissing the administrative proceedings against Mr. Burgess. The Commission timely filed a Return to the Writ.

On November 14, 2016, Burgess filed a Motion for Attorney's Fees under Code of Civil Procedure section 1021.5 (private attorney general). The FPPC, in conjunction with the Attorney General's, office prepared an opposition to this motion which was filed on January 25, 2017. The fee motion was heard on April 3, 2017, and the Superior Court took the matter under submission after argument by the parties. On April 10, 2017, the Superior Court granted Burgess's motion for attorney's fees. The Commission voted in closed session to appeal the Superior Court's order granting Burgess attorney's fees at the June meeting.

The parties' respective appellate briefs have been timely filed: Appellant's opening brief on November 6, 2017; Respondent's opposition brief on December 5, 2017, and Appellant's reply brief on December 26, 2017. A hearing date for oral argument has not yet been set.

## **B. Outreach and Training**

- On February 13, 2018, Senior Commission Counsel Sukhi K. Brar and Assistant General Counsel Brian Lau spoke with students from the University of California Hastings College of Law regarding the regulatory process as applied to Commission regulations. The students were part of Professor Michael Salerno's (Clinical Professor of Law, Director of the UC Hastings Legislation Clinic) Legislation Clinic program.

## **C. Advice**

In February 2018, the Legal Division responded to the following requests for advice:

- **Requests for Advice:** Legal Division Political Reform Consultants and attorneys collectively responded to more than 1,184 e-mail and telephone requests for advice.
- **Advice Letters:** Legal Division received 12 new advice letter requests under the Political Reform Act and completed 15 letters.

- **Section 1090 Letters:** Legal Division received four new advice letter requests concerning Section 1090 and completed two letters. This year to date, we have received nine advice requests regarding Section 1090.

#### **D. Advice Letter Summaries**

Full copies of FPPC Advice Letters, including those listed below, are available at:  
<http://www.fppc.ca.gov/the-law/opinions-and-advice-letters/law-advice-search.html>.

#### **Conflict of Interest**

##### **Brittany E. Roberto**

[A-17-277](#)

The Act does not prohibit a city councilmember from taking part in decisions relating to a project to construct a cul-de-sac and another project to reconstruct a bicycle/pedestrian trail. Although both projects were nearby the councilmember's leased residence, decisions relating to the projects would not have a reasonably foreseeable material financial effect on any of his financial interests based on the facts presented.

##### **Brian Briggs**

[I-17-294](#)

Nothing in the Act prohibits a Deputy County Counsel from purchasing a home within a subdivision where he worked on aspects of the development process. However, once the official owns a home there, he will have a "financial interest" in real property that could lead to a conflict of interest if he makes, participates in making, or uses his official position to influence a governmental decision that has a foreseeable and material financial effect on his real property financial interest.

##### **Noah Starr**

[I-18-001](#)

The Act does not prohibit a state employee from accepting simultaneous employment with a private company. However, should a state employee accept private employment, the Act prohibits the employee from taking part in decisions with a foreseeable and material effect on his interests, such as the employee's private employer or consulting business.

##### **Eric Lucan**

[A-18-002](#)

The construction of an extended stay hotel in an official's jurisdiction will have a reasonably foreseeable material financial effect on the official's interest in multiple residential rental properties in the jurisdiction if the hotel serves as competition for those rental properties. However, the official may take part in the decisions under the public generally exception because residential rental units make up more than 25 percent of the residential real property in the jurisdiction and there is no indication that the project would affect the official's rental properties differently than other rental properties.

##### **John Powell, Jr.**

[A-18-004](#)

The Act prohibits a water district board member from taking part in governmental decisions establishing an assessment district to fund water distribution infrastructure because those decisions would have a reasonably foreseeable material financial effect on his real property interest in 240 acres within the area of the proposed district.

**Sue Novasel**[A-18-006](#)

The Act does not prohibit a county supervisor from taking part in governmental decisions relating to the review and potential amendment of its regulations governing short-term rentals of residential properties because those decisions would not have a reasonably foreseeable material financial effect on the supervisor's financial interests in her residence, her spouse's mortgage lending business, or clients of that business distinguishable from the effect on the public generally.

**Gary L. Edwards**[A-18-011](#)

A city councilmember may participate in decisions concerning the removal or maintenance of trees lining a street in city's downtown area, despite having financial interests in property owned by his family's trust located on a neighboring block, as the decisions would not result in a reasonably foreseeable material financial effect on his interests.

**Christopher J. Diaz**[A-18-015](#)

The Act does not prohibit a city councilmember from taking part in decisions amending various specific plans and zoning ordinances to require new mixed-use residential construction along Main Street to include more service-type commercial uses. Based upon the facts provided, the decisions would not have a reasonably foreseeable material financial effect on the councilmember's real property interest in his leasehold of office space located nearby or his business interest in his law firm that uses that space.

**Campaign****Cassandra M. Ferrannini**[A-18-009](#)

State senator may use campaign funds and establish a legal defense fund to defend against wrongful termination claim by a former employee because such activity arose directly out of the official's governmental activities, duties, or status as a candidate or elected officer. The senator may also use campaign funds and establish a legal defense fund to defend himself in an expulsion proceeding so long as the proceeding arose directly out of the Senator's governmental activities, duties or status as a candidate or elected officer.

**Honoraria****Lan Diep**[A-18-018](#)

The Act does not prohibit a city councilmember from accepting a stipend as income for serving on a community advisory committee. However, the councilmember must report the income in a statement of economic interests.

**Mass Mailing****Scott W. Lay**[A-18-013](#)

County Superintendent of Schools Office may draft and pay for an annual report regarding the state of schools and education in the county, which may be included as an insert in the local newspaper for the distribution of one copy per subscriber. Additionally, the office may place copies of the annual report on the front desk of the office for pick up by the public.

## Revolving Door

### David W. Yam

[I-17-292](#)

The one year ban prohibits a former state official from appearing before or communicating with his former agency, for compensation, for the purpose of influencing administrative or legislative action or influencing a proceeding involving a permit, license, grant, or contract, or the sale or purchase of goods or property. The one year ban commences from the date of the official's separation as a retired annuitant. The permanent ban also prohibits the official from continuing work on the Doyle Drive Project due to his personal and substantial involvement in the permit proceedings and the implementation proceedings.

### Tom Brandeberry

[I-18-007](#)

Former official, who has formed a non-profit to work with future applicants for grants, is permanently banned from representing any entity or person outside the state on the proceedings, for compensation, in a contract or grant proceeding he previously participated in as a state employee. However, the permanent ban does not apply to new contract or grant proceedings in which he did not participate.

## E. Miscellaneous Decisions

None to report.

## F. Potential Upcoming Regulations

**Scheduling to be Determined.** Prenotice discussion of possible amendments to conflict of interest rules including: (1) rules for small shareholders and related business entities and (2) bright line materiality standards, including clarification of the 500-foot property rule.

## G. Conflict of Interest Codes

### Adoptions and Amendments

#### *State Agency Conflict of Interest Codes*

- Commission on Peace Officer Standards and Training
- Department of Social Services
- State Council on Developmental Disabilities

#### *Multi-County Agency Conflict of Interest Codes*

- Calaveras Mariposa Community Action Agency
- Dublin San Ramon East Bay Municipal Utility District Recycled Water Authority
- Livermore Amador Valley Water Management Agency
- Los Angeles, San Diego, San Luis Obispo Rail Corridor Agency
- Los Gatos Saratoga Joint Union High School District

- Marysville Joint Unified School District
- Partnership Health Plan of California

### **Exemptions**

None to report.

### **Extensions**

None to report.

## **H. Probable Cause Hearings**

*Please note, a finding of probable cause does not constitute a finding that a violation has occurred. The respondents are presumed to be innocent of any violation of the Act unless a violation is proven in a subsequent proceeding.*

*The following matters were decided based solely on the papers. The respondents did not request a probable cause hearing.*

### **1. *In the Matter of Committee to Elect Debbie Ponte for Supervisor 2012, Debbie Ponte, and Robin Fleming, Case No. 17/541.***

On February 21, 2018, probable cause was found to believe Respondents committed the following violations of the Act:

Count 1: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due January 31, 2013, in violation of Section 84200.

Count 2: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due July 31, 2013, in violation of Section 84200.

Count 3: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due January 31, 2014, in violation of Section 84200.

Count 4: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due July 31, 2014, in violation of Section 84200.

Count 5: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due February 2, 2015, in violation of Section 84200.

Count 6: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due July 31, 2015, in violation of Section 84200.

Count 7: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due February 1, 2016, in violation of Section 84200.

- Count 8: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due August 1, 2016, in violation of Section 84200.
- Count 9: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due January 31, 2017, in violation of Section 84200.
- Count 10: The Committee, Ponte, and Fleming failed to timely file the semi-annual campaign statement due July 31, 2017, in violation of Section 84200.
- Count 11: The Committee, Ponte, and Fleming failed to timely pay the 2014 annual fee by the January 15, 2014 due date, and failed to pay the resulting \$150 late penalty, in violation of Section 84101.5, subdivisions (c) and (d).
- Count 12: The Committee, Ponte, and Fleming failed to timely pay the 2015 annual fee by the January 15, 2015 due date, in violation of Section 84101.5, subdivisions (c) and (d).
- Count 13: The Committee, Ponte, and Fleming failed to timely pay the 2017 annual fee by the January 15, 2017 due date, and failed to pay the resulting \$150 late penalty, in violation of Section 84101.5, subdivisions (c) and (d).

**2. *In the Matter of Friends of Chris Stampolis, Friends of Chris Stampolis for Santa Clara School Board 2012, and Chris Stampolis, Case No. 15/1045.***

On February 26, 2018, probable cause was found to believe Respondents Friends of Chris Stampolis (Friends Committee), Friends of Chris Stampolis for Santa Clara School Board 2012 (2012 Committee), and Chris Stampolis (Stampolis) committed the following violations of the Act:

Friends Committee and Stampolis

- Count 1: The Friends Committee and Stampolis failed to timely file the semi-annual campaign statement due February 1, 2016, in violation of Section 84200.
- Count 2: The Friends Committee and Stampolis failed to timely file the pre-election campaign statement due September 29, 2016, in violation of Sections 84200.5, subdivision (a) and 84200.8, subdivision (a).
- Count 3: The Friends Committee and Stampolis failed to timely file the pre-election campaign statement due October 27, 2016, in violation of Sections 84200.5, subdivision (a) and 84200.8, subdivision (b).
- Count 4: The Friends Committee and Stampolis failed to timely file the semi-annual campaign statement due January 31, 2017, in violation of Section 84200.

Count 5: The Friends Committee and Stampolis failed to timely pay the 2013 annual fee by the February 15, 2013 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 6: The Friends Committee and Stampolis failed to timely pay the 2014 annual fee by the January 15, 2014 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 7: The Friends Committee and Stampolis failed to timely pay the 2015 annual fee by the January 15, 2015 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 8: The Friends Committee and Stampolis failed to timely pay the 2016 annual fee by the January 15, 2016 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 9: The Friends Committee and Stampolis failed to timely pay the 2017 annual fee by the January 15, 2017 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

#### 2012 Committee and Stampolis

Count 10: The 2012 Committee and Stampolis failed to timely file the semi-annual campaign statement due February 2, 2015, in violation of Section 84200.

Count 11: The 2012 Committee and Stampolis failed to timely file the semi-annual campaign statement due February 1, 2016, in violation of Section 84200.

Count 12: The 2012 Committee and Stampolis failed to timely file the pre-election campaign statement due September 29, 2016, in violation of Sections 84200.5, subdivision (a) and 84200.8, subdivision (a).

Count 13: The 2012 Committee and Stampolis failed to timely file the pre-election campaign statement due October 27, 2016, in violation of Sections 84200.5, subdivision (a) and 84200.8, subdivision (b).

Count 14: The 2012 Committee and Stampolis failed to timely file the semi-annual campaign statement due January 31, 2017, in violation of Section 84200.

Count 15: The 2012 Committee and Stampolis failed to timely pay the 2013 annual fee by the February 15, 2013 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 16: The 2012 Committee and Stampolis failed to timely pay the 2014 annual fee by the January 15, 2014 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 17: The 2012 Committee and Stampolis failed to timely pay the 2015 annual fee by the January 15, 2015 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 18: The 2012 Committee and Stampolis failed to timely pay the 2016 annual fee by the January 15, 2016 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

Count 19: The 2012 Committee and Stampolis failed to timely pay the 2017 annual fee by the January 15, 2017 due date and failed to pay a penalty of \$150 for failing to timely pay the annual fee, in violation of Section 84101.5, subdivisions (c) and (d).

### III. EXTERNAL AFFAIRS AND EDUCATION DIVISION

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STAFF: COURTNEY MILLER, MANAGER

#### **Phone Advice Requests**

The External Affairs and Education Division responded to 741 requests for technical assistance via phone in February.

#### **Training & Outreach**

Political Reform Consultants conducted the following workshops and outreach activities:

Alex Castillo was invited to participate in a Candidate Forum Training sponsored by the San Bernardino Democratic Party. She presented the FPPC's Candidate/Treasurer workshop to approximately 30 candidates and treasurers in attendance.

Glen Bailey and Alex Castillo conducted a Campaign Filing Officer Outreach to the Nevada County Elections office.

Deborah Hanephin, John Kim, Glen Bailey and Alex Castillo conducted two separate workshops for Form 700 Filers in the Investment Branch at CalSTRS. Approximately 51 employees attended the workshops. The Chief Information Officer stated that he "appreciated that the FPPC offered these training sessions."

Glen Bailey presented Candidate/Treasurer and SEI Filers workshops to Merced County. Approximately 20 people attended each workshop.

John Kim and Glen Bailey conducted four SEI Filing Officer workshops at the FPPC for state and local filing officers. More than 130 filing officers attended the workshops.

## IV. LEGISLATIVE UPDATE

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STAFF: PHILLIP UNG, DIRECTOR, LEGISLATIVE AND EXTERNAL AFFAIRS

Included in this month's Legislative Update is the Legislative Calendar prepared by the Office of the Assembly Chief Clerk. The calendar includes all upcoming deadlines, legislative breaks, and holidays for the 2018 Session. Staff is currently tracking 12 bills with five considered spot bills.

Legislation currently being tracked by Commission staff and other related documents can be found on the [Commission's Pending Legislation](#) page.

### Active Political Reform Bills (#1-7)

**1. AB 664 (Steinorth): Campaign fund expenditures; fair market value**

FPPC Position: *None currently*

Status: Senate Rules Committee

Fiscal Estimate: Minor and absorbable

Last Amended: January 11, 2018

**Summary:**

Existing law prohibits the spouse or domestic partner of an elected officer or a candidate for elective office from receiving compensation from campaign funds controlled by the elected officer or candidate.

Under the *Harden* (A-90-498) and *Tierney* (A-04-094) Advice Letters, the Commission staff has advised that the compensation from campaign funds must be fair market value or a gift may result, so long as the duties performed by a non-spouse relative are directly related to a political, legislative, or governmental purpose.

This bill would prohibit compensation above fair market value to a parent, grandparent, sibling, child, or grandchild of an elected officer or a candidate or elective office from a controlled committee of the elected officer or candidate for elective office. The bill would additionally prohibit compensation above fair market value to any business majority-owned or controlled by any spouse, domestic partners, or above named relatives. The bill further states that nothing in the bill authorizes a controlled committee to pay campaign funds in excess of fair market value in exchange for goods, services, facilities, or anything of value, to any person or vendor.

**2. AB 2051 (Choi): Candidate's statement**FPPC Position: *None currently*

Status: Assembly Elections and Redistricting Committee

Fiscal Estimate: None requested

Summary:

Existing law authorizes each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, to prepare a candidate's statement on an appropriate form provided by the elections official. Existing law permits the statement to be withdrawn, but prohibits the statement from being changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period. Existing law requires the elections official to send to each voter a county voter information guide that contains the written statements of each candidate.

This bill would permit the statement for each candidate for nonpartisan elective office in a local agency, and the statement for each candidate for statewide elective office or for state Senate and Assembly who accepts the voluntary expenditure limits, to be changed during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period. The bill would also make technical, nonsubstantive changes.

**3. AB 2055 (Levine): Lobbyist registration; sexual harassment**FPPC Position: *None currently*

Status: Introduced; awaiting referral

Fiscal Estimate: None requested

Summary:

The Political Reform Act provides comprehensive regulation of lobbyist registration and disclosure of lobbying activity. The Commission is charged with the responsibility to investigate, upon the sworn complaint of any person or upon its own initiative, possible violations of the act relating to any agency, official, election, lobbyist, or legislative or administrative action.

This bill would prohibit a lobbyist from engaging in sexual harassment, as defined, and would authorize the Commission to order a lobbyist who violates this prohibition to cease all lobbying activity for a period of up to 4 years.

**4. AB 2689 (Gray): Gift and contribution prohibition; Governor's appointments**FPPC Position: *None currently*

Status: Assembly Elections and Redistricting Committee

Fiscal Estimate: None requested

Summary:

The Political Reform Act establishes limits on gifts that a person or group can give to a candidate or state elective officer and limits how much a candidate or state elective officer can accept in a calendar year. The Act also establishes limits on contributions that a person or group can contribute to a candidate for state elective office and limits how much a candidate for state elective office can accept per election.

This bill would prohibit a person appointed by the Governor to an office subject to Senate confirmation from making to a Senator, and that Senator from accepting, a gift or contribution during the period between the appointment or reappointment by the Governor and confirmation by the Senate. The bill would also apply this prohibition to certain candidates for the Senate, as specified.

**5. AB 2880 (Harper): Political Reform Act; local enforcement**

FPPC Position: *None currently*

Status: Assembly Elections and Redistricting Committee

Fiscal Estimate: None requested

Summary:

Existing law authorizes the Fair Political Practices Commission, upon mutual agreement between the Commission and the Board of Supervisors of the County of San Bernardino, to have primary responsibility for the impartial, effective administration, implementation, and enforcement of a local campaign finance reform ordinance of the County of San Bernardino, as specified. Existing law also authorizes the Fair Political Practices Commission to enter into such agreements with the City Council of the City of Stockton and the City Council of the City of Sacramento, respectively.

This bill would repeal those provisions and would instead generally authorize the governing body of a local government agency to contract with the Commission for the administration, implementation, and enforcement of a local campaign finance or government ethics law. This bill would also clarify that any agreement with one of the cities enumerated above that was in effect on December 31, 2018, is deemed to comply with this provision.

**6. AB 2882 (Harper): Earmarking exception; membership organizations**

FPPC Position: *None currently*

Status: Assembly Elections and Redistricting Committee

Fiscal Estimate: None requested

Summary:

Existing law prohibits a person from making a contribution to a committee or candidate that is earmarked unless the contribution is disclosed in compliance with the requirements for contributions made by an intermediary. Dues, assessments, fees, and similar payments made to a membership organization or its sponsored committee in an amount less than \$500 per calendar year from a single source for the purpose of making contributions or expenditures are not considered earmarked.

This bill would reduce this exception for payments to a membership organization or its sponsored committee to \$100.

**7. SB 964 (Allen): Secretary of State: online filing and disclosure system**FPPC Position: *None currently*

Status: Introduced; awaiting referral

Fiscal Estimate: None requested

Summary:

Existing law requires the Secretary of State to post on his or her website hyperlinks to local government websites that contain publicly disclosed campaign finance information no later than December 31 of each year.

This bill would require that the hyperlinks are updated before December 31 of each year.

**Spot Bills (#8-12)****8. AB 2155 (Mullin): Campaign disclosure**FPPC Position: *None currently*

Status: Introduced; awaiting referral

Summary:

The bill would make technical, nonsubstantive changes to the Political Reform Act. It is a spot bill for more substantive legislation to be determined.

**9. AB 2188 (Mullin): Campaign disclosure**FPPC Position: *None currently*

Status: Introduced; awaiting referral

Summary:

The bill would make technical, nonsubstantive changes to the Political Reform Act. It is a spot bill for more substantive legislation to be determined.

**10. AB 2559 (Ting): Political Reform Act**FPPC Position: *None currently*

Status: Introduced; awaiting referral

Summary:

The bill expresses the intent of the Legislature to enact legislation to amend the Political Reform Act. It is a spot bill for more substantive legislation to be determined.

**11. SB 1239 (Hertzberg): Campaign disclosure: online filing system**FPPC Position: *None currently*

Status: Senate Rules Committee

Fiscal Estimate: None requested

Summary:

This bill would make a technical, nonsubstantive change to these provisions. It is a spot bill for more substantive legislation to be determined.

**12. SB 1454 (Newman): Political Reform Act**

FPPC Position: *None currently*

Status: Senate Rules Committee

Fiscal Estimate: Minor and absorbable

Last Amended: January 11, 2018

Summary:

This bill would make a technical, nonsubstantive change to these provisions. It is a spot bill for more substantive legislation to be determined.

# 2018 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK

Revised 9-20-17

## DEADLINES

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 3** Legislature reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 12** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the odd-numbered year (J.R. 61(b)(1)).
- Jan. 15** Martin Luther King, Jr. Day.
- Jan. 19** Last day for any committee to hear and report to the **Floor** bills introduced in that house in the odd-numbered year. (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to pass bills introduced in that house in the odd-numbered year (J.R. 61(b)(3)) (Art. IV, Sec. 10(c)).
  
- Feb. 16** Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).
- Feb. 19** Presidents' Day.
  
- Mar. 22** **Spring Recess** begins upon adjournment (J.R. 51(b)(1)).
- Mar. 30** Cesar Chavez Day observed.
  
- Apr. 2** Legislature reconvenes from Spring Recess (J.R. 51 (b)(1)).
- Apr. 27** Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).
  
- May 11** Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 18** Last day for **policy committees** to meet prior to June 4 (J.R. 61(b)(7)).
- May 25** Last day for **fiscal committees** to hear and report to the **Floor** bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 4 (J.R. 61 (b)(9)).
- May 28** Memorial Day.
- May 29 – June 1** **Floor session only.** No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).

JANUARY							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
Wk. 3	14	15	16	17	18	19	20
Wk. 4	21	22	23	24	25	26	27
Wk. 1	28	29	30	31			

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 1					1	2	3
Wk. 2	4	5	6	7	8	9	10
Wk. 3	11	12	13	14	15	16	17
Wk. 4	18	19	20	21	22	23	24
Wk. 1	25	26	27	28			

MARCH							
	S	M	T	W	TH	F	S
Wk. 1					1	2	3
Wk. 2	4	5	6	7	8	9	10
Wk. 3	11	12	13	14	15	16	17
Wk. 4	18	19	20	21	22	23	24
Spring Recess	25	26	27	28	29	30	31

APRIL							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28
Wk. 1	29	30					

MAY							
	S	M	T	W	TH	F	S
Wk. 1			1	2	3	4	5
Wk. 2	6	7	8	9	10	11	12
Wk. 3	13	14	15	16	17	18	19
Wk. 4	20	21	22	23	24	25	26
No Hrgs.	27	28	29	30	31		

\*Holiday schedule subject to final approval by Rules Committee.

## 2018 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK

Revised 9-20-17

JUNE							
	S	M	T	W	TH	F	S
No Hrgs.						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30

**June 1** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

**June 4** Committee meetings may resume (J.R. 61(b)(12)).

**June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).

**June 28** Last day for a legislative measure to qualify for the Nov. 6 General Election ballot. (Elec. Code Sec. 9040)

**June 29** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

JULY							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Summer Recess	8	9	10	11	12	13	14
Summer Recess	15	16	17	18	19	20	21
Summer Recess	22	23	24	25	26	27	28
Summer Recess	29	30	31				

**July 4** Independence Day.

**July 6** Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)). **Summer Recess** begins on adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).

AUGUST							
	S	M	T	W	TH	F	S
Summer Recess				1	2	3	4
Wk. 2	5	6	7	8	9	10	11
Wk. 3	12	13	14	15	16	17	18
No Hrgs.	19	20	21	22	23	24	25
No Hrgs.	26	27	28	29	30	31	

**Aug. 6** Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).

**Aug. 17** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

**Aug. 20 – 31 Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).

**Aug. 24** Last day to **amend** on Floor (J.R. 61(b)(17)).

**Aug. 31** Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). **Final Recess** begins on adjournment (J.R. 51(b)(3)).

### IMPORTANT DATES OCCURRING DURING FINAL RECESS

#### 2018

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec.10(b)(2)).

Oct. 1 Bills enacted on or before this date take effect January 1, 2019 (Art. IV, Sec. 8(c)).

Nov. 6 General Election.

Nov. 30 Adjournment *sine die* at midnight (Art. IV, Sec. 3(a)).

Dec. 3 2019-20 Regular Session convenes for Organizational Session at 12 noon (Art. IV, Sec. 3(a)).

#### 2019

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).