

ASSEMBLY BILL

No. 552

Introduced by Assembly Member Fong

February 20, 2013

An act to add Section 91013.7 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 552, as introduced, Fong. Political Reform Act of 1974: collection of fines.

Under existing law, the Political Reform Act of 1974, the Fair Political Practices Commission is authorized to bring a civil action and obtain a judgment in superior court for the purpose of collecting any unpaid monetary penalties, fees, or civil penalties imposed under the act.

This bill would authorize the Commission to apply to the clerk of the superior court for a judgment enforcing a monetary penalty, fee, or civil penalty, and would require the clerk of the court to enter a judgment immediately in conformity with the application if the time for judicial review of the Commission's order or decision imposing the monetary penalty, fee, or civil penalty has lapsed, or if all means of judicial review of the order or decision have been exhausted.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 91013.7 is added to the Government
2 Code, to read:

3 91013.7. (a) If the time for judicial review of a final
4 Commission order or decision has lapsed, or if all means of judicial
5 review of the order or decision have been exhausted, the
6 Commission may apply to the clerk of the court for a judgment to
7 collect the penalties imposed by the order or decision, or the order
8 as modified in accordance with a decision on judicial review.

9 (b) The application, which shall include a certified copy of the
10 order or decision, or the order as modified in accordance with a
11 decision on judicial review, and proof of service of the order or
12 decision, constitutes a sufficient showing to warrant issuance of
13 the judgment to collect the penalties. The clerk of the court shall
14 enter the judgment immediately in conformity with the application.

15 (c) An application made pursuant to this section shall be made
16 to the clerk of the superior court in the county where the monetary
17 penalties, fees, or civil penalties were imposed by the Commission.

18 (d) A judgment entered in accordance with this section has the
19 same force and effect as, and is subject to all the provisions of law
20 relating to, a judgment in a civil action and may be enforced in the
21 same manner as any other judgment of the court in which it is
22 entered.

23 (e) The Commission may bring an application pursuant to this
24 section only within four years after the date on which the monetary
25 penalty, fee, or civil penalty was imposed.

26 (f) The remedy available under this section is in addition to
27 those available under Section 91013.5 or any other law.

28 SEC. 2. The Legislature finds and declares that the provisions
29 of this act further the purposes of the Political Reform Act of 1974
30 within the meaning of subdivision (a) of Section 81012 of the
31 Government Code.

O