



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
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# Third Quarter Update 2026

Campaign Reporting, Advertising Disclosure, and Use of Campaign Funds

## Regulations adopted by the Commission.

The following are regulatory changes approved by the Commission during the past quarter concerning campaign reporting, advertising disclosure, and use of campaign funds. To receive updates for all regulations before the Commission, please sign up for our [mailing list here](#).

**None.**

## Advice Letters

The following are advice letters issued by the Commission's Legal Division during the past quarter concerning questions about campaign reporting, advertising disclosure, and use of campaign funds. To receive the monthly report with all advice letters issued, please sign up for our [mailing list here](#).

## Campaign

### **Brandy Maddox – [A-26-094](#)**

A nonpartisan community organization publishing an election guide in which all candidates are given the opportunity to appear is not making a contribution to the featured candidates, as this constitutes a “forum” excluded from the definition of contribution pursuant to Regulation 18215(c)(10). Likewise, publication of the election guide on the organization's newspaper website and a related candidate interview series to run on a community access television station come under the exception to contribution for broadcast commentary under Regulation 18215(c)(8).

### [Section 85320](#)

### **Stephen Kaufman – [A-26-098](#)**

Section 85320 does not prohibit a primarily formed ballot measure committee from contracting with a foreign principal to produce political communications in support of a state ballot measure, and payments made by the foreign principal to fulfill the terms of the contract with the committee would not be considered expenditures by the foreign principal under the Act. Nonetheless, a committee is prohibited from accepting a contribution from a foreign principal, including accepting goods or services from a foreign principal at no charge or at a discount, or

failing to satisfy one of the requirements of Regulation 18530.7(b) regarding an extension of credit provided by a foreign principal.

## Commission Opinions

None.

## Enforcement Matters

The following are summaries of significant enforcement actions approved by the Commission in the past quarter involving violations of the Act's campaign reporting, advertising disclosure, and use of campaign funds provisions. To receive a monthly report of all enforcement actions, please sign up for our [mailing list here](#).

### Mass Mailings at Public Expense

**In the Matter of Nevada County; FPPC No. 21/292.** Staff: Alex Rose, Senior Commission Counsel. Nevada County is represented by Trevor Koski, County Counsel, and Christopher Pisano of BBK Law. Nevada County sent prohibited campaign-related mass mailings at public expense, in violation of Government Code Section 89001 and Regulation 18901.1 (2 counts), failed to include the proper advertising disclosures on mailers and other advertisements, in violation of Government Code Section 84502 (2 counts), failed to timely file a semi-annual campaign statement, in violation of Government Code Section 84200, subdivision (b) (1 count), and failed to timely file 24-Hour Reports, in violation of Government Code Section 84204 (2 counts). **Fine: \$31,500.**

### Advertisements

**In the Matter of Sonoma County Deputy Sheriffs' Association, Sonoma County Deputy Sheriffs' Association PAC, Committee for Transparent Justice – No on Measure P, Michael Vail, and Cody Ebert; FPPC No. 20/1111.** Staff: Neal Bucknell, Senior Commission Counsel and Kristin Hamilton, Special Investigator. Respondents are represented by Nicholas Sanders of The Political Law Group, LLP. Committee for Transparent Justice – No on Measure P ("No on P Committee") was a Sonoma County recipient committee, primarily formed to oppose Measure P in the 2020 election. Sonoma County Deputy Sheriffs' Association ("DSA") qualified as a major donor committee in 2020 by virtue of its financial support for the No on P committee. Sonoma County Deputy Sheriffs' Association PAC ("PAC") is a Sonoma County general purpose committee, which was sponsored by the DSA. Michael Vail was president of the DSA, principal officer of its PAC, and principal officer of the No on P committee. Cody Ebert was the treasurer for both the PAC and the No on P committee. The DSA, its PAC, the No on P Committee, Vail, and Ebert failed to file required 24-Hour Reports, in violation of Government Code Sections 84203 and 84204 (1 count). The No on P Committee, Vail, and Ebert filed campaign statements and reports, but the name of the committee on these filings did not include the required reference to the committee's sponsors—and they filed statements of organization, which did not include

required identifying information regarding the No on P committee's sponsors—in violation of Government Code Sections 84102 and 84106 (1 count). The DSA, its PAC, the No on P Committee, and Vail paid for advertisements, which did not include the required reference identifying the DSA and its PAC as the sponsors of the committee (and some of the ads failed to state "Paid for by"), in violation of Government Code Sections 84102, 84106, 84504.1, 84504.2, 84504.3, and California Code of Regulations, title 2, section 18419, subdivision (b)(1) (2 counts). **Fine: \$11,000.**

**In the Matter of Peterson School Board Trustee Area 4 2023, Aaron Peterson, Rick Reyes, and Julio Lara; FPPC No. 23/755.** Staff: Kendall L.D Bonebrake, Chief of Enforcement and Shaina Elkin, Intake Manager. Aaron Peterson was an unsuccessful candidate for the Claremont Unified School District in the July 25, 2023 Special Election. Peterson School Board Trustee Area 4 2023 was Peterson's candidate-controlled committee. Rick Reyes served as treasurer, and Julio Lara served as principal officer. The Committee, Peterson, and Reyes failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts). The Committee, Peterson, and Lara failed to include the proper advertisement disclosures on social media cover pages, in violation of Government Code Sections 84504.3 and 84502 (2 counts). **Fine: \$480. (Tier One).**

**In the Matter of Yorba Linda Taxpayers Association and Thomas Lynch; FPPC No. 23/152.** Staff: Jonathan Rivera, Commission Counsel and Carlie Haug, Staff Services Analyst. Yorba Linda Taxpayers Association is a local general purpose committee. Thomas Lynch serves as the committee's treasurer. The Committee and Lynch failed to timely report independent expenditures in violation of Government Code Section 84211(k)(5) (1 count), failed to disclose the candidate supported in violation of Government Code Section 84204(b) (2 counts), and failed to include the proper advertisement disclosures on flyers and mailers, in violation of Government Code Section 84504.2 and 84506.5 (4 counts). **Fine: \$635 (Tier One).**

#### Campaign Late Filer/Reporter

**In the Matter of James Knell, 127 WCP, LLC, 710 State St. Partners, LP, 1129 State Street, LP, 1213 State Street, LLC, 1221 Victoria Court, LP, RTK Associates, LP, Santa Barbara Athletic Club, Sima Corporation, Sima El Paseo, LP, and Sima Management Corporation; FPPC No. 21/1022.** Staff: Kevin Cornwall, Senior Commission Counsel. The Respondents are represented by Robert A. Curtis of Foley Bezek Behle & Curtis, LLP. James Knell owns the businesses identified as respondents in this matter. Through his businesses, Knell contributed over \$40,000 to four campaign committees controlled by candidates running for the Santa Barbara City Council. Knell exceeded local campaign contributions and failed to timely file two major donor statements, in violation of Government Code Section 84200(b) (2 counts), and failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$12,000.**

**In the Matter of Gaspar Gene Montesano, Joe's Cafe, Inc., Lucky Village, Inc., Quattro, Inc., and Breadhead, Inc.; FPPC No. 26/582.** Staff: Kevin Cornwall, Senior Commission Counsel and Roone Peterson, Special Investigator. The Respondents are represented by the Law Office of Andrew J. Cavanaugh. Gaspar Gene Montesano owns the businesses identified as respondents in this matter. Through his businesses, Montesano contributed \$19,600 to the

Schwartz for Mayor of Santa Barbara 2021 committee. Montesano exceeded local campaign contribution limits and failed to timely file a major donor statement, in violation of Government Code Section 84200(b) (1 count). **Fine: \$4,000.**

**In the Matter of Patty Padilla-Salsberg for SUHSD Board of Trustees 2020, Patricia**

**“Patty” Padilla-Salsberg, and Aaron Salsberg; FPPC No. 21/246.** Staff: Vanessa Jimmy, Commission Counsel and Jay Gehres, Special Investigator. Patricia “Patty” Padilla-Salsberg was a successful candidate for the Salinas Union High School Board of Trustees in the November 3, 2020 General Election. Patty Padilla-Salsberg for SUHSD Board of Trustees 2020 was Padilla-Salsberg’s candidate-controlled committee. Aaron Salsberg served as the Committee’s treasurer. The Committee and Salsberg failed to timely file a statement of organization to report its date of qualification, in violation of Government Code Section 84101 (1 count), failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 (2 counts), failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts), failed to timely file two semiannual campaign statements, in violation of Government Code Section 84200 (2 counts), and impermissibly accepted cash contributions over \$100, in violation of Government Code Section 84300 (3 counts). **Fine: \$6,236 (Tiers One and Two).**

**In the Matter of Stand Up Santa Barbara PAC and Elrawd MacLearn; FPPC No. 22/485.**

Staff: Theresa Gilbertson, Attorney Supervisor and Kaitlin Osborn, Special Investigator. Stand Up Santa Barbara PAC was a general purpose committee. Elrawd MacLearn was the treasurer. The Committee failed to timely file campaign statements and reports, including a semiannual campaign statement, a pre-election campaign statement, and four 24-Hour Reports, in violation of Government Code sections 84200, 84200.5, and 84203. (6 counts). Further, the Committee and MacLearn failed to maintain all required source documentation for contributions and expenditures for the calendar years 2021 and 2022, in violation of Government Code section 84104. (2 counts). The Committee and MacLearn accepted a prohibited cash contribution of \$300 in 2021, in violation of 85300 (1 count). **Fine: \$3,547 (Tiers One and Two).**

**In the Matter of Dr. Allen for Insurance Commissioner 2022, Vinson Eugene Allen, and David L. Gould; FPPC No. 23/607.**

Staff: Chance Felkins, Commission Counsel. This matter arose from an audit carried out by the Franchise Tax Board’s Political Reform Audit Division. Dr. Allen for Insurance Commissioner is a state candidate-controlled committee. The Committee’s treasurer is David L. Gould, and the candidate is Vinson Eugene Allen. The Committee failed to maintain receipts, invoices, credit card statements with supporting statements for 39 expenditures made totaling \$195,339; and sub vendor payment totaling \$125,959, in violation of Government Code Section 84104 (1 count). Additionally, the Committee failed to timely file a 10-day contribution report after the Committee received a loan for \$90,00 from the candidate, by the applicable deadline, in violation of Government Code Section 85309(c) (1 count). **Fine: \$3,400 (Tier Two).**

**In the Matter of Humboldt Cannabis Reform Initiative, Yes on A; Aubrey Thurmond; Mark Thurmond; and Elizabeth Watson; FPPC No. 24/089.**

Staff: Chance Felkins, Commission Counsel. Respondents represented by Gary Winuk of Kaufman Legal Group. This matter arose from a sworn complaint. Humboldt Cannabis Reform Initiative, Yes on A is a primarily formed ballot measure Committee. Aubrey Thurmond, Mark Thurmond and Elizabeth

Watson serve as principal officers of the Committee. Elizabeth Watson also serves as the Committee's treasurer. The Committee failed to timely file a statement of organization, in violation of Government Code Section 84101 (1 count), failed to timely file an odd year quarterly campaign statement, in violation of Government Code Section 84200 (1 count); failed to timely file two 24-Hour Reports, in violation of Government Code Section 84203 (2 counts); and failed to timely disclose specific contribution amounts on three semiannual campaign statements, in violation of Government Code Section 84211(f)(5) (3 counts). **Fine: \$2,869. (Tier Two).**

**In the Matter of Yazmin Llamas for Contra Costa Board of Education 2024 and Yazmin Llamas; FPPC No. 24/1282.** Staff: Jonathan Rivera, Commission Counsel. Yazmin Llamas is represented by Gary Winuk of Kaufman Legal Group. Llamas was a successful candidate for the Contra Costa Board of Education in 2024. Yazmin Llamas for Contra Costa Board of Education 2024 was the candidate's candidate-controlled committee. The Committee and Llamas failed to timely file one 24-Hour Report, in violation of Government Code Section 84203 (1 count). **Fine: \$2,200 (Tier Two).**

**In the Matter of Royal Business Bank, FPPC No. 23/773.** Staff: Neal Bucknell, Senior Commission Counsel and Roone Petersen, Special Investigator. Respondent Royal Business Bank is represented by Michael L. Wong of Willkie Farr & Gallagher, LLP. In this matter, Royal Business Bank qualified as a major donor, but failed to file required semiannual campaign statements, in violation of Government Code Section 84200, subdivision (b) (2 counts)—and failed to file a required 24-Hour report, in violation of Government Code Section 84203 (1 count). **Fine: \$600 (Tier One).**

**In the Matter of Johnny Ybarra for Fullerton City Council District 3, 2022, John Ybarra, and Lizette Salgado; FPPC No. 23/203.** Staff: Jonathan Rivera, Commission Counsel. Ybarra was an unsuccessful candidate for the Fullerton City Council in 2022. Johnny Ybarra for Fullerton City Council District 3, 2022 was the candidate's candidate-controlled committee. Salgado served as the committee's treasurer. The Committee, Ybarra, and Salgado failed to timely file two pre-election campaign statements, in violation of Government Code Sections 84200.5 and 84200.8 (2 counts), seven semiannual campaign statements, in violation of Government Code Section 84200 (7 counts), and nine 24-Hour Reports, in violation of Government Code Section 84203 (9 counts). **Fine: \$2,909 (Tiers One and Two).**

### **Committee Naming Requirements**

**In the Matter of Citizens for Laguna's Future and Glenn Gray; FPPC No. 23/009.** Staff: Jonathan Rivera, Commission Counsel. Citizens for Laguna's Future was a primarily formed ballot measure committee. Glenn Gray served as the committee's treasurer. The Committee and Gary failed to timely change the name of the Committee to reflect its opposition of the pertinent ballot measure and failed to include the Committee's proper name on advertisements, including a website, yard sign, and flyer, in violation of Government Code Sections 84103, 84107, and 84502 (1 count). **Fine: \$4,000.**

## Recordkeeping

### **In the Matter of Rob Rennie for Assembly 2022, Rob Rennie, and Isabella Rennie; FPPC**

**No. 25/049.** Staff Jonathan Rivera, Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. Rob Rennie was an unsuccessful candidate for the State Assembly in the June 7, 2022 Primary Election. Rob Rennie for Assembly 2022 was the Rennie's candidate-controlled committee. Isabella Rennie served as the Committee's treasurer. The Committee, Rob Rennie, and Isabella Rennie failed to maintain records, in violation of Government Code Section 84104 (1 count), failed to timely file a pre-election campaign statement, in violation of Government Code Sections 84200.5, 84200.8, 84215(a), and 84605 (1 count), failed to timely file a semiannual campaign statement, in violation of Government Code Sections 84200, 84215(a), and 84605 (1 count), and failed to timely report a contribution, in violation of Government Code Section 84211 (1 count). **Fine: \$7,500.**

### **In the Matter of Re-Elect Hudson 4 San Ramon Mayor 2022, David Hudson, and Barbara**

**Hudson; FPPC No. 25/955.** Staff: Jaleena Evans, Commission Counsel. This matter arose from an audit performed by the Franchise Tax Board's Political Reform Audit Program. David Hudson was an unsuccessful candidate for Mayor in the November 8, 2022 General Election. Re-Elect Hudson 4 San Ramon Mayor 2022 was Hudson's candidate-controlled committee. Barbara Hudson served as the Committee's treasurer. The Committee and Hudson failed to timely report employer and/or occupation information for contributors on four campaign statements, in violation of Government Code Section 84211 (4 counts), and failed to maintain records for calendar years 2021 and 2022 (2 counts). **Fine: \$1,600 (Tier Two).**

### **In the Matter of The Committee for Better Government, Ted Davis, and Jack Murphy;**

**FPPC No. 20/1003.** Staff: Laura Columbel, Senior Commission Counsel and Alethea Perez, Special Investigator. The Committee for Better Government was a county general purpose committee. Jack Murphy served as the Committee's treasurer and Ted Davis served as the Committee's principal officer. The Committee, Davis, and Murphy failed to maintain adequate records for contributions and independent expenditures for the calendar years 2021, 2022, and 2023, in violation of Government Code Section 84104 (3 counts). The Committee and Murphy failed to timely file two pre-election statements, seven semiannual statements, and four 24-Hour Reports for independent expenditures, in violation of Government Code Sections 84200, 84200.5, and 84204 (13 counts). **Fine: \$1,356 (Tier One).**

## Campaign Bank Account

### **In the Matter of Antonio Lopez and Committee to Elect Antonio Lopez for East Palo Alto**

**City Council 2020; FPPC No. 21/266.** Staff: Kevin Cornwall, Senior Commission Counsel, and Roone Petersen, Special Investigator. Antonio Lopez was a successful candidate for East Palo Alto City Council in the November 3, 2020 General Election. Committee to Elect Antonio Lopez for East Palo Alto City Council 2020 was Lopez's candidate-controlled committee. The Committee and Lopez failed to timely file two annual campaign statements, in violation of Government Code Section 84200 (2 counts), a terminating Statement of Organization, in violation of Government Code Section 84103 (1 count), and three Form 470s, in violation of Government Code Section 84206 (3 counts). Additionally, the Committee and Lopez failed to

timely disclose certain expenditures on two pre-election campaign statements and one semiannual campaign statement, in violation of Government Code Section 84211 (3 counts), failed to process thousands of dollars in expenditures through the campaign bank account, in violation of Government Code Section 85201 (2 counts), and failed to maintain adequate campaign records, in violation of Government Code Section 84104 (1 count). **Fine: \$2,021 (Tiers One and Two).**

**In the Matter of Gifford for Judge 2026 and Tom Gifford; FPPC No. 26/290.** Staff: Chance Felkins, Commission Counsel. Gifford for Judge 2026 is Tom Gifford's local candidate-controlled committee. The Committee and Gifford failed to process expenditures through a campaign bank account, in violation of Government Code Section 85201 (1 count). The Committee and Gifford failed to timely file a 24-Hour Report, in violation of Government Code Section 84203 (1 count), and failed to timely file a statement of organization, in violation of Government Code Section 84101 (1 count). **Fine: \$1,340 (Tiers One and Two).**

### Behested Payments

**In the Matter of Matt Mahan; FPPC No. 26/618.** Staff: Kristin E. Goulet, Commission Counsel. Matt Mahan is represented by Gary Winuk of the Kaufman Legal Group. Mahan failed to timely file Form 803 behested payment reports regarding approximately 38 charitable payments of \$5,000 or more totaling approximately \$2,369,550, in violation of Government Code Sections 82004.5 and 84224 (16 counts). **Fine: \$27,500.**

## Legislation

### **AB 775 (Fong) – Behested Payment Reporting [CHAPTERED]**

**Short Summary:** AB 775 requires behested payment reports submitted by elected state and local officers and members of the Public Utilities Commission to be electronically filed directly with the FPPC. As an alternative to electronic filing with the FPPC, the bill permits local elected officers to file directly with their local filing officer under the condition that the reports are posted publicly on the local agency's website. The bill also alters the reporting deadline, creates a new threshold for when a subsequent report is required to be filed for additional behested payments from the same donor, and codify two existing regulations.

#### **Detailed Summary:**

##### *Existing law:*

- *Definition of behested payment:* Generally, a "behested payment" is a payment requested or solicited by an elected official that is paid by one individual or organization to another individual or organization for a legislative, governmental, or charitable purpose.
- *Reporting threshold for behested payments:* An elected officer or member of the Public Utilities Commission (PUC) is required to submit a behested payment report when a single source (payor) makes a behested payment or payments at the behest of the elected officer or PUC member totaling \$5,000 or more in the aggregate in a calendar year.

- *Reporting process and deadline:* Elected officers and PUC members must file behested payment reports with their respective agencies within 30 days of reaching the reporting threshold. At the state level, the agency is then required to forward a copy of the report to the FPPC within 30 days. At the local level, the agency is required to forward a copy of the report to the local filing officer within 30 days.
- *Subsequent reports:* If an elected officer or PUC member submits a behested payment report for a payor, and that same payor later makes another behested payment in any amount in the same calendar year, the elected officer or PUC member must submit a subsequent behested payment report for that payor.

*Reporting process, electronic filing:* AB 775 requires behested payment reports filed by elected state or local officers or PUC members to be filed directly with the FPPC using the FPPC's electronic filing system for behested payment reports. The bill requires that the FPPC's e-filing systems for behested payment reports send an automatic confirmation email after the report is submitted.

*Reporting process, alternate option for local elected officers:* As an alternative to electronic filing with the FPPC, AB 775 permits local elected officers to file behested payment reports directly with their local filing officer if all behested payment reports for officers of that agency are posted publicly on the local agency website. Local electronic filing are also authorized, and the bill clarifies that an electronically filed report is an original report. The bill requires local agencies to post the behested payment reports online within 10 days of receipt.

*Deadline for initial behested payment reports:* AB 775 alters the deadline for filing behested payment reports. Behested payments that meet the threshold of \$5,000 or more in the aggregate from a single source in a calendar year are required to be reported within 30 days following the end of the calendar quarter in which that threshold was met.

*Subsequent reports:* AB 775 requires reporting of subsequent payments made after an initial behested payment report for a particular donor only after reaching an additional \$1,000 from the same donor in the same calendar year. These subsequent reports would also be due within 30 days after the end of the calendar quarter.

*Codification of two regulations:* AB 775 codifies two existing regulations, which specify additional information that must be reported on a behested payment report and permit a good faith estimate of the behested payment amount to be reported.

### **AB 1789 (Boerner) – Mandatory Campaign Training [CHAPTERED]**

**Short Summary:** Starting January 1, 2029, AB 1789 requires a candidate for elective office with a candidate controlled committee, subject to specified exceptions, and treasurers of candidate-controlled committees to complete a campaign training course.

#### **Detailed Summary:**

*Mandatory candidate training:* AB 1789, commencing January 1, 2029, requires a candidate for elective office with a candidate controlled committee to complete a training course on the

requirements in the PRA for the office identified on their committee registration, subject to a specific deadline. The bill prohibits the committee of a candidate who does not complete the training course by the deadline from accepting contributions until the date the candidate completes the training course.

*Deadline for candidate training:* Under AB 1789, if a candidate controlled committee registers before January 1, 2029, and the candidate still intends to be a candidate in an election occurring after January 1, 2029, the candidate must complete the training course by or before February 28, 2029. If a candidate with a candidate controlled committee registers on or after January 1, 2029, and the candidate has never completed the training course for the office identified on the registration, the candidate must complete the training course no later than 30 days after the date of registration.

*Mandatory treasurer training:* AB 1789, commencing January 1, 2029, also requires the treasurer for a candidate controlled committee to complete a training course on the requirements of the PRA that apply to the committee, subject to a specific deadline. The bill prohibits a committee whose treasurer does not complete the training course from accepting contributions until the training course is completed.

*Deadline for treasurer training:* Under AB 1789, for a committee that registers before January 1, 2029, and has not terminated as of February 28, 2029, if the treasurer has not completed a training course developed by the FPPC, the treasurer must complete the training course by February 28, 2029. For a committee that registers on or after January 1, 2029, if the treasurer has not completed a training course developed by the FPPC within four years before the date the registration was submitted, the treasurer must complete the training course within 30 days after the date of registration.

*Training form and duration:* AB 1789 requires that the training be available through an online platform, internet webpage, or application, and may be completed at the convenience of the individual, subject to the deadlines provided in the bill. The training course may be no more than 90 minutes for candidates and 120 minutes for treasurers.

*Exemptions to mandatory training:* The bill exempts from these requirements an individual who is required to complete, and has completed, a similar training offered by a local government ethics agency.

### **AB 2255 (Pellerin) – Enhanced Disclosure for Large Expenditures [CHAPTERED]**

**Short Summary:** AB 2255 requires more detailed disclosure on campaign reports about large expenditures in periods when the candidate will not be on the ballot in the next election.

#### **Detailed Summary:**

*Existing law:* The PRA requires recipient committees to report specific information about each expenditure made by the committee, including the name and street address of the person to whom the expenditure was made, the date and amount of the expenditures, and a brief description of the consideration for which each expenditure was made.

*Conditions of enhanced disclosure:* AB 2255 requires additional information to be disclosed about an expenditure on a candidate-controlled committee's campaign statement if:

- The expenditure is made to a single person and the committee has made expenditures to that person totaling \$20,000 or more in the aggregate during the reporting period.
- The expenditure is made by a candidate-controlled committee established for an elective office of the controlling candidate and the candidate will not appear on the ballot at the next election.
- The committee is not established for the purpose of reelection of the controlling candidate to the same office.
- The expenditure is made for a purpose other than for a contribution or a credit card payment.

*Contents of enhanced disclosure:* For an expenditure that meets the above conditions, the committee is required to include in the campaign statement:

- In the description of the expenditure, the specific political, legislative, or governmental purpose that is satisfied by the payment.
- Identification of specific relationships with the person or reportable subvendor, if the person to whom the expenditure was made or a reportable subvendor is an immediate family member of the candidate, a paid member of the candidate's campaign or officeholder staff, or an immediate family member of a paid member of the candidate's campaign or officeholder staff.

### **AB 2421 (Valencia) – Automatic Termination of Inactive Committees [CHAPTERED]**

**Short Summary:** AB 2421 authorizes the Secretary of State to terminate inactive campaign committees if certain conditions are present.

#### **Detailed Summary:**

*Automatic termination:* AB 2421 authorizes SOS to terminate a recipient committee if SOS determines that the committee meets either of the following conditions:

- The committee has not submitted campaign reports for the prior 12 months and reported an ending cash balance of \$3,000 or less on its last campaign statement, or \$5,000 or less and the committee owes \$2,000 or more to the controlling candidate.
- The committee filed a statement of organization in error.

*Notice period and opportunity to object:* SOS is required to notify both the committee and the FPPC of the proposed termination. If no objection is made within 180 days of the notice, SOS may terminate the committee.

*Notification to filing officer:* SOS is required to notify the filing officer following termination of a committee.

### **SB 401 (Hurtado) – PRA Filing Deadline Extensions in Emergency Situations** **[CHAPTERED]**

**Short Summary:** SB 401 authorizes the Commission to extend filing deadlines in the PRA for individuals impacted by a state or local emergency.

#### **Detailed Summary:**

*Existing law:* The PRA imposes deadlines for filing various reports and statements under the PRA, including statements of economic interests, lobbying reports, behested payment reports, and campaign reports and statements.

*New authority:* SB 401 authorizes the Commission to extend any filing deadline under the PRA for individuals that live in an area impacted by an emergency proclaimed by the Governor or a local governing body pursuant to specified authority, if the emergency situation is reasonably likely to affect the individual's ability to timely file.

*Maximum extension:* SB 401 provides that any filing extension granted by the Commission may be no more than 60 days from the original filing deadline.

*Does not apply to campaign filings near the election:* The authority to grant an extension does not apply to filing deadlines for campaign statements or reports during the 90 days before an election.

### **AB 1130 (Berman and Blanca Rubio) – Enforcement Authority for Disclaimers on Paid Third Party “Influencer” Posts** **[CHAPTERED]**

**Short Summary:** AB 1130 adds authority to enforce violations of the requirement to include a disclaimer statement with paid posts by third party “influencers,” and requires additional detail to be reported by the committee about these payments.

#### **Detailed Summary:**

*Existing law; required disclaimer:* Existing law provides that if a committee pays a person to post content on an internet website, web application, or digital application for the purpose of supporting or opposing a candidate for elective office or a ballot measure, the person shall concurrently include a disclaimer with that content stating that the person was paid by the committee in connection with the posting.

*Existing law; enforcement:* Existing law provides that a person who fails to include the disclaimer statement is not subject to administrative, civil, or criminal penalties under the PRA. Existing law authorizes the FPPC to seek injunctive relief to compel compliance.

*Adding enforcement authority:* AB 1130 strikes the provision that provides that violations are not subject to administrative, civil, or criminal penalties and adds that if a person accepts payment

from a committee to post content that requires a disclaimer statement, and the person does not include the required disclaimer statement, then the person and the committee that paid the person are jointly and severally liable for any civil or administrative penalties incurred for the violation.

*Reporting:* AB 1130 also adds that if a committee pays a person for a third party post, as described above, and that payment is required to be reported, the committee must include on the campaign report a statement that the payment was provided for a paid third party post.

*Notification by committee:* Existing law requires the committee to notify the third party “influencer” of the requirement to include the disclaimer statement. AB 1130 would additionally require the committee to notify the person that failure to include the disclaimer may result in penalties under the PRA.

### **AB 2413 (Ransom) – Large-Format Public Advertisements at the Public Expense** **[CHAPTERED]**

**Short Summary:** AB 2413 prohibits certain large-format public advertisements from being published or displayed using public money if the ad includes a photograph of an elected official affiliated with the agency that paid for the ad.

#### **Detailed Summary:**

*Existing law:* The PRA has specific rules concerning the sending of mass mailings at the public expense that mention public officials. With some exceptions, the PRA prohibits the individual distribution of more than 200 copies of substantially similar items in a calendar month if the items include the name, office, photograph, or other reference of an elected official.

*New prohibition:* AB 2413 prohibits a “large-format public advertisement” from being published or displayed at the public expense if both:

- The ad includes the photograph of an elected officer affiliated with the agency that produced or purchased the ad.
- The costs of distribution of the advertisement are paid for with public money, or the costs of design, production, and printing are paid for with public money.

*Liability:* If an agency prepares a large-format public advertisement prohibited by this bill in cooperation, consultation, coordination, or concert with the elected officer, then the elected officer and the agency are jointly and severally liable for any administrative or civil penalties incurred for the violation.

*Definitions:* AB 2413 provides the following definitions:

- “Large-format public advertisement” means any of the following:
  - A billboard.
  - Wrap on a bus or other public transportation vehicle.

- Advertisements affixed to a bus stop or other public infrastructure.
- Other public advertisements that are 24 inches by 36 inches or more in size and are specified by regulation.
- “Elected officer affiliated with the agency” means an elected officer who is a member, officer, or employee of the agency, or of a subunit thereof such as a committee, or who has supervisory control over the agency or appoints one or more members of the agency.

## **SB 900 (McNerney) – Advertisement Disclosures [CHAPTERED]**

**Short Summary:** SB 900 revises and adds to requirements in the PRA relating to campaign advertisement disclaimers.

### **Detailed Summary:**

*Clarifies which ads can display shortened committee names:* For purposes of which types of ads can display shortened committee names, SB 900 clarifies that an “advertisement that is larger than those designed to be individually distributed,” includes, but isn’t limited to, a yard sign or billboard.

*Top contributor names:* SB 900 adds “limited liability corporation” to the list of terms that cannot be included in top contributor name. The bill also adds detailed rules for disclosing top contributor names:

- If the advertisement disclosure requirements require the disclosure of the name of a top contributor that is a multipurpose organization required to register as a committee, only the name of the multipurpose organization shall be disclosed. Additionally, the top contributor disclosure of the multipurpose organization’s name cannot include “the name or number of a ballot measure, the name of a sponsor, or the designation of a nonprofit’s legal status (e.g., “501(c)(4)”), or any other information beyond the name of the multipurpose organization, except as permitted under paragraph (e).”
- The disclosure of the name of a top contributor may be shortened by following specific, enumerated rules for abbreviating words and phrases or omitting certain words or phrases.

*Print ad disclaimers:* SB 900 imposes several requirements on the formatting, font, spacing, and order of disclaimers on certain print ads.

*Large print ad disclaimers:* SB 900 revises and adds further detail to the requirements for print or electronic ads displayed on a physical surface that is larger than those designed to be individually distributed, including requirements for color and location of disclosure box, text formatting, font, and size, order of disclosures, and, notwithstanding these requirements, a formula for calculating when and how the font size of the disclaimer may be reduced.

*Existing law on disclosure statement for ads paid for by IE:* Existing law provides that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure shall include a statement that it was not authorized by a candidate or a committee controlled by a candidate. If the advertisement was authorized or paid for by a candidate for another office, existing law requires that the expenditure instead include a statement that “This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.”

*Revises IE disclaimer language:* SB 900 instead provides that disclosure statements shall state, “Not paid for by candidate,” and “Not paid for by a candidate for this office,” respectively.

*Definition:* SB 900 defines “designed to be individually distributed” to mean “having a surface area of 187 square inches (e.g., 11 inches by 17 inches) or less on any exterior-facing surface.”

*Location of disclaimer:* For print ads designed to be individually distributed, SB 900 alters the location of the disclosure area from “the bottom of at least one page” to “the bottom of at least one exterior facing surface.”

### **SB 1432 (Senate Elections Committee) – PRA Committee Bill [CHAPTERED]**

**Short Summary:** SB 1432 makes several minor and clarifying changes to the PRA.

#### **Detailed Summary:**

*Existing law – invitations from lobbyists:* Existing law requires lobbyists, lobbying firms, and lobbyist employers who send any written or printed invitation to an elected state officer, candidate for elective state office, legislative official or agency official, to include on the invitation or on a letter attached to the invitation a statement that “Attendance at this event by a public official will constitute acceptance of a reportable gift.” The statement must be at least as large and readable as 8-point Roman boldface type.

*Increase type size requirement:* SB 1432 increases the minimum type size to 10-point.

*Existing law – FPPC position classification titles:* Existing law provides that a nonclerical position under the Commission shall not be included in the same class in the civil service classification plan with any position of any other department or agency.

*Position classifications:* SB 1432 repeals that prohibition and instead authorizes the Commission to include a nonclerical position in a class in the civil service classification plan that is separate and distinct from any position of any other department or agency.

*Corrections:* SB 1432 also makes other corrections.