



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Silver and Commissioners Brandt, Ortiz, and Wilson

From: Dave Bainbridge, General Counsel
Erika M. Boyd, Senior Commission Counsel

Subject: **Prenotice Discussion of Proposed Amendments to Regulations in Response to Statutory Changes Pending New CAL-ACCESS Certification**

Date: September 4, 2026

Executive Summary

Staff proposes for prenotice discussion the following actions to align regulations with statutory changes to the Political Reform Act that will go into effect once the new CAL-ACCESS campaign and lobbying filing system is certified:

- 18110 [Amend] – Duties of Filing Officers – Campaign Reports
- 18313 [Amend] – Forms and Manuals
- 18402.1 [Amend] – Principal Officers
- 18405 [Amend] – Candidates with Multiple Controlled Committees
- 18406 [Amend] – Short Form for Candidates and Officeholders
- 18410 [Amend] – Statement of Organization
- 18421.12 [Adopt] – Candidate Personal Loans
- 18422.5 [Repeal] – Top Contributor Disclosure
- 18422.5 [Adopt] - Display of Lists of Top Contributors
- 18465 [Amend] – Disclosure of Lobbying Entity Identification Numbers
- 18465.1 [Repeal] – Verification of Online Filers
- 18520 [Amend] – Statement of Intention to be a Candidate
- 18530.8 [Repeal] – Personal Loans
- 18603 [Amend] – Lobbyist Certification
- 18603.1 [Repeal] – Lobbyist Ethics Orientation Course
- 18611 [Amend] – Lobbyist Reporting
- 18613 [Amend] – Reporting by Lobbying Firms
- 18616 [Amend] – Reports by Lobbyist Employers and \$5,000 Filers
- 18616.4 [Amend] – Reports by Lobbying Coalitions Which are Lobbyist Employers; Reports by Members of Lobbying Coalitions

Reason for Proposed Regulatory Action

In response to the new CAL-ACCESS filing system that is being implemented by the Secretary of State, and related legislation that will go into effect once that system is certified, staff present several proposed regulatory amendments for pre-notice discussion. Staff will next present these regulations for adoption at the Commission's November meeting. In November 2026, the new CAL-ACCESS filing system will be certified, providing the public and regulated community with a new online system for submitting and viewing state campaign finance and lobbying disclosure reports. This will be a new data-driven system replacing the existing forms-driven system. The new version of CAL-ACCESS will provide users with a more efficient, sustainable system that is flexible, easier to use, and allows greater transparency into campaign and lobbying activity. In anticipation of this new system, the California Legislature has passed bills, including Senate Bill 1239 [Stats. 2018, Ch. 662], Assembly Bill 909 [Stats. 2019, Ch. 313], and Assembly Bill 808 [Stats. 2025, Ch. 278], which will amend numerous statutes under the Political Reform Act.¹ Consequently, this will require amendments to the FPPC's regulations.

Background

In 1997, SB 49 established the Online Disclosure Act of 1997, which required the Secretary of State, in consultation with the FPPC, to develop and implement a process whereby campaign and lobbying reports and statements required under the Political Reform Act (the Act) could be filed online and viewed by the public. As a result, the Secretary of State created and deployed a system called the California Automated Lobby Activity and Campaign Contribution and Expenditure Search System, commonly referred to as CAL-ACCESS. CAL-ACCESS is now over 25 years old, and components of the system are no longer supported by the Secretary of State's vendor, causing the system to periodically crash and deny public access. Accordingly, in 2016, SB 1349 was passed, which requires the Secretary of State, in consultation with the FPPC, to develop a new CAL-ACCESS filing system. This project is referred to as the CAL-ACCESS Replacement System (CARS). The CARS project will establish a new online filing and disclosure system for statements and reports that provides public disclosure of campaign finance and lobbying information in a user-friendly, easily understandable format.

In 2018, the California Legislature passed SB 1239, which made numerous substantive and technical changes related to the procedures associated with filing campaign and lobbying reports in anticipation of the implementation of the new CAL-ACCESS system. SB 1239 is intended to "generally recast certain provisions governing the processing of campaign reports and statements to provide for the filing, verification, delivery, amendment, retention, and inspection of those documents online or electronically, as prescribed." (Legislative Counsel's Digest, SB 1239.) SB 1239 repealed certain monetary thresholds for contributions, expenditures, or loans, at which point certain persons or entities were required to file online/electronically with

¹ The Political Reform 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 18104 through 18998 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

the Secretary of State. Instead, SB 1239 makes online/electronic filing applicable to all state filers, state candidates, state committees, lobbyists, lobbying firms, lobbyist employers, and \$5,000 filers. The new system will not apply to local filers at this time. The bill also repealed various obsolete or extraneous provisions of the Act and made technical and/or non-substantive changes to certain provisions.

In 2019, the Legislature passed AB 909, intended to prevent campaign treasurers from unknowingly assuming liability for the financial actions of a campaign by requiring potential treasurers to sign a statement attesting to their understanding of the responsibilities, liabilities, and potential penalties for failing to comply with the Political Reform Act.

And in 2025, the Legislature passed AB 808, making further substantive and technical changes to the Act with an eye toward certification of the new online filing system. According to the author, AB 808 was intended to modernize “California’s campaign finance laws to support a digital system—enhancing efficiency, accuracy, and transparency for better public access to financial disclosures.”² In part, AB 808 changed terminology throughout the Act to refer to electronic data-driven filings rather than paper forms; eliminated duplicative and unnecessary reports; removed an unconstitutional limit on the amount a candidate may loan to their own campaign committee; and streamlined the verification process for independent expenditure activity. Additionally, AB 808 made other technical and corresponding changes.

As passed by the Legislature, SB 1239, AB 909, and AB 808 do “not become operative until the Secretary of State certifies an online filing and disclosure system pursuant to paragraph (7) of subdivision (b) of Section 84602 of the Government Code”—that is, until the Secretary of State certifies that the new CAL-ACCESS system is available for public use. The new CAL-ACCESS system is currently scheduled to be certified and “go-live” mid-November 2026, after the November General Election.

Statutory Changes

As described by SB 1239’s author, Senator Hertzberg, major changes implemented by SB 1239³ include:

1. Dollar thresholds removed for who files online so all state filers, state candidates, state committees and lobbyists file electronically only. This is the most important change needed for the new CAL-ACCESS system. It allows the Secretary of State's office to eliminate paper filings and the dual paper/electronic system it must maintain now.
2. Updating provisions on mailing or faxing reports or statements; viewing public records and record retention updating for electronic filing.
3. Campaign and lobbying provisions are updated to eliminate references to paper filing and copies. The committee organization, campaign and lobbying

² [Assembly Committee on Elections, Bill Analysis AB 808, April 7, 2025](#)

³ [SB 1239 Senate Floor Analysis, Aug. 28, 2018](#)

provisions are amended to reflect electronic only filing for state filers and eliminate paper filing and copies for these filers.

4. Verification provisions are updated for electronic filing.
5. The new CAL-ACCESS system will be designed so a filer need only enter a contribution or independent expenditure transaction once, and the filer can still report the transaction on both a 24-hour report and on a periodic campaign report. To enable a filer to enter a transaction once, the bill adds some small additional information (such as cumulative amount of contributions) to the transactional reports.
6. The bill changes the payment date for the committee registration fee from January 15 to April 30.
7. For electronic filing, the new system needs e-mail addresses of filers, so these are added to various reports.

Due to the various changes described above, as well as numerous minor changes, several amendments of FPPC regulations will be required. In general, however, most of the necessary amendments will be minor. For example, as noted above, SB 1239 requires that certain email addresses be included in various reports. Accordingly, where our regulations reference the various other identification requirements for filing reports (e.g., name, street address, phone number), we will have to update the regulations to similarly reference/include email address requirements.

AB 909 amends two statutes—Sections 84102 and 84103—for the purpose of ensuring that campaign treasurers understand their responsibilities, liabilities, and potential penalties under the Act. While many committees use professional political treasurers who understand the applicable requirements and are aware of potential liabilities, other committees, particularly at the local level, use volunteer treasurers who are often surprised to find themselves liable when violations occur and penalties are imposed.

AB 808 makes several substantive and streamlining amendments to sections throughout the Act:

1. The bill eliminates filing by fax and eliminates references to filing by fax throughout the Act.
2. The bill eliminates references to form-based reporting practices. It transitions relevant sections of the Act away from form-based and paper-based reporting terminology, including by deleting or replacing, as appropriate, references to “forms” and replacing “statement” with “report” throughout Chapters 4 and 5 of the Act. It also streamlines the committee registration process and replaces “statement of organization” with the term “committee registration.”
3. It consolidates short form reporting. Existing law requires a candidate or officeholder who does not have a controlled committee and does not anticipate receiving contributions or making expenditures of \$2,000 or more to file a short form declaring that the candidate or officeholder anticipates receiving and spending under that

threshold. AB 808 eliminates the short form and instead requires that the candidate report this information on the Statement of Intention, required to be submitted before an individual becomes a candidate.

4. The bill removes the \$100,000 candidate personal loan limit. In 2022, the Supreme Court found that limits on such candidate loans are unconstitutional. (*FEC v. Ted Cruz for Senate*, 142 S. Ct. 1638). Therefore, AB 808 repealed a provision in the Act made unenforceable by that decision.

Included below is a summary of certain statutes amended by SB 1239, AB 909, and AB 808. Each section includes the section number and title of the statute amended, a brief description of the relevant amendments made, and attendant regulatory amendments recommended by staff. The recommended regulatory amendments are intended to supplement and align, rather than duplicate or reiterate, the changes and new requirements implemented by SB 1239, AB 909, and AB 808.

Proposed Regulatory Action

Section 81004—Reports and Statements; Perjury; Verification

Amendments:

- (SB 1239) Adds language clarifying that reports and statements must be signed and verified “in compliance with this section and Section 84213, as applicable.”
- (SB 1239) Requires electronic filings to include a “secure electronic signature” that conforms to Civil Code Section 1633.11.
- (SB 1239) Includes presumption that filings by vendor/service provider authorized by filer to be filed under penalty of perjury.

Recommendations:

- *Repeal Regulation 18465.1 (Verification of Online Filers)*: Regulation 18465.1 currently includes the presumption of filing under penalty of perjury by a vendor/service provider, which now needs to be removed from the regulation because it has been codified in statute. The regulation’s other provision, pertaining to the filing deadline for a verification on a separate form concerning an independent expenditure, is also no longer necessary, as the verification will now be included on campaign reports per SB 1239’s amendment to Section 84213(b). Therefore, the Commission should repeal Regulation 18465.1.

Section 81010 – Duties of the Filing Officers

Amendments:

- (AB 808) Removes references to “forms,” instead referring to reports or materials.
- Section 81010(b) requires a filing officer to determine if all required information has been filed. The following amendments changed the required information:
 - (SB 1239) Requires email addresses for specified filers (various Sections);
 - (SB 1239) Requires specified reports to be signed and verified (various

Sections);

- (AB 808) For contributions received, must indicate the date the contribution was received, as well as whether it was a monetary contribution, in-kind contribution or a loan (Section 84211(f));
- (AB 808) For expenditures made, include the date of the expenditure (Section 84211(k)).
- (AB 808) Requirement to include reference to other committees controlled by the candidate moved from 84211(p) [Contents of Campaign Statement] and placed into 84102(h) [Committee Registration].

Recommendations:

- *Amend Regulation 18110 (Duties of Filing Officers – Campaign Reports)*: to reference “campaign reports” instead of “campaign statements.” Make minor grammatical edits throughout. Include duty to review for “email address” for specified filers, duty to review for dates of expenditures along with the amount and a description of the expenditure, and whether a contribution is made in monetary form or in-kind. Removing reference to other committees controlled by the same candidate.

Section 83113 – Additional Duties

Amendments:

- (AB 808) This Section requires the Commission to specify the format for reports, statements, notices and other documents required by the Act. References to “campaign statement” were changed to “campaign report” throughout the Act and the requirement that these reports be prepared on a “form” was removed per AB 808 in Section 82006. Moving away from reference to paper-based forms and toward disclosure of data on “reports.”

Recommendations:

- *Amend Regulation 18313 (Forms, Reports and Manuals)*: to include reference to “reports” in the process whereby the Commission shall notice and make any changes to formats for reporting information required under the Act.

Section 84102—Committee Registration; Contents

Amendments:

- (AB 808) Changes name of “Statement of Organization” to “Committee Registration.”
- (SB 1239) Adds requirement that email addresses of committee and principal officers (including treasurer) be included in committee registration.
- (AB 909) Introduces, in subdivision (d), a treasurer acknowledgment requirement to the filing of a committee registration.
- (AB 909) Reorganizes statute as a result of new treasurer acknowledgment

requirement inserted into subdivision (d). Accordingly, former subdivisions (d)-(g) become subdivisions (e)-(h).

Recommendations:

- *Amend Regulation 18402.1 (Principal Officers)*: to include requirement that committees disclose email addresses of principal officer(s) in committee registration. Change references to “statement of organization” to “committee registration.”
- *Amend Regulation 18410 (Statement of Organization)*: to include requirement that the statement include the treasurer’s email address, as well as acknowledgments by treasurer and assistant treasurer. Change references to “statement of organization” to “committee registration.”

[REPEALED] Section 84206 – Candidates Who Receive or Spend Less Than \$2,000

Amendments:

- (AB 808) Section 84206, allowing a short form campaign statement for candidates receiving or spending less than \$2,000 was repealed as a result of amendments to Section 85200.
- (AB 808) Requires candidates filing a Statement of Intention to be a Candidate to indicate on their filing whether they intend to qualify as a committee. (AB 808, Section 85200.) If they stay below the threshold, there is no longer a semi-annual or other short form campaign report filing requirement. If they reach the threshold, they must amend their Statement of Intention and register a committee.

Recommendations:

- *Amend Regulation 18406 (Candidates or Officeholders Who Receive and Spend Less than \$2,000 in a Calendar Year)*: to remove provisions related to short form campaign statements. Specify that those candidates who indicate on their Statement of Intention to be a Candidate that they will remain below \$2,000 are not required to file semi-annual or preelection reports.

Section 84223—Top Ten Contributor Lists

Amendments:

- (SB 1239) Adds language stating that “the Secretary of State” (rather than the Commission) shall maintain a Top 10 contributor list for specified committees that raise \$1 million or more, and “the list shall be based on the filer’s campaign reports.”
- Removes the Commission’s involvement in receiving, compiling, and posting Top 10 contributor lists.

Recommendations:

- *Repeal and Adopt Regulation 18422.5 (Top Contributor Disclosure by Committees Primarily Formed for State Ballot Measures or Candidates):* Current Regulation 18422.5 contains provisions about how the Commission will maintain/post Top 10 lists, which need to be amended to reference the Secretary of State's duty to maintain/post such lists, and specify that those lists will be generated, maintained, and displayed through the new CAL-ACCESS system. The proposed new regulation lays out this process.

Section 84605 - Who Shall File Online

Amendments:

- (SB 1239) Adds reference to fact that reports/statements are filed pursuant to Chapter 5, in addition to Chapter 4 (already referenced).
- (SB 1239) Removes minimum aggregate contribution thresholds at which point online/electronic reporting was required.
- (SB 1239) All reports filed with the Secretary of State shall be filed online or electronically.
- (SB 1239) Adds requirement that "any slate mailer organization that produces one or more slate mailers supporting or opposing candidates or measures voted on in a state election or in more than one county" must file online/electronically with the Secretary of State.
- (SB 1239) Removes provision stating, "committees and other persons that are not required to file online or electronically by this section may do so voluntarily."

Recommendations:

- *Amend Regulation 18405 (Candidates with Multiple Controlled Committees):* Currently, candidates with multiple controlled committees in different jurisdictions must file semi-annual and preelection reports for all controlled committees on the same timeline as any single committee which may trigger. In addition, the candidate files the original campaign report with the relevant jurisdiction and files a copy of the campaign report with the other jurisdiction(s). For example, a candidate for Assembly who is a sitting city council member with an open committee for both offices would file an original report with the Secretary of State for the Assembly committee, and a copy of that report with the city clerk. As the new CAL-ACCESS system will be unable to accept paper copies of filings, the proposed amendments remove the requirement to file a copy of any original report with a different jurisdiction. All committees must still file original campaign reports with the relevant jurisdiction(s) as required.
- *Amend Regulation 18465 (Disclosure of Lobbying Entity Identification)*

Numbers): Given that all state lobbyists/firms/employers/coalitions are required to file their lobbying reports electronically (rather than those who exceed a certain threshold), Regulation 18465 (requiring disclosure of lobbying identification number in lobbying report) is proposed to be amended to remove subdivision (b), which currently states, “the requirements of this section are not applicable to reports filed on paper.”

Section 85200 – Statement of Intention to be a Candidate

Amendments:

- (AB 808) Requires that all individuals file a Statement of Intention to be a Candidate prior to becoming a candidate.
- (AB 808) Adds requirement that a candidate indicate whether or not they intend on qualifying as a committee.
- (AB 808) Specifies that upon qualifying as a committee, through receiving contributions or making expenditures totaling \$2,000 or more in a calendar year, a candidate shall amend their Statement of Intention and register a committee.

Recommendations:

- *Amend Regulation 18520 (Statement of Intention To Be a Candidate)*: to state that before becoming a candidate for a specific office, an individual must file a Statement of Intention. Candidates who have indicated they do not intend to qualify as a committee need not amend or refile their Statement unless they reach the qualification threshold.

Section 85307 – Loans

Amendments:

- (AB 808) Removes the \$100,000 cap on personal loans a candidate may make to their own campaign.

Recommendations:

- *Repeal Regulation 18530.8 (Personal Loans)*: Regulation 18530.8 currently includes various provisions related to the application of the \$100,000 candidate personal loan limit. In light of the removal of this provision from the statute, these provisions are no longer necessary. The requirement that a candidate obtaining a loan from a commercial lending institution disclose both themselves and the lending institution as the source of the loan will be moved to proposed Regulation 18421.12. Accordingly, the Commission should repeal Regulation 18530.8.
- *Adopt Regulation 18421.12 (Candidate Personal Loans)*: to specify that personal loans of a candidate made to their own controlled committee for elective office must disclose both the candidate and any commercial lending institution (if applicable) as the source of the loan.

Section 86114—Periodic Reports; Lobbying Firms; Contents

Amendments:

- (SB 1239) Adds requirements that periodic reports filed by lobbying firms include email addresses of firm and subcontractors.
- (SB 1239) Adds language amending/clarifying requirement that firms must report contributions of \$100 or more to committees primarily formed to *oppose* officers/candidates (in addition to contributions of \$100 or more to committees primarily formed to *support* officers/candidates, already expressly required to be reported).

Recommendations:

- *Amend Regulation 18613 (Lobbying Firm Reporting)*: to similarly provide that contributions of \$100 or more must also be reported if they are made to committees primarily formed to oppose officers/candidates.

Section 86103 – Lobbyist Certification; Requirements

Amendments:

- (SB 1239) Restructures the statutory language regarding timelines for the ethics course completion included on lobbyist certifications.
- (SB 1239) Adds language stating that the date and confirmation an individual has completed the ethics course may be transmitted to the Secretary of State by the legislative ethics committee.

Recommendations:

- *Repeal Regulation 18603.1 (Lobbyist Ethics Orientation Course)*: Moving the information currently found in this regulation to Regulation 18603 so that the ethics course requirement is addressed in the same regulation as other information pertaining to the certification.
- *Amend Regulation 18603 (Lobbyist Certification and Ethics Course)*: to clarify that after filing an initial lobbyist certification, any subsequent filing is a renewal, even if there is a break in time of lobbying activity of the filer. Addresses timelines for completion of the ethics course.

Section 86116—Periodic Reports; Employers and Others; Contents

Amendments:

- (SB 1239) Adds requirement that periodic reports filed by lobbyist employers include email addresses of the employer/person filing the report.
- (SB 1239) Adds language clarifying the requirement that lobbying firms,

lobbyist employers, and \$5,000 filers must report contributions of \$100 or more to committees primarily formed to *oppose* officers/candidates, in addition to committees primarily formed to *support* officers/candidates.

Recommendations:

- *Amend Regulation 18611 (Lobbyist Reporting)*: to similarly provide that contributions of \$100 or more must also be reported if they are made to committees primarily formed to oppose officers/candidates. (Note: although Regulation 18611 derives from Section 86113 (pertaining to periodic reports by lobbyists), which has not been amended by SB 1239, AB 909, or AB 808, Section 86113 requires lobbyists to submit their reports to their lobbyist firms/employers, which are now specifically required under Sections 86114 and 86116 to report contributions to committees primarily formed to oppose officers/candidates. Accordingly, amendment of Regulation 18611 is necessary to ensure accurate reporting.
- *Amend Regulation 18616 (Reports by Lobbyist Employers and Persons Spending \$5,000 or More to Influence Legislative or Administrative Action)*: to similarly provide that contributions of \$100 or more must also be reported if they are made to committees primarily formed to oppose officers/candidates.
- *Amend Regulation 18616.4 (Reports by Lobbying Coalitions Which Are Lobbyist Employers; Reports by Members of Lobbying Coalitions)*: to similarly require that reports by lobbying coalitions include the email address of each member (in addition to the name and business address already required) and the email address of the lobbying coalition (in addition to name and business address) on reports filed by employers/firms that are a part of a lobbying coalition. Amendments are also proposed to accommodate the electronic format in which these reports will be filed under the new CAL-ACCESS system.

Conclusion

The changes proposed here include the most substantive regulatory amendments required to align with statutory amendments and filing changes that will take effect upon certification of the new CAL-ACCESS system. The aim is to provide those with duties under the Act with as clear regulatory guidance as possible on those portions of the Act undergoing the most substantive changes. Once the new CAL-ACCESS system is “live,” additional cleanup amendments may be necessary to fully harmonize the regulations with the Act.

Staff welcomes feedback from the Commission and public at this time, and anticipates adoption of these regulatory changes at the November meeting.

Attachments:

Packet of Proposed Regulatory Changes