



TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it under the Political Reform Act (the Act)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **AUGUST 20, 2026**, at the offices of the Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m.** on **AUGUST 18, 2026**.

BACKGROUND/OVERVIEW:

Regulations 18360.1-18360.3 contain the procedural and substantive rules regarding the Enforcement Division's Streamline resolution program. The Streamline resolution program is a framework for resolving low-level violations of the Political Reform Act (the "Act") in a manner that is meant to be faster than the Mainline penalty process.² Streamline cases also result in lower fines than Mainline cases.

Regulation 18360.1 establishes the Streamline resolution program for certain campaign-related violations of the Act. Regulation 18360.2 does the same for certain types of ethics and lobbying violations. Regulation 18360.3 sets the penalty range for Tier One and Tier Two Streamline cases.

Commission staff has identified a need to clarify certain procedural requirements and eligibility criteria of the Streamline resolution program. Specifically, the proposed amendments would provide clearer direction to staff regarding eligibility criteria, specify the type of information that must be included in a Streamline stipulation, clarify the circumstances under which correction of the underlying violation is required, eliminate duplicative Warning Letter procedures, and provide a formal procedure for applying discretion in borderline cases. The amendments also harmonize certain violation-specific eligibility criteria with corresponding language in the relevant statutes, and make non-substantive grammatical or terminological changes for clarity and readability.

REGULATORY ACTION:

Amend 2 Cal. Code Regs. Section 18360.1

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 18110 through 18997 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.

² A Mainline penalty differs from a Streamline penalty in that the monetary penalty is higher (up to \$5,000 per count), the Stipulation includes a narrative describing the pertinent facts of the case in detail, and the Stipulation must be approved by a vote of the Commission.

The Commission may consider amending Regulation 18360.1, which establishes the Streamline resolution program for certain campaign-related violations of the Act. The proposed amendments:

- Expressly rephrases eligibility criteria for particular types of violations as either “exclusions” or “factors for consideration” to provide clearer guidance regarding mandatory versus advisory criteria.
- Clarifies that a Streamline stipulation shall include sufficient information to identify the specific count(s) “being charged” and demonstrate why a Streamline penalty is an appropriate resolution. This language also means uncharged counts need not be itemized on a Streamline stipulation, however Enforcement “may” list counts for which a Warning Letter is being issued.
- Establishes a formal procedure for invoking discretion to allow borderline cases into a particular Streamline tier where an exclusion would otherwise apply. Specifically, the Enforcement Chief will make a recommendation to the Executive Director, who must then approve the use of discretion to override an exclusion.
- Removes other references to Warning Letters and Mainline penalties, which are not governed by these regulations.
- Makes clear that compliance must be secured prior to completing PREP or entering into a Streamline stipulation, except when circumstances do not make such compliance practical or within the public interest.
- Moves the reference to the Enforcement Chief’s authority to not charge particular violations from its current location in Regulation 18360.3 (dealing with penalties) to Subsection (a) of Regulations 18360.1 and 18360.2 (which mirror one another) in order to keep all procedural rules pertaining to the initiation of a Streamline case in one place.
- Changes the terms “city and county committees” and “state committees” for purposes of the Streamline program to “small committees” and “large committees,” respectively.
- Adds additional mitigating factors for inclusion of late-filed 24-Hour Report to Tier One Streamline, specifically where the late-reported contribution or expenditure was made from the candidate’s own personal funds or where a committee raised or spent less than \$10,000 in connection with an election.
- Decreases the thresholds for cash contribution violations that may be included in Streamline from \$5,000 to \$2,500 for PREP and Tier One Streamline, and from \$10,000 to \$5,000 for Tier Two Streamline.
- Harmonizes the criteria regarding Streamline eligibility for Section 84308 violations with recent legislative changes to the latter Section, specifically by eliminating the

requirement that a contribution need be returned “prior to a decision being rendered in a proceeding” and eliminating outdated monetary thresholds.

- Removes excess or duplicative verbiage and makes other non-substantive grammatical or terminological changes for clarity and readability.

Amend 2 Cal. Code Regs. Section 18360.2

The Commission may consider amending Regulation 18360.2, which establishes the Streamline resolution program for certain types of ethics and lobbying violations of the Act. The proposed amendments:

- Expressly rephrases eligibility criteria for particular types of violations as either “exclusions” or “factors for consideration” to provide clearer guidance regarding mandatory versus advisory criteria.
- Clarifies that a Streamline stipulation shall include sufficient information to identify the specific count(s) “being charged” and demonstrate why a Streamline penalty is an appropriate resolution. This language also means uncharged counts need not be itemized on a Streamline stipulation, however Enforcement “may” list counts for which a Warning Letter is being issued.
- Establishes a formal procedure for invoking discretion to allow borderline cases into a particular Streamline tier where an exclusion would otherwise apply. Specifically, the Enforcement Chief will make a recommendation to the Executive Director, who must then approve the use of discretion to override an exclusion.
- Removes other references to Warning Letters and Mainline penalties, which are not governed by these regulations.
- Makes clear that compliance must be secured prior to completing PREP or entering into a Streamline stipulation, except when circumstances do not make such compliance practical or within the public interest.
- Moves the reference to the Enforcement Chief’s authority to not charge particular violations from its current location in Regulation 18360.3 (dealing with penalties) to Subsection (a) of Regulations 18360.1 and 18360.2 (which mirror one another) in order to keep all procedural rules pertaining to the initiation of a Streamline case in one place.
- Eliminate the exclusions from Tier Two Streamline for lobbying violations involving “multiple reports not timely filed.”
- Include any gift limit violation within Tier Two Streamline where the filer returned the gift unused or reimbursed the source of the gift for the difference between the gift’s fair market value and the applicable gift limit prior to the date the gift was required to be disclosed.

- Harmonize the criteria regarding Streamline eligibility for behested payment violations with FPPC regulations pertaining to those violations, specifically by excluding from PREP and both Streamline Tiers a violation where the maker of the payment was a named party in, or the subject of, a proceeding before the Respondent or the Respondent's agency while the decision was pending and within 12 months prior to the proceeding. Previously, the regulation stated that the timeline for this exclusion was “three months before and for three months following the date a final decision was rendered.”
- Removes excess or duplicative verbiage and makes other non-substantive grammatical or terminological changes for clarity and readability.

Amend 2 Cal. Code Regs. Section 18360.3

The Commission may consider amending Regulation 18360.2, which sets the penalty range for Tier One and Tier Two Streamline cases. The proposed amendments:

- Moves the reference to the Enforcement Chief’s authority to not charge particular violations from its current location in Regulation 18360.3 (dealing with penalties) to Subsection (a) of Regulations 18360.1 and 18360.2 (which mirror one another) in order to keep all procedural rules pertaining to the initiation of a Streamline case in one place.
- Add Tier Two Streamline penalty ranges for Improper Recusal for a Conflict of Interest and Recurring Contribution violations, and adjusts the penalty range for Tier One Recurring Contribution violations

SCOPE: The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issue identified above or any related issue.

FISCAL IMPACT STATEMENT:

<u>Fiscal Impact on Local Government.</u>	None.
<u>Fiscal Impact on State Government.</u>	None.
<u>Fiscal Impact on Federal Funding of State Programs.</u>	None.

AUTHORITY: Section 83112, Government Code provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Act.

REFERENCE: The purpose of this regulation is to implement, interpret, and make specific Government Code Section 83116.5.

CONTACT: Any inquiries should be made to SIMON RUSSELL, Fair Political Practices Commission, 1102 Q St., Suite 3050, Sacramento, CA 95811; email: sirussell@fppc.ca.gov; telephone (279) 237-5989. The proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notice.html>.