

Introduced by Senators Lieu and Yee

December 3, 2012

An act to amend Sections 84101, 84102, 84103, 84107, 84200, 84200.6, 84202.3, 84215, 84218, 84252, 84305.5, 84310, 84503, 84504, 84506, 84506.5, 84508, 84509, 84510, 85701, 85704, 90002, 90003, and 91013 of, to add Sections 84200.1, 84202.8, 84202.9, and 84503.5 to, to repeal Sections 84200.7, 84200.8, 84202.5, and 84202.7 of, and to repeal and add Section 84200.5 of, the Government Code, and to amend Section 2872 of the Public Utilities Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 2, as amended, Lieu. Political Reform Act of 1974: ~~campaign disclosures.~~ 1974.

(1) Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions and expenditures and imposing other reporting and recordkeeping requirements on campaign committees. Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties. The act requires elected officers, candidates, committees, and slate mailer organizations to file semiannual reports, preelection statements, and supplemental preelection statements.

This bill would repeal these reporting requirements. This bill would establish quarterly statements, monthly statements, preelection statements, postelection statements, and cumulative statements for filing, as specified.

This bill would increase the fines for improperly reporting laundered or earmarked contributions to include a fine to be deposited into the Political Disclosure, Accountability, Transparency, and Access Fund, as specified. The bill would also increase the fines and penalties imposed on campaign statements and reports that are filed late.

(2) The act also regulates advertisements, which are defined as any general or public advertisement that is authorized and paid for by a person or committee for the purpose of supporting or opposing a candidate for elective office or a ballot measure or ballot measures. The act places certain disclosure requirements on advertisements for or against any ballot measure, including that the advertisement disclose up to 2 persons who have made cumulative contributions of \$50,000 or more, as prescribed. The act places more specific disclosure requirements on broadcast or mass mailing advertisements that are paid for by independent expenditures that support or oppose a candidate or ballot measure. In addition to other penalties imposed by the act, a fine of up to triple the amount of the cost of an advertisement can be imposed on a person who violates the disclosure requirements for advertisements.

This bill would require that television, video, or audio broadcast advertisements that are authorized by a candidate include a specified disclosure statement made by the candidate.

The bill would increase to 4 the number of major donors of \$50,000 or more who must be disclosed in an advertisement by a committee for or against a ballot measure. The bill would require the name of a committee that supports or opposes a ballot measure to include the names of up to 4 major donors who have made cumulative contributions of \$50,000 or more. The bill would specify the amount of time in which a committee must update advertisement disclosures to reflect a change in the committee name that results from a change in the identity of the major donors who must be disclosed in an advertisement.

The bill would increase the maximum penalty for a violation of these provisions to 6 times the amount of the costs of the advertisement.

(3) The act regulates mass mailings, known as slate mailers, that support or oppose multiple candidates or ballot measures for an election. The act requires that each slate mailer identify the slate mailer organization or committee primarily formed to support or oppose one or more ballot measures that is sending the slate mailer, and to contain other specified information in specified formatting. The act requires

that each candidate and each ballot measure that has paid to appear in the slate mailer be designated by an asterisk.

This bill would additionally require that a candidate or ballot measure appearing in the slate mailer as a result of a payment made by a 3rd party be designated by an “@,” and would require the notice to voters included on a slate mailer be revised to describe this new requirement. The bill would require that a slate mailer that is produced in a language other than English provide the notice to voters in that same language. The bill would require that a slate mailer provide the notice in both English and another language if a substantial portion of a slate mailer is produced in the other language.

(4) The act requires a ballot measure committee, within 30 days of designating the numerical order of propositions appearing on the ballot, to identify itself as committee for or against that numbered proposition in all required references.

This bill would reduce the amount of time in which a ballot measure committee must reference itself as a committee for or against a numbered proposition to within 10 days of designating the numerical order of propositions.

(5) The act is administered and enforced by the Fair Political Practices Commission. The act authorizes the Commission to perform discretionary investigations and audits with respect to campaign and lobbying reports and statements that are filed with the Secretary of State. The act also authorizes any person residing in the jurisdiction to sue for injunctive relief to prevent violations or compel compliance with the act.

This bill would specify that the Commission may perform audits prior to the date of the election and prior to the date that a statement or report is required to be filed. The bill would authorize a person to challenge an audit by the Commission or any order resulting from an audit by seeking a writ of mandate, which would take priority over all other civil matters. The bill would specify that the Commission is authorized to seek an injunction to prevent a violation of or compel compliance with the act.

(6) Under existing law, the Public Utilities Commission is responsible for regulating the use of automatic dialing-announcing devices.

This bill would also authorize the Fair Political Practices Commission to regulate the use of automatic dialing-announcing devices if the device is used to disseminate prerecorded messages that advocate support of, or opposition to, a candidate, a ballot measure, or both.

(7) *The act makes a knowing or willful violation of its provisions a misdemeanor and subjects offenders to criminal penalties.*

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(8) *The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a ²/₃ vote of each house and compliance with specified procedural requirements.*

This bill would declare that it furthers the purposes of the act.

~~Existing law, the Political Reform Act of 1974, provides for the comprehensive regulation of campaign financing, including requiring the reporting of campaign contributions and expenditures and imposing other reporting and recordkeeping requirements on campaign committees. Existing law makes a knowing or willful violation of the Political Reform Act of 1974 a misdemeanor and subjects offenders to criminal penalties.~~

~~This bill would declare the intent of the Legislature to enact legislation that would strengthen the Political Reform Act of 1974 and the campaign disclosure requirements within that act to increase penalties for failing to properly disclose campaign contributions, tighten the disclosure requirements on mass mailings, and campaign messages presented through television, and other forms of media, and close the loophole associated with campaign contributions from multipurpose groups and nonprofit organizations.~~

~~Vote: majority ²/₃. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.~~

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

- 1 SECTION 1. Section 84101 of the Government Code is
- 2 amended to read:
- 3 84101. (a) A committee that is a committee by virtue of
- 4 subdivision (a) of Section 82013 shall file a statement of
- 5 organization. The committee shall file the original of the statement

1 of organization with the Secretary of State and shall also file a
2 copy of the statement of organization with the local filing officer,
3 if any, with whom the committee is required to file the originals
4 of its campaign reports pursuant to Section 84215. The original
5 and copy of the statement of organization shall be filed within 10
6 days after the committee has qualified as a committee. The
7 Secretary of State shall assign a number to each committee that
8 files a statement of organization and shall notify the committee of
9 the number. The Secretary of State shall send a copy of statements
10 filed pursuant to this section to the county elections official of each
11 county that he or she deems appropriate. A county elections official
12 who receives a copy of a statement of organization from the
13 Secretary of State pursuant to this section shall send a copy of the
14 statement to the clerk of each city in the county that he or she
15 deems appropriate.

16 (b) In addition to filing the statement of organization as required
17 by subdivision (a), if a committee qualifies as a committee under
18 subdivision (a) of Section 82013 before the date of an election in
19 connection with which the committee is required to file preelection
20 statements, but after the closing date of the last campaign statement
21 required to be filed before the election pursuant to ~~Section 84200.7,~~
22 ~~84200.8;~~ *Section 84200.5* or 84200.9, the committee shall file, by
23 facsimile transmission, guaranteed overnight delivery, or personal
24 delivery within 24 hours of qualifying as a committee, the
25 information required to be reported in the statement of organization.
26 The information required by this subdivision shall be filed with
27 the filing officer with whom the committee is required to file the
28 originals of its campaign reports pursuant to Section 84215.

29 (c) If an independent expenditure committee qualifies as a
30 committee pursuant to subdivision (a) of Section 82013 during the
31 time period described in Section 82036.5 and makes independent
32 expenditures of one thousand dollars (\$1,000) or more to support
33 or oppose a candidate or candidates for office, the committee shall
34 file, by facsimile transmission, online transmission, guaranteed
35 overnight delivery, or personal delivery within 24 hours of
36 qualifying as a committee, the information required to be reported
37 in the statement of organization. The information required by this
38 section shall be filed with the filing officer with whom the
39 committee is required to file the original of its campaign reports
40 pursuant to Section 84215, and shall be filed at all locations

1 required for the candidate or candidates supported or opposed by
2 the independent expenditures. The filings required by this section
3 are in addition to filings that may be required by Sections 84203.5
4 and 84204.

5 (d) For purposes of this section, in calculating whether one
6 thousand dollars (\$1,000) in contributions has been received,
7 payments for a filing fee or for a statement of qualifications to
8 appear in a sample ballot shall not be included if these payments
9 have been made from the candidate's personal funds.

10 *SEC. 2. Section 84102 of the Government Code is amended to*
11 *read:*

12 84102. The statement of organization required by Section
13 84101 shall include all of the following:

14 (a) The name, street address, and telephone number, if any, of
15 the committee. In the case of a sponsored committee, the name of
16 the committee shall include the name of ~~its~~ *each* sponsor.
17 Whenever a committee has more than one sponsor, and the
18 sponsors are members of an industry or other identifiable group,
19 a term identifying that industry or group shall *also* be included in
20 the name of the committee.

21 (b) In the case of a sponsored committee, the name, street
22 address, and telephone number of each sponsor.

23 (c) The full name, street address, and telephone number, if any,
24 of the treasurer and any other principal officers. A committee with
25 more than one principal officer shall identify its principal officers
26 as follows:

27 (1) A committee with three or fewer principal officers shall
28 identify all principal officers.

29 (2) A committee with more than three principal officers shall
30 identify no fewer than three principal officers.

31 If no individual other than the treasurer is a principal officer, the
32 treasurer shall be identified as both the treasurer and the principal
33 officer.

34 (d) The full name and office sought by any candidate, and the
35 title and ballot number, if any, of any measure, that the committee
36 supports or opposes as its primary activity. A committee that does
37 not support or oppose one or more candidates or ballot measures
38 as its primary activity shall provide a brief description of its
39 political activities, including whether it supports or opposes

1 candidates or measures and whether such candidates or measures
2 have common characteristics, such as a political party affiliation.

3 (e) A statement whether the committee is independent or
4 controlled and, if it is controlled, the name of each candidate or
5 state measure proponent by which it is controlled, or the name of
6 any controlled committee with which it acts jointly. If a committee
7 is controlled by a candidate for partisan office, the controlled
8 committee shall indicate the political party, if any, with which the
9 candidate is affiliated.

10 (f) For a committee that is a committee by virtue of subdivision
11 (a) or (b) of Section 82013, the name and address of the financial
12 institution where the committee has established an account and
13 the account number.

14 (g) Such other information as shall be required by the rules or
15 regulations of the Commission consistent with the purposes and
16 provisions of this chapter.

17 *SEC. 3. Section 84103 of the Government Code is amended to*
18 *read:*

19 84103. (a) Whenever there is a change in any of the
20 information contained in a statement of organization, an
21 amendment shall be filed within 10 days to reflect the change. The
22 committee shall file the original of the amendment with the
23 Secretary of State and shall also file a copy of the amendment with
24 the local filing officer, if any, with whom the committee is required
25 to file the originals of its campaign reports pursuant to Section
26 84215.

27 (b) In addition to filing an amendment to a statement of
28 organization as required by subdivision (a), a committee as defined
29 in subdivision (a) of Section 82013 shall, by facsimile transmission,
30 online transmission, guaranteed overnight delivery, or personal
31 delivery within 24 hours, notify the filing officer with whom it is
32 required to file the originals of its campaign reports pursuant to
33 Section 84215 when the change requiring the amendment occurs
34 before the date of the election in connection with which the
35 committee is required to file a preelection statement, but after the
36 closing date of the last preelection statement required to be filed
37 for the election pursuant to Section ~~84200.7 or 84200.8~~ 84200.5,
38 if any of the following information is changed:

39 (1) The name of the committee.

40 (2) The name of the treasurer or other principal officers.

1 (3) The name of any candidate or committee by which the
2 committee is controlled or with which it acts jointly.

3 The notification shall include the changed information, the date
4 of the change, the name of the person providing the notification,
5 and the committee's name and identification number.

6 A committee may file a notification online only if the appropriate
7 filing officer is capable of receiving the notification in that manner.

8 *SEC. 4. Section 84107 of the Government Code is amended to*
9 *read:*

10 84107. Within ~~30~~ 10 days of the designation of the numerical
11 order of propositions appearing on the ballot, any committee which
12 is primarily formed to support or oppose a ballot measure, shall,
13 if supporting the measure, include the statement, "a committee for
14 Proposition _____," or, if opposing the measure, include the
15 statement, "a committee against Proposition _____," in any reference
16 to the committee required by law.

17 *SEC. 5. Section 84200 of the Government Code is amended to*
18 *read:*

19 84200. (a) Except as provided in ~~paragraphs (1), (2), and (3);~~
20 ~~elected subdivisions (b), (c), and (d),~~ *Members of the Legislature,*
21 *the Board of Administration of the Public Employees' Retirement*
22 *System or Teachers' Retirement Board, and all city and county*
23 *elected officers, candidates for election to those offices, and*
24 *committees pursuant to subdivision (a) of Section 82013 that are*
25 *controlled by those officers or candidates shall file ~~semiannual~~*
26 *quarterly statements each year no later than July 31 for the period*
27 *ending June 30, and no later than January 31 for the period ending*
28 *December 31, as follows:*

29 (1) *No later than April 15 for the period ending March 31.*

30 (2) *No later than July 15 for the period ending June 30.*

31 (3) *No later than October 15 for the period ending September*
32 *30.*

33 (4) *No later than January 15 for the period ending December*
34 *31.*

35 ~~(1)~~

36 (b) A candidate who, during the past ~~six~~ *three* months has filed
37 a declaration pursuant to Section 84206 shall not be required to
38 file a ~~semiannual~~ *quarterly* statement for that ~~six-month~~
39 *three-month* period.

40 ~~(2)~~

1 (c) Elected officers whose salaries are less than two hundred
 2 dollars (\$200) a month, judges, judicial candidates, and their
 3 controlled committees shall not file ~~semiannual~~ *quarterly*
 4 statements pursuant to this subdivision for any ~~six-month~~
 5 *three-month* period in which they have not made or received any
 6 contributions or made any expenditures.

7 ~~(3)~~

8 (d) A judge who is not listed on the ballot for reelection to, or
 9 recall from, any elective office during a calendar year shall not
 10 file ~~semiannual~~ *quarterly* statements pursuant to this subdivision
 11 for any ~~six-month~~ *three-month* period in that year if both of the
 12 following apply:

13 ~~(A)~~

14 (1) The judge has not received any contributions.

15 ~~(B)~~

16 (2) The only expenditures made by the judge during the calendar
 17 year are contributions from the judge's personal funds to other
 18 candidates or committees totaling less than one thousand dollars
 19 (\$1,000).

20 ~~(b)~~

21 (e) All committees pursuant to subdivision (b) or (c) of Section
 22 82013 *controlled by the elected officers or candidates described*
 23 *in subdivision (a)* shall file *quarterly* campaign ~~statements each~~
 24 ~~year no later than July 31 for the period ending June 30, and no~~
 25 ~~later than January 31 for the period ending December 31,~~
 26 *statements pursuant to the schedule described in subdivision (a)*
 27 if they have made contributions or independent expenditures,
 28 including payments to a slate mailer organization, during the
 29 ~~six-month~~ *three-month* period before the closing date of the
 30 statements.

31 *SEC. 6. Section 84200.1 is added to the Government Code, to*
 32 *read:*

33 *84200.1. (a) (1) Except as provided in paragraph (2), during*
 34 *each even-numbered year, the following entities shall file a monthly*
 35 *statement no later than the 20th day after the conclusion of each*
 36 *calendar month for the period covering that calendar month:*

37 (A) A ballot measure committee.

38 (B) A slate mailer organization.

39 (C) A committee not controlled by a candidate, if the candidate
 40 *for whom the committee is primarily formed to support or oppose*

1 will appear on the ballot for the primary or general election held
2 in that even-numbered year.

3 (D) A political party committee.

4 (E) A candidate for statewide elective office and the candidate's
5 controlled committees, if the candidate for statewide elective office
6 will appear on the ballot for the primary or general election held
7 in that even-numbered year.

8 (2) An entity identified in paragraph (1) shall not be required
9 to file a monthly statement for the period covering any month that
10 is reported, in its entirety, in a postelection statement required
11 pursuant to Section 84202.8.

12 (b) During each odd-numbered year in which an election occurs,
13 the following entities shall file a monthly statement for the period
14 covering each month in which the entity has spent one thousand
15 dollars (\$1,000) or more to support or oppose a candidate or
16 ballot measure in that election:

17 (1) A ballot measure committee primarily formed to support or
18 oppose a ballot measure appearing on the ballot for the election.

19 (2) A slate mailer organization that produces a slate mailer
20 supporting or opposing candidates or ballot measures appearing
21 on the ballot for the election.

22 (3) A committee not controlled by a candidate, if the candidate
23 for whom the committee is primarily formed to support or oppose
24 will appear on the ballot for the election.

25 (4) A political party committee.

26 (5) A candidate for statewide elective office and the candidate's
27 controlled committees, if the candidate for statewide elective office
28 will appear on the ballot for the election.

29 SEC. 7. Section 84200.5 of the Government Code is repealed.

30 ~~84200.5. In addition to the campaign statements required by~~
31 ~~Section 84200, elected officers, candidates, and committees shall~~
32 ~~file preelection statements as follows:~~

33 ~~(a) During an even-numbered year, all candidates for elective~~
34 ~~state office being voted upon in the statewide direct primary~~
35 ~~election or the statewide general election, their controlled~~
36 ~~committees, and committees primarily formed to support or oppose~~
37 ~~an elected state officer or a state candidate being voted upon shall~~
38 ~~file the applicable preelection statements specified in Section~~
39 ~~84200.7 or 84200.8. All elected state officers who, during the~~
40 ~~applicable reporting periods covered by Section 84200.7 or~~

1 ~~84200.8, contribute to any committee required to report receipts,~~
2 ~~expenditures, or contributions pursuant to this title, or make an~~
3 ~~independent expenditure, shall file the applicable preelection~~
4 ~~statements specified in Section 84200.7 or 84200.8. However, a~~
5 ~~candidate for an office that is not being voted upon in the~~
6 ~~November election, his or her controlled committee, and any~~
7 ~~committee primarily formed to support or oppose that candidate~~
8 ~~is not required to file statements in connection with the November~~
9 ~~election pursuant to subdivision (b) of Section 84200.7 unless,~~
10 ~~during the reporting periods covered by Section 84200.7, the~~
11 ~~candidate, his or her controlled committee, or any committee~~
12 ~~primarily formed to support or oppose that candidate contributes~~
13 ~~to any committee required to report receipts, expenditures, or~~
14 ~~contributions pursuant to this title or makes independent~~
15 ~~expenditures.~~

16 ~~(b) During an even-numbered year, all candidates not specified~~
17 ~~in subdivision (a) who are running for offices being voted upon~~
18 ~~on the first Tuesday after the first Monday in June or November,~~
19 ~~their controlled committees, and committees primarily formed to~~
20 ~~support or oppose those candidates or a measure being voted upon~~
21 ~~on the first Tuesday after the first Monday in June or November~~
22 ~~of an even-numbered year shall file the preelection statements~~
23 ~~specified in subdivision (a) of Section 84200.7 in the case of a~~
24 ~~June election, or subdivision (b) of Section 84200.7 in the case of~~
25 ~~a November election.~~

26 ~~(c) All candidates for offices being voted upon on a date other~~
27 ~~than the first Tuesday after the first Monday in June or November~~
28 ~~of an even-numbered year, their controlled committees, and~~
29 ~~committees primarily formed to support or oppose a candidate or~~
30 ~~a measure being voted upon on a date other than the first Tuesday~~
31 ~~after the first Monday in June or November of an even-numbered~~
32 ~~year shall file the preelection statements specified in Section~~
33 ~~84200.8.~~

34 ~~(d) During an election period for the Board of Administration~~
35 ~~of the Public Employees' Retirement System or the Teachers'~~
36 ~~Retirement Board, all candidates for these boards, their controlled~~
37 ~~committees, and committees primarily formed to support or oppose~~
38 ~~the candidates shall file the preelection statements specified in~~
39 ~~Section 84200.9.~~

1 ~~(e) In an even-numbered year in which the statewide direct~~
2 ~~primary election is held on the first Tuesday after the first Monday~~
3 ~~in June, a state or county general purpose committee formed~~
4 ~~pursuant to subdivision (a) of Section 82013, other than a political~~
5 ~~party committee as defined in Section 85205, shall file the~~
6 ~~preelection statements specified in Section 84200.7 if it makes~~
7 ~~contributions or independent expenditures totaling five hundred~~
8 ~~dollars (\$500) or more during the period covered by the preelection~~
9 ~~statement. A state or county general purpose committee formed~~
10 ~~pursuant to subdivision (b) or (c) of Section 82013 is not required~~
11 ~~to file the statements specified in Section 84200.7.~~

12 ~~(f) During an even-numbered year in which the statewide direct~~
13 ~~primary election is held on a date other than the first Tuesday after~~
14 ~~the first Monday in June, a state or county general purpose~~
15 ~~committee formed pursuant to subdivision (a) of Section 82013,~~
16 ~~other than a political party committee as defined in Section 85205,~~
17 ~~shall file the preelection statements specified in Section 84200.8~~
18 ~~if it makes contributions or independent expenditures totaling five~~
19 ~~hundred dollars (\$500) or more during the period covered by the~~
20 ~~preelection statement. A state or county general purpose committee~~
21 ~~formed pursuant to subdivision (b) or (c) of Section 82013 is not~~
22 ~~required to file the statements specified in Section 84200.8.~~

23 ~~(g) During an election period for the Board of Administration~~
24 ~~of the Public Employees' Retirement System or the Teachers'~~
25 ~~Retirement Board, a state or county general purpose committee~~
26 ~~formed pursuant to subdivision (a) of Section 82013 shall file the~~
27 ~~preelection statements specified in Section 84200.9 if it makes~~
28 ~~contributions or independent expenditures totaling five hundred~~
29 ~~dollars (\$500) or more during the period covered by the preelection~~
30 ~~statement to support or oppose a candidate, or a committee~~
31 ~~primarily formed to support or oppose a candidate, on the ballot~~
32 ~~for the Board of Administration of the Public Employees'~~
33 ~~Retirement System or the Teachers' Retirement Board. A state or~~
34 ~~county general purpose committee formed pursuant to subdivision~~
35 ~~(b) or (c) of Section 82013 is not required to file the statements~~
36 ~~specified in Section 84200.9.~~

37 ~~(h) A political party committee as defined in Section 85205~~
38 ~~shall file the applicable preelection statements specified in Section~~
39 ~~84200.7 or 84200.8 in connection with a state election if the~~
40 ~~committee receives contributions totaling one thousand dollars~~

1 ~~(\$1,000) or more, or if it makes contributions or independent~~
2 ~~expenditures totaling five hundred dollars (\$500) or more, during~~
3 ~~the period covered by the preelection statement.~~

4 ~~(i) City general purpose committees shall file statements as~~
5 ~~follows:~~

6 ~~(1) City general purpose committees in a city that has an election~~
7 ~~on the first Tuesday after the first Monday in June or November~~
8 ~~of an even-numbered year shall file the statements specified in~~
9 ~~subdivision (a) or (b) of Section 84200.7 for the six-month period~~
10 ~~in which the city election is held, if they make contributions or~~
11 ~~independent expenditures totaling five hundred dollars (\$500) or~~
12 ~~more during the period covered by the preelection statement.~~

13 ~~(2) City general purpose committees in a city that has an election~~
14 ~~on a date other than the first Tuesday after the first Monday in~~
15 ~~June or November of an even-numbered year shall file the~~
16 ~~preelection statements specified in Section 84200.8 if they make~~
17 ~~contributions or independent expenditures totaling five hundred~~
18 ~~dollars (\$500) or more during the period covered by the preelection~~
19 ~~statement.~~

20 *SEC. 8. Section 84200.5 is added to the Government Code, to*
21 *read:*

22 *84200.5. In addition to the campaign statements required by*
23 *Sections 84200 and 84200.1, elected officers, candidates, and*
24 *committees shall file preelection statements as follows:*

25 *(a) Each of the following shall file a preelection statement no*
26 *later than 12 days before an election for the period ending 17 days*
27 *before the election:*

28 *(1) All candidates for elective office being voted upon at an*
29 *election, their controlled committees, and committees primarily*
30 *formed to support or oppose a candidate or a measure being voted*
31 *upon at the election.*

32 *(2) All elected state officers who, during the period covered by*
33 *the preelection statement, make a contribution to any committee.*

34 *(3) All candidates for an office that is not being voted upon at*
35 *the election, their controlled committees, and any committee*
36 *primarily formed to support or oppose those candidates, if, during*
37 *the reporting period covered by the preelection statement, the*
38 *candidate or committee makes an independent expenditure or*
39 *makes a contribution to a committee.*

1 (4) A state or county general purpose committee formed
2 pursuant to subdivision (a) or (b) of Section 82013, other than a
3 political party committee as defined in Section 85205, if it makes
4 contributions or independent expenditures totaling five hundred
5 dollars (\$500) or more during the period covered by the preelection
6 statement. A state or county general purpose committee formed
7 pursuant to subdivision (c) of Section 82013 is not required to file
8 a preelection statement.

9 (5) A political party committee as defined in Section 85205, if
10 the committee receives contributions totaling one thousand dollars
11 (\$1,000) or more, or if it makes contributions or independent
12 expenditures totaling five hundred dollars (\$500) or more, during
13 the period covered by the preelection statement.

14 (6) A city general purpose committee, if it makes contributions
15 or independent expenditures totaling five hundred dollars (\$500)
16 or more in connection with a city election during the period
17 covered by the preelection statement.

18 (b) During the election period for the Board of Administration
19 of the Public Employees' Retirement System or the Teachers'
20 Retirement Board, all candidates for election to these boards, their
21 controlled committees, and committees primarily formed to support
22 or oppose the candidates, shall file a preelection statement as
23 specified in Section 84200.9.

24 (c) Each preelection statement filed pursuant to subdivision (a)
25 shall be filed by guaranteed overnight delivery service, personal
26 delivery, or online or electronic transmission with each office with
27 which the candidate or committee is required to file its next
28 campaign statement pursuant to Section 84215.

29 SEC. 9. Section 84200.6 of the Government Code is amended
30 to read:

31 84200.6. In addition to the campaign statements required by
32 Sections 84200, 84200.1, and 84200.5, all candidates and
33 committees shall file the following special statements and reports:

34 ~~(a) Supplemental preelection statements when required by~~
35 ~~Section 84202.5.~~

36 ~~(b)~~

37 (a) Late contribution reports when required by Section 84203.

38 ~~(c)~~

39 (b) Independent expenditure reports when required by Section
40 84203.5.

1 ~~(d)~~
2 (c) Late independent expenditure reports when required by
3 Section 84204.

4 ~~SEC. 10. Section 84200.7 of the Government Code is repealed.~~

5 ~~84200.7. (a) Preelection statements for the June election period~~
6 ~~shall be filed as follows:~~

7 ~~(1) For the period ending March 17, a statement to be filed no~~
8 ~~later than March 22. However, for a special election called after~~
9 ~~March 17, or for which the period for filing nomination documents,~~
10 ~~as defined in Section 333 of the Elections Code, ends after March~~
11 ~~17, a preelection statement for the period ending 45 days before~~
12 ~~the election shall be filed no later than 40 days before the election.~~

13 ~~(2) For the period ending 17 days before the election, a statement~~
14 ~~to be filed no later than 12 days before the election. All candidates~~
15 ~~being voted upon in the June election, their controlled committees,~~
16 ~~and committees formed primarily to support or oppose a candidate~~
17 ~~or measure being voted upon in the June election shall file this~~
18 ~~statement by guaranteed overnight delivery service or by personal~~
19 ~~delivery.~~

20 ~~(b) Preelection statements for the November election period~~
21 ~~shall be filed as follows:~~

22 ~~(1) For the period ending September 30, a statement to be filed~~
23 ~~no later than October 5.~~

24 ~~(2) For the period ending 17 days before the election, a statement~~
25 ~~to be filed no later than 12 days before the election. All candidates~~
26 ~~being voted upon in the November election, their controlled~~
27 ~~committees, and committees formed primarily to support or oppose~~
28 ~~a candidate or measure being voted upon in the November election~~
29 ~~shall file this statement by guaranteed overnight delivery service~~
30 ~~or by personal delivery.~~

31 ~~SEC. 11. Section 84200.8 of the Government Code is repealed.~~

32 ~~84200.8. Preelection statements shall be filed under this section~~
33 ~~as follows:~~

34 ~~(a) For the period ending 45 days before the election, the~~
35 ~~statement shall be filed no later than 40 days before the election.~~

36 ~~(b) For the period ending 17 days before the election, the~~
37 ~~statement shall be filed no later than 12 days before the election.~~
38 ~~All candidates being voted upon in the election in connection with~~
39 ~~which the statement is filed, their controlled committees, and~~
40 ~~committees formed primarily to support or oppose a candidate or~~

1 measure being voted upon in that election shall file this statement
2 by guaranteed overnight delivery service or by personal delivery.

3 ~~(e) For runoff elections held within 60 days of the qualifying~~
4 ~~election, an additional preelection statement for the period ending~~
5 ~~17 days before the runoff election shall be filed no later than 12~~
6 ~~days before the election. All candidates being voted upon in the~~
7 ~~election in connection with which the statement is filed, their~~
8 ~~controlled committees, and committees formed primarily to support~~
9 ~~or oppose a candidate or measure being voted upon in that election~~
10 ~~shall file this statement by guaranteed overnight delivery service~~
11 ~~or personal delivery.~~

12 *SEC. 12. Section 84202.3 of the Government Code is amended*
13 *to read:*

14 84202.3. (a) In addition to the campaign statements required
15 by ~~Section 84200~~, *Section 84200.1*, committees pursuant to
16 subdivision (a) of Section 82013 that are primarily formed to
17 support or oppose the qualification, passage, or defeat of a measure
18 and proponents of a state ballot measure who control a committee
19 formed or existing primarily to support the qualification, passage,
20 or defeat of a state ballot measure, shall file campaign statements
21 on the following dates:

22 (1) No later than April 30 for the period January 1 through
23 March 31.

24 (2) No later than October 31 for the period July 1 through
25 September 30.

26 (b) This section shall not apply to a committee during any
27 ~~semiannual~~ period in which the committee is required to file
28 preelection statements pursuant to ~~subdivision (a), (b), or (c) of~~
29 ~~Section 84200.5.~~

30 (c) This section shall not apply to a committee following the
31 election at which the measure is voted upon unless the committee
32 makes contributions or expenditures to support or oppose the
33 qualification or passage of another ballot measure.

34 *SEC. 13. Section 84202.5 of the Government Code is repealed.*

35 ~~84202.5. (a) Any candidate or any committee pursuant to~~
36 ~~subdivision (a) of Section 82013 which makes contributions~~
37 ~~totaling ten thousand dollars (\$10,000) or more in connection with~~
38 ~~an election, including a runoff election, shall file a supplemental~~
39 ~~preelection statement no later than 12 days before the election, for~~
40 ~~the period ending 17 days before the election. This statement shall~~

1 be filed by guaranteed overnight delivery service or by personal
2 delivery with each office with which the candidate or committee
3 filing the statement is required to file its next campaign statement
4 pursuant to Section 84215.

5 (b) This section shall not apply to candidates or committees
6 during any semiannual period in which the candidate or committee
7 is required to file preelection statements pursuant to Section
8 84200.5.

9 (c) If a candidate or committee makes contributions totaling ten
10 thousand dollars (\$10,000) or more in connection with an election
11 and all of those contributions are reported pursuant to Section
12 84200 or 84202.7 on or before the closing date specified in
13 subdivision (a), the candidate or committee shall not be required
14 to file additional statements for that period pursuant to this section.

15 *SEC. 14. Section 84202.7 of the Government Code is repealed.*

16 84202.7. (a) Except as provided in subdivision (b), during an
17 odd-numbered year, any committee by virtue of Section 82013
18 that makes contributions totaling ten thousand dollars (\$10,000)
19 or more to elected state officers, their controlled committees, or
20 committees primarily formed to support or oppose any elected
21 state officer during a period specified below shall file campaign
22 statements on the following dates:

23 (1) No later than April 30 for the period of January 1 through
24 March 31.

25 (2) No later than October 31 for the period of July 1 through
26 September 30.

27 (b) If a committee makes contributions totaling ten thousand
28 dollars (\$10,000) or more to elected state officers, their controlled
29 committees, or committees primarily formed to support or oppose
30 any elected state officer during a period specified in subdivision
31 (a), and all of those contributions are reported pursuant to Section
32 84202.5 on or before the time specified in subdivision (a), the
33 committee shall not be required to file additional statements for
34 that period pursuant to this section.

35 *SEC. 15. Section 84202.8 is added to the Government Code,*
36 *to read:*

37 84202.8. *In addition to the campaign statements required by*
38 *Sections 84200, 84200.1, and 84200.5, elected officers, candidates,*
39 *and committees shall file a postelection campaign statement on*
40 *the 20th day of the month following the month in which the election*

1 occurred. The postelection campaign statement shall cover the
2 time period starting the day after the closing date of the last
3 campaign statement required to be filed prior to the election and
4 ending on the final calendar day of the month in which the election
5 occurred.

6 SEC. 16. Section 84202.9 is added to the Government Code,
7 to read:

8 84202.9. (a) During an even-numbered year, all candidates
9 for elective office to be voted upon in the statewide primary election
10 or statewide general election, their controlled committees,
11 committees formed primarily to support or oppose an elected state
12 officer or candidate for state elective office being voted upon at
13 the election, all committees formed primarily to support or oppose
14 a ballot measure to be voted upon at the statewide primary election
15 or statewide general election, and slate mailer organizations shall
16 file a cumulative campaign statement. The cumulative statement
17 shall be filed by January 31 of the year following the year of the
18 election shall and shall cover the time period starting January 1
19 of the odd-numbered year preceding the election and ending
20 December 31 of the year in which the election occurred.

21 (b) For purposes of special elections and elections in
22 odd-numbered years, all candidates, their controlled committees,
23 and committees primarily formed to support or oppose a candidate
24 or ballot measure shall be required to file cumulative campaign
25 statements on a date and for a time period determined by the
26 Commission by regulation.

27 SEC. 17. Section 84215 of the Government Code is amended
28 to read:

29 84215. All candidates and elected officers and their controlled
30 committees, except as provided in subdivisions (d) and (e), shall
31 file one copy of the campaign statements required by Section 84200
32 or 84200.1 with the elections official of the county in which the
33 candidate or elected official is domiciled, as defined in subdivision
34 (b) of Section 349 of the Elections Code. In addition, campaign
35 statements shall be filed at the following places:

36 (a) Statewide elected officers, including members of the State
37 Board of Equalization; Members of the Legislature; Supreme Court
38 justices, court of appeal justices, and superior court judges;
39 candidates for those offices and their controlled committees;
40 committees formed or existing primarily to support or oppose these

1 candidates, elected officers, justices and judges, or statewide
2 measures, or the qualification of state ballot measures; and all state
3 general purpose committees and filers not specified in subdivisions
4 (b) to (e), inclusive, shall file a campaign statement by online or
5 electronic means, as specified in Section 84605, and shall file the
6 original and one copy of the campaign statement in paper format
7 with the Secretary of State.

8 (b) Elected officers in jurisdictions other than legislative
9 districts, State Board of Equalization districts, or appellate court
10 districts that contain parts of two or more counties, candidates for
11 these offices, their controlled committees, and committees formed
12 or existing primarily to support or oppose candidates or local
13 measures to be voted upon in one of these jurisdictions shall file
14 the original and one copy with the elections official of the county
15 with the largest number of registered voters in the jurisdiction.

16 (c) County elected officers, candidates for these offices, their
17 controlled committees, committees formed or existing primarily
18 to support or oppose candidates or local measures to be voted upon
19 in any number of jurisdictions within one county, other than those
20 specified in subdivision (d), and county general purpose
21 committees shall file the original and one copy with the elections
22 official of the county.

23 (d) City elected officers, candidates for city office, their
24 controlled committees, committees formed or existing primarily
25 to support or oppose candidates or local measures to be voted upon
26 in one city, and city general purpose committees shall file the
27 original and one copy with the clerk of the city and are not required
28 to file with the local elections official of the county in which they
29 are domiciled.

30 (e) Elected members of the Board of Administration of the
31 Public Employees' Retirement System, elected members of the
32 Teachers' Retirement Board, candidates for these offices, their
33 controlled committees, and committees formed or existing
34 primarily to support or oppose these candidates or elected members
35 shall file the original and one copy with the Secretary of State, and
36 a copy shall be filed at the relevant board's office in Sacramento.
37 These elected officers, candidates, and committees need not file
38 with the elections official of the county in which they are
39 domiciled.

1 (f) Notwithstanding any other provision of this section, a
2 committee, candidate, or elected officer is not required to file more
3 than the original and one copy, or one copy, of a campaign
4 statement with any one county elections official or city clerk or
5 with the Secretary of State.

6 (g) If a committee is required to file campaign statements
7 required by Section ~~84200~~ 84200, 84200.1, or 84200.5 in places
8 designated in subdivisions (a) to (d), inclusive, it shall continue to
9 file these statements in those places, in addition to any other places
10 required by this title, until the end of the calendar year.

11 *SEC. 18. Section 84218 of the Government Code is amended*
12 *to read:*

13 84218. (a) A slate mailer organization shall file ~~semiannual~~
14 ~~campaign statements no later than July 31 for the period ending~~
15 ~~June 30, and no later than January 31 for the period ending~~
16 ~~December 31~~ *monthly campaign statements, as specified in Section*
17 *84200.1. A slate mailer organization shall also file quarterly*
18 *statements in an odd-numbered year, at the same time and covering*
19 *the same periods identified in subdivision (a) of Section 84200.*

20 (b) ~~In addition to the semiannual statements required by~~
21 ~~subdivision (a), slate mailer organizations shall file preelection~~
22 ~~statements as follows:~~

23 (1) ~~Any slate mailer organization which produces a slate mailer~~
24 ~~supporting or opposing candidates or measures being voted on in~~
25 ~~an election held upon the first Tuesday after the first Monday in~~
26 ~~June or November of an even-numbered year shall file the~~
27 ~~statements specified in Section 84200.7 if, during the period~~
28 ~~covered by the preelection statement, the slate mailer organization~~
29 ~~receives payments totaling five hundred dollars (\$500) or more~~
30 ~~from any person for the support of or opposition to candidates or~~
31 ~~ballot measures in one or more slate mailers, or expends five~~
32 ~~hundred dollars (\$500) or more to produce one or more slate~~
33 ~~mailers:~~

34 (2) ~~Any slate mailer organization which produces a slate mailer~~
35 ~~supporting or opposing candidates or measures being voted on in~~
36 ~~an election held on a date other than the first Tuesday after the~~
37 ~~first Monday in June or November of an even-numbered year shall~~
38 ~~file the statements specified in Section 84200.8 if, during the period~~
39 ~~covered by the preelection statement, the slate mailer organization~~
40 ~~receives payments totaling five hundred dollars (\$500) or more~~

1 ~~from any person for the support of or opposition to candidates or~~
2 ~~ballot measures in one or more slate mailers, or expends five~~
3 ~~hundred dollars (\$500) or more to produce one or more slate~~
4 ~~mailers.~~

5 (e)

6 (b) A slate mailer organization shall file two copies of its
7 campaign reports with the clerk of the county in which it is
8 domiciled. *The campaign report shall be filed by online*
9 *transmission if the clerk of the county authorizes filing by online*
10 *transmission.* A slate mailer organization is domiciled at the
11 address listed on its statement of organization unless it is domiciled
12 outside California, in which case its domicile shall be deemed to
13 be Los Angeles County for purposes of this section.

14 In addition, slate mailer organizations shall file campaign reports
15 as follows:

16 (1) A slate mailer organization which produces one or more
17 slate mailers supporting or opposing candidates or measures voted
18 on in a state election, or in more than one county, shall file
19 campaign reports in the same manner as state general purpose
20 committees pursuant to subdivision (a) of Section 84215.

21 (2) A slate mailer organization which produces one or more
22 slate mailers supporting or opposing candidates or measures voted
23 on in only one county, or in more than one jurisdiction within one
24 county, shall file campaign reports in the same manner as county
25 general purpose committees pursuant to subdivision (c) of Section
26 84215.

27 (3) A slate mailer organization which produces one or more
28 slate mailers supporting or opposing candidates or measures voted
29 on in only one city shall file campaign reports in the same manner
30 as city general purpose committees pursuant to subdivision (d) of
31 Section 84215.

32 (4) Notwithstanding the above, no slate mailer organization
33 shall be required to file more than the original and one copy, or
34 two copies, of a campaign report with any one county or city clerk
35 or with the Secretary of State.

36 *SEC. 19. Section 84252 of the Government Code is amended*
37 *to read:*

38 84252. (a) A committee primarily formed to support or oppose
39 a LAFCO proposal shall file all statements required under this
40 chapter except that, in lieu of the statements required by Sections

1 84200, 84200.1, and 84202.3, the committee shall file monthly
 2 campaign statements from the time circulation of a petition begins
 3 until a measure is placed on the ballot or, if a measure is not placed
 4 on the ballot, until the committee is terminated pursuant to Section
 5 84214. The committee shall file an original and one copy of each
 6 statement on the 15th day of each calendar month, covering the
 7 prior calendar month, with the clerk of the county in which the
 8 measure may be voted on. If the petition results in a measure that
 9 is placed on the ballot, the committee thereafter shall file campaign
 10 statements required by this chapter.

11 (b) In addition to any other statements required by this chapter,
 12 a committee that makes independent expenditures in connection
 13 with a LAFCO proposal shall file statements pursuant to Section
 14 84203.5.

15 *SEC. 20. Section 84305.5 of the Government Code is amended*
 16 *to read:*

17 84305.5. (a) No slate mailer organization or committee
 18 primarily formed to support or oppose one or more ballot measures
 19 shall send a slate mailer unless:

20 (1) The name, street address, and city of the slate mailer
 21 organization or committee primarily formed to support or oppose
 22 one or more ballot measures are shown on the outside of each piece
 23 of slate mail and on at least one of the inserts included with each
 24 piece of slate mail in no less than 8-point roman type which shall
 25 be in a color or print which contrasts with the background so as
 26 to be easily legible. A post office box may be stated in lieu of a
 27 street address if the street address of the slate mailer organization
 28 or the committee primarily formed to support or oppose one or
 29 more ballot measure is a matter of public record with the Secretary
 30 of State’s Political Reform Division.

31 (2) At the top or bottom of the front side or surface of at least
 32 one insert or at the top or bottom of one side or surface of a
 33 postcard or other self-mailer, there is a notice in at least 8-point
 34 roman boldface type, which shall be in a color or print which
 35 contrasts with the background so as to be easily legible, and in a
 36 printed or drawn box and set apart from any other printed matter.
 37 The notice shall consist of the following statement:

38
 39 | NOTICE TO VOTERS |
 40

1
2 THIS DOCUMENT WAS PREPARED BY (name of slate mailer
3 organization or committee primarily formed to support or oppose one or
4 more ballot measures), NOT AN OFFICIAL POLITICAL PARTY
5 ORGANIZATION. Appearance in this mailer does not necessarily imply
6 endorsement of others appearing in this mailer, nor does it imply
7 endorsement of, or opposition to, any issues set forth in this mailer.
8 ~~Appearance is Each item designated by an * has been paid for and~~
9 ~~authorized by each the candidate and or ballot measure which is designated~~
10 ~~by an * indicated. Each item designated by an @ has been paid for by a~~
11 ~~person other than the candidate or ballot measure.~~

12
13
14 (3) The name, street address, ~~and~~ city, *and Internet Web site*
15 *address, if any,* of the slate mailer organization or committee
16 primarily formed to support or oppose one or more ballot measures
17 as required by paragraph (1) and the notice required by paragraph
18 (2) may appear on the same side or surface of an insert.

19 (4) Each candidate and each ballot measure that has paid to
20 appear in the slate mailer is designated by an *. *Each candidate*
21 *and ballot measure whose appearance has been paid for by a third*
22 *party is designated by an @.* Any candidate or ballot measure that
23 has not paid to appear in the slate mailer, *and whose appearance*
24 *has not been paid for by a third party,* is not designated by an *
25 *or @.*

26 The * *and @* required by this subdivision shall be of the same
27 type size, type style, color or contrast, and legibility as is used for
28 the name of the candidate or the ballot measure name or number
29 and position advocated to which the * *or @* designation applies
30 except that in no case shall the * *and @* be required to be larger
31 than 10-point boldface type. The designation shall immediately
32 follow the name of the candidate, or the name or number and
33 position advocated on the ballot measure where the designation
34 appears in the slate of candidates and measures. If there is no slate
35 listing, the designation shall appear at least once in at least 8-point
36 boldface type, immediately following the name of the candidate,
37 or the name or number and position advocated on the ballot
38 measure.

39 (5) The name of any candidate appearing in the slate mailer
40 who is a member of a political party differing from the political

1 party which the mailer appears by representation or indicia to
2 represent is accompanied, immediately below the name, by the
3 party designation of the candidate, in no less than 9-point roman
4 type which shall be in a color or print that contrasts with the
5 background so as to be easily legible. The designation shall not
6 be required in the case of candidates for nonpartisan office.

7 *(6) If a slate mailer is produced entirely in a language other*
8 *than English, the notice to voters required pursuant to paragraph*
9 *(2) shall produced in that language. If a substantial portion of a*
10 *slate mailer, as determined by the Commission by regulation, is*
11 *in a language other than English, the notice to voters required*
12 *pursuant to paragraph (2) shall be produced in both English and*
13 *the other language.*

14 (b) For purposes of the designations required by paragraph (4)
15 of subdivision (a), the payment of any sum made reportable by
16 subdivision (c) of Section 84219 by or at the behest of a candidate
17 or committee, whose name or position appears in the mailer, to
18 the slate mailer organization or committee primarily formed to
19 support or oppose one or more ballot measures, shall constitute a
20 payment to appear, requiring the * designation. The payment shall
21 also be deemed to constitute authorization to appear in the mailer.

22 *SEC. 21. Section 84310 of the Government Code is amended*
23 *to read:*

24 84310. (a) A candidate, committee, or slate mailer organization
25 may not expend campaign funds, directly or indirectly, to pay for
26 telephone calls that are similar in nature and aggregate 500 or more
27 in number, made by an individual, or individuals, or by electronic
28 means and that advocate support of, or opposition to, a candidate,
29 ballot measure, or both, unless during the course of each call the
30 name of the organization that authorized or paid for the call is
31 disclosed to the recipient of the call. Unless the organization that
32 authorized the call and in whose name it is placed has filing
33 obligations under this title, and the name announced in the call
34 either is the full name by which the organization or individual is
35 identified in any statement or report required to be filed under this
36 title or is the name by which the organization or individual is
37 commonly known, the candidate, committee, or slate mailer
38 organization that paid for the call shall be disclosed. This section
39 shall not apply to telephone calls made by the candidate, the
40 campaign manager, or individuals who are volunteers.

1 (b) Campaign and ballot measure committees are prohibited
2 from contracting with any phone bank vendor that does not disclose
3 the information required to be disclosed by subdivision (a).

4 (c) A candidate, committee, or slate mailer organization that
5 pays for telephone calls as described in subdivision (a) shall
6 maintain a record of the script of the call for the period of time set
7 forth in Section 84104. If any of the calls qualifying under
8 subdivision (a) were recorded messages, a copy of the recording
9 shall be maintained for that period.

10 (d) *In addition to any requirements imposed by the Public*
11 *Utilities Commission, the Commission may regulate the use of*
12 *automatic dialing-announcing devices used to place telephone*
13 *calls to disseminate prerecorded messages that advocate support*
14 *of, or opposition to, a candidate, a ballot measure, or both.*

15 *SEC. 22. Section 84503 of the Government Code is amended*
16 *to read:*

17 84503. (a) Any advertisement for or against any ballot measure
18 shall include a disclosure statement identifying any person whose
19 cumulative contributions are fifty thousand dollars (\$50,000) or
20 more.

21 (b) If there are more than ~~two~~ *four* donors of fifty thousand
22 dollars (\$50,000) or more, the committee is only required to
23 disclose the ~~highest and second highest in that order~~ *four highest*
24 *donors in descending order, beginning with the donor who has*
25 *made the largest cumulative contributions.* In the event that more
26 than ~~two~~ *four* donors meet this disclosure threshold at identical
27 contribution levels, the ~~four highest and second highest~~ *four highest*
28 donors shall be selected according to chronological sequence.

29 *SEC. 23. Section 84503.5 is added to the Government Code,*
30 *to read:*

31 84503.5. (a) *A television or video broadcast advertisement*
32 *that supports or opposes a candidate or ballot measure or solicits*
33 *contributions in support of that purpose shall, if the advertisement*
34 *is authorized by a candidate or an agent of the candidate, include*
35 *a statement in which the candidate identifies himself or herself*
36 *and states that the candidate has approved the message. The*
37 *candidate statement shall be made using an unobscured, full-screen*
38 *video of the candidate making the statement, or by using an*
39 *unobscured, full-screen, and clearly identifiable photographic*

1 *image of the candidate that is displayed during an audio voiceover*
2 *of the candidate reading the statement.*

3 *(b) An audio broadcast advertisement that supports or opposes*
4 *a candidate or ballot measure or solicits contributions in support*
5 *of that purpose shall, if the advertisement is authorized by a*
6 *candidate or an agent of the candidate, include an audio statement*
7 *in which the candidate identifies himself or herself and states that*
8 *the candidate has approved the message.*

9 *SEC. 24. Section 84504 of the Government Code is amended*
10 *to read:*

11 84504. (a) (1) Any committee that supports or opposes one
12 or more ballot measures shall name and identify itself using ~~a name~~
13 ~~or phrase that clearly identifies the economic or other special~~
14 ~~interest~~ *the names* of its major donors of fifty thousand dollars
15 (\$50,000) or more in any reference to the committee required by
16 law, including, but not limited, to its statement of organization
17 filed pursuant to Section 84101.

18 (2) *Any committee that is required to include the names of its*
19 *major donors of fifty thousand dollars (\$50,000) or more in the*
20 *name of the committee shall identify the top donors, not to exceed*
21 *the four largest donors, in descending order starting with the donor*
22 *who has made the largest cumulative contribution to the committee.*
23 *The identification of major donors of fifty thousand dollars*
24 *(\$50,000) or more shall precede the identification of, or reference*
25 *to, any other persons who support or oppose the ballot measure.*

26 (b) If the major donors of fifty thousand dollars (\$50,000) or
27 more share a common employer, the identity of the employer shall
28 also be disclosed.

29 (c) Any committee which supports or opposes a ballot measure,
30 shall print or broadcast its name as provided in this section as part
31 of any advertisement or other paid public statement.

32 (d) If candidates or their controlled committees, as a group or
33 individually, meet the contribution thresholds for a person, they
34 shall be identified by the controlling candidate's name.

35 *SEC. 25. Section 84506 of the Government Code is amended*
36 *to read:*

37 84506. (a) An advertisement supporting or opposing a
38 candidate or ballot measure, that is paid for by an independent
39 expenditure, shall include a disclosure statement that identifies
40 both of the following:

1 (1) The name of the committee making the independent
2 expenditure.

3 (2) The names of the persons from whom the committee making
4 the independent expenditure has received its ~~two~~ *four* highest
5 cumulative contributions of fifty thousand dollars (\$50,000) or
6 more during the 12-month period prior to the expenditure. If the
7 committee can show, on the basis that contributions are spent in
8 the order they are received, that contributions received from the
9 ~~two~~ *four* highest contributors have been used for expenditures
10 unrelated to the candidate or ballot measure featured in the
11 communication, the committee shall disclose the contributors
12 making the next largest cumulative contributions of fifty thousand
13 dollars (\$50,000) or more.

14 (b) If an acronym is used to identify any committee names
15 required by this section, the names of any sponsoring organization
16 of the committee shall be printed on print advertisements or spoken
17 in broadcast advertisements.

18 *SEC. 26. Section 84506.5 of the Government Code is amended*
19 *to read:*

20 84506.5. An advertisement supporting or opposing a candidate
21 that is paid for by an independent expenditure must include a
22 statement that it was *an independent expenditure* not authorized
23 by a candidate or a committee controlled by a candidate.

24 *SEC. 27. Section 84508 of the Government Code is amended*
25 *to read:*

26 84508. If disclosure of ~~two~~ *four* major donors is required by
27 Sections 84503 and 84506, the committee shall be required to
28 disclose, in addition to the committee name, only its highest major
29 contributor in any advertisement which is *either of the following*:

- 30 (a) An electronic broadcast of 15 seconds or less, ~~or~~.
31 (b) A newspaper, magazine, or other public print media
32 advertisement which is 20 square inches or less.

33 *SEC. 28. Section 84509 of the Government Code is amended*
34 *to read:*

35 84509. (a) When a committee files an amended campaign
36 statement pursuant to Section 81004.5, the committee shall change
37 its advertisements to reflect the changed disclosure information.

38 (b) *If an amended campaign statement must be filed to reflect*
39 *a change in the name of the committee to identify a new major*

1 donor of fifty thousand dollars (\$50,000) or more, then the
2 disclosure on advertisements shall be amended as follows:

3 (1) A television, radio, or other electronic media advertisement
4 shall be amended to reflect the new committee name within three
5 calendar days.

6 (2) A print media advertisements, including billboards, shall
7 be updated to reflect the new committee name prior to placing a
8 new or modified order for additional printing of the advertisement.

9 SEC. 29. Section 84510 of the Government Code is amended
10 to read:

11 84510. (a) In addition to the remedies provided for in Chapter
12 11 (commencing with Section 91000) of this title, any person who
13 violates this article is liable in a civil or administrative action
14 brought by the commission or any person for a fine up to ~~three~~ six
15 times the cost of the advertisement, including placement costs.

16 (b) The remedies provided in subdivision (a) shall also apply
17 to any person who purposely causes any other person to violate
18 any provision of this article or who aids and abets any other person
19 in a violation.

20 (c) If a judgment is entered against the defendant or defendants
21 in an action brought under this section, the plaintiff shall receive
22 50 percent of the amount recovered. The remaining 50 percent
23 shall be deposited in the General Fund of the state. In an action
24 brought by a local civil prosecutor, 50 percent shall be deposited
25 in the account of the agency bringing the action and 50 percent
26 shall be paid to the General Fund of the state.

27 SEC. 30. Section 85701 of the Government Code is amended
28 to read:

29 85701. Any candidate or committee that receives a contribution
30 in violation of Section 84301 shall pay to the General Fund of the
31 state the amount of the contribution *and pay to the Political*
32 *Disclosure, Accountability, Transparency, and Access Fund a fine*
33 *in the amount of 15 percent of the contribution.*

34 SEC. 31. Section 85704 of the Government Code is amended
35 to read:

36 85704. A person may not make any contribution to a committee
37 on the condition or with the agreement that it will be contributed
38 to any particular candidate *or ballot measure committee* unless the
39 contribution is fully disclosed pursuant to Section 84302. *A person*
40 *who makes a contribution to a committee that violates this section*

1 shall pay to the General Fund of the state the amount of the
2 contribution and pay to the Political Disclosure, Accountability,
3 Transparency, and Access Fund a fine in the amount of 15 percent
4 of the contribution.

5 SEC. 32. Section 90002 of the Government Code is amended
6 to read:

7 90002. (a) Audits and investigations of lobbying firms and
8 lobbyist employers shall be performed on a biennial basis and shall
9 cover reports filed during a period of two years.

10 (b) If a lobbying firm or lobbyist employer keeps a separate
11 account for all receipts and payments for which reporting is
12 required by this chapter, the requirement of an audit under
13 subdivision (a) of Section 90001 shall be satisfied by an audit of
14 that account and the supporting documentation required to be
15 maintained by Section 86110.

16 (c) No audit or investigation of any candidate, controlled
17 committee, or committee primarily supporting or opposing a
18 candidate or a measure in connection with a report or statement
19 required by Chapter 4 of this title, shall begin until after the last
20 date for filing the first report or statement following the general,
21 runoff or special election for the office for which the candidate
22 ran, or following the election at which the measure was adopted
23 or defeated, except that audits and investigations of statewide
24 candidates, their controlled committees, and committees primarily
25 supporting or opposing those statewide candidates who were
26 defeated in the primary election and who are not required to file
27 statements for the general election may begin after the last date
28 for filing the first report or statement following the primary
29 election. When the campaign statements or reports of a candidate,
30 controlled committee, or a committee primarily supporting or
31 opposing a candidate are audited and investigated pursuant to
32 Section 90001, the audit and investigation shall cover all campaign
33 statements and reports filed for the primary and general or special
34 or runoff elections and any previous campaign statement or report
35 filed pursuant to Section 84200, 84200.1, or 84200.5 since the last
36 election for that office, but shall exclude any statements or reports
37 which have previously been audited pursuant to Section 90001 or
38 90003. When the campaign statements or reports of a committee
39 primarily supporting or opposing a measure are audited and
40 investigated, the audit and investigation shall cover all campaign

1 statements and reports from the beginning date of the first
2 campaign statement filed by the committee in connection with the
3 measure. For all other committees, the audit and investigation shall
4 cover all campaign statements filed during the previous two
5 calendar years.

6 *SEC. 33. Section 90003 of the Government Code is amended*
7 *to read:*

8 90003. (a) In addition to the audits and investigations required
9 by Section 90001, the Franchise Tax Board and the ~~commission~~
10 *Commission* may make investigations and audits with respect to
11 any reports or statements required by Chapter 4 (commencing with
12 Section 84100), Chapter 5 (commencing with Section 85100), or
13 Chapter 6 (commencing with Section 86100).

14 (b) (1) *Nothing in this chapter shall be construed to prohibit*
15 *the Commission from undertaking any audit authorized by this*
16 *section prior to the date of the election or prior to the date upon*
17 *which the report or statement is required to be filed. A candidate*
18 *or committee shall, during the audit, make all relevant records*
19 *available for immediate review by the Commission.*

20 (2) *A person who is subject to an audit authorized by this section*
21 *may contest the performance of the audit or an order issued by*
22 *the Commission as a result of an audit by seeking a writ of*
23 *mandate. Venue for the proceeding shall be exclusively in the*
24 *County of Sacramento. The action shall be given priority over all*
25 *other civil matters.*

26 (3) *In addition to any other remedies available to the*
27 *Commission, including injunctive relief pursuant to Section 91003,*
28 *the Commission may seek an injunction pursuant to Title 7*
29 *(commencing with Section 501) of Part 2 of the Code of Civil*
30 *Procedure to compel a person who is subject to an audit authorized*
31 *by this section to cooperate with the Commission in the*
32 *performance of the audit or to compel compliance with an order*
33 *of the Commission resulting from the audit. Notwithstanding any*
34 *other law, an appeal of an injunction issued in favor of the*
35 *Commission shall not result in a mandatory stay pending the*
36 *resolution of the appeal. A stay of an injunction pending resolution*
37 *of the appeal may be ordered at the discretion of the court issuing*
38 *the injunction.*

39 *SEC. 34. Section 91013 of the Government Code is amended*
40 *to read:*

1 91013. (a) If ~~any~~ a person files an original statement or report
2 after ~~any~~ *the applicable* deadline imposed by this ~~act~~ *title*, he or
3 she shall, in addition to any other penalties or remedies established
4 by this ~~act~~, *title*, be liable in the amount of ~~ten~~ *thirty* dollars ~~(\$10)~~
5 *(\$30)* per day after the deadline until the statement or report is
6 filed, to the officer with whom the statement or report is required
7 to be filed. Liability need not be enforced by the filing officer if,
8 on an impartial basis, he or she determines that the late filing was
9 not willful and that enforcement of the liability will not further the
10 purposes of ~~the act~~, *this title*, except that no liability shall be waived
11 if a statement or report is not filed within 30 days for a statement
12 of economic interest, other than a candidate's statement filed
13 pursuant to Section 87201, five days for a campaign statement
14 required to be filed 12 days before an election, and 10 days for all
15 other statements or reports, after the filing officer has sent specific
16 written notice of the filing requirement.

17 (b) If ~~any~~ a person files a copy of a statement or report after
18 ~~any~~ *the applicable* deadline imposed by this ~~act~~ *title*, he or she
19 shall, in addition to any other penalties or remedies established by
20 this ~~chapter~~, *title*, be liable in the amount of ~~ten~~ *thirty* dollars ~~(\$10)~~
21 *(\$30)* per day, starting 10 days, or five days in the case of a
22 campaign statement required to be filed 12 days before an election,
23 after the *filing* officer has sent specific written notice of the filing
24 requirement and until the statement *or report* is filed.

25 (c) The *filing* officer shall deposit any funds received under this
26 section into the general fund of the jurisdiction of which he or she
27 is an officer. No liability under this section shall exceed *150*
28 *percent of* the cumulative amount stated in the late statement or
29 report, or one ~~hundred dollars (\$100)~~, *thousand dollars (\$1,000)*,
30 whichever is greater.

31 *SEC. 35. Section 2872 of the Public Utilities Code is amended*
32 *to read:*

33 2872. (a) The connection of automatic dialing-announcing
34 devices to a telephone line is subject to this article and to the
35 jurisdiction, control, and regulation of the commission *and, if the*
36 *automatic dialing-announcing device is used to disseminate*
37 *prerecorded messages that advocate support of, or opposition to,*
38 *a candidate, a ballot measure, or both, to the jurisdiction, control,*
39 *and regulation of the Fair Political Practices Commission.*

1 (b) No person shall operate an automatic dialing-announcing
2 device except in accordance with this article. The use of such a
3 device by any person, either individually or acting as an officer,
4 agent, or employee of a person or corporation operating automatic
5 dialing-announcing devices, is subject to this article.

6 (c) No person shall operate an automatic dialing-announcing
7 device in this state to place a call that is received by a telephone
8 in this state during the hours between 9 p.m. and 9 a.m. California
9 time.

10 (d) This article does not prohibit the use of an automatic
11 dialing-announcing device by any person exclusively on behalf of
12 any of the following:

13 (1) A school for purposes of contacting parents or guardians of
14 pupils regarding attendance.

15 (2) An exempt organization under the Bank and Corporation
16 Tax Law (Part 11 (commencing with Section 23001) of Division
17 2 of the Revenue and Taxation Code) for purposes of contacting
18 its members.

19 (3) A privately owned or publicly owned cable television system
20 for purposes of contacting customers or subscribers regarding the
21 previously arranged installation of facilities on the premises of the
22 customer or subscriber.

23 (4) A privately owned or publicly owned public utility for
24 purposes of contacting customers or subscribers regarding the
25 previously arranged installation of facilities on the premises of the
26 customer or subscriber or for purposes of contacting employees
27 for emergency actions or repairs required for public safety or to
28 restore services.

29 (5) A petroleum refinery, chemical processing plant, or nuclear
30 powerplant for purposes of advising residents, public service
31 agencies, and the news media in its vicinity of an actual or potential
32 life-threatening emergency.

33 (e) This article does not prohibit law enforcement agencies, fire
34 protection agencies, public health agencies, public environmental
35 health agencies, city or county emergency services planning
36 agencies, or any private for-profit agency operating under contract
37 with, and at the direction of, one or more of these agencies, from
38 placing calls through automatic dialing-announcing devices, if
39 those devices are used for any of the following purposes:

40 (1) Providing public service information relating to public safety.

1 (2) Providing information concerning police or fire emergencies.

2 (3) Providing warnings of impending or threatened emergencies.

3 These calls shall not be subject to Section 2874.

4 (f) This article does not apply to any automatic
5 dialing-announcing device that is not used to randomly or
6 sequentially dial telephone numbers but that is used solely to
7 transmit a message to an established business associate, customer,
8 or other person having an established relationship with the person
9 using the automatic dialing-announcing device to transmit the
10 message, or to any call generated at the request of the recipient.

11 (g) The commission may determine any question of fact arising
12 under this section.

13 *SEC. 36. No reimbursement is required by this act pursuant*
14 *to Section 6 of Article XIII B of the California Constitution because*
15 *the only costs that may be incurred by a local agency or school*
16 *district will be incurred because this act creates a new crime or*
17 *infraction, eliminates a crime or infraction, or changes the penalty*
18 *for a crime or infraction, within the meaning of Section 17556 of*
19 *the Government Code, or changes the definition of a crime within*
20 *the meaning of Section 6 of Article XIII B of the California*
21 *Constitution.*

22 *SEC. 37. The Legislature finds and declares that this bill*
23 *furtheres the purposes of the Political Reform Act of 1974 within*
24 *the meaning of subdivision (a) of Section 81012 of the Government*
25 *Code.*

26 ~~SECTION 1. It is the intent of the Legislature to enact~~
27 ~~legislation that would strengthen the Political Reform Act of 1974~~
28 ~~and the campaign disclosure requirements within that act to~~
29 ~~increase penalties for failing to properly disclose campaign~~
30 ~~contributions, tighten the disclosure requirements on mass mailings~~
31 ~~and campaign messages presented through television, and other~~
32 ~~forms of media, and close the loophole associated with campaign~~
33 ~~contributions from multipurpose groups and nonprofit~~
34 ~~organizations.~~