



STATE CAPITOL
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Assembly
California Legislature
Committee on Rules
RICHARD S. GORDON
CHAIR

Monday, March 10, 2014
11:20 AM
State Capitol, Room 3162

CONSENT AGENDA

VICE CHAIR
SCOTT WILK
MEMBERS
CHERYL R. BROWN
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KEN COOLEY (D-ALT.)

Bill Referrals

1. Consent Bill Referrals

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REFERRAL OF BILLS TO COMMITTEE

03/10/2014

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.	Committee:
AB 1673	E. & R.
AB 1834	P.E.,R. & S.S.
AB 2200	A. & A.R.
AB 2214	B.,P. & C.P.
AB 2302	ED.
AB 2303	ED.
AB 2305	PUB. S.
AB 2308	PUB. S.
AB 2309	PUB. S.
AB 2310	JUD.
AB 2311	HUM. S.
AB 2312	B.,P. & C.P.
AB 2314	PUB. S.
AB 2317	JUD.
AB 2318	PUB. S.
AB 2320	E. & R.
AB 2321	TRANS.
AB 2324	HIGHER ED.
AB 2325	HEALTH
AB 2325	P.E.,R. & S.S.
AB 2326	REV. & TAX.
AB 2328	A. & A.R.
AB 2329	REV. & TAX.
AB 2330	REV. & TAX.
AB 2331	JUD.
AB 2332	JUD.
AB 2337	TRANS.
AB 2339	PUB. S.
AB 2342	INS.
AB 2344	JUD.
AB 2345	HUM. S.
AB 2346	B.,P. & C.P.
AB 2347	INS.
AB 2348	NAT. RES.
AB 2350	HIGHER ED.
AB 2351	E. & R.
AB 2352	HIGHER ED.
AB 2354	HUM. S.

<u>AB 2355</u>	L. GOV.
<u>AB 2356</u>	PUB. S.
<u>AB 2357</u>	PUB. S.
<u>AB 2358</u>	REV. & TAX.
<u>AB 2359</u>	HUM. S.
<u>AB 2361</u>	E.S. & T.M.
<u>AB 2361</u>	JUD.
<u>AB 2362</u>	INS.
<u>AB 2363</u>	NAT. RES.
<u>AB 2364</u>	W.,P. & W.
<u>AB 2365</u>	JUD.
<u>AB 2367</u>	REV. & TAX.
<u>AB 2369</u>	E. & R.
<u>AB 2373</u>	L. GOV.
<u>AB 2373</u>	PUB. S.
<u>AB 2374</u>	HEALTH
<u>AB 2375</u>	HEALTH
<u>AB 2376</u>	B.,P. & C.P.
<u>AB 2377</u>	HIGHER ED.
<u>AB 2378</u>	INS.
<u>AB 2379</u>	HUM. S.
<u>AB 2379</u>	JUD.
<u>AB 2381</u>	L. GOV.
<u>AB 2382</u>	HUM. S.
<u>AB 2384</u>	ED.
<u>AB 2385</u>	ED.
<u>AB 2386</u>	HUM. S.
<u>AB 2387</u>	P.E.,R. & S.S.
<u>AB 2389</u>	TRANS.
<u>AB 2390</u>	NAT. RES.
<u>AB 2391</u>	HUM. S.
<u>AB 2391</u>	JUD.
<u>AB 2392</u>	NAT. RES.
<u>AB 2393</u>	TRANS.
<u>AB 2394</u>	E. & R.
<u>AB 2397</u>	PUB. S.
<u>AB 2398</u>	TRANS.
<u>AB 2399</u>	JUD.
<u>AB 2400</u>	HEALTH
<u>AB 2401</u>	INS.
<u>AB 2402</u>	AGRI.
<u>AB 2403</u>	L. GOV.

<u>AB 2405</u>	L. GOV.
<u>AB 2405</u>	JUD.
<u>AB 2406</u>	HEALTH
<u>AB 2408</u>	ED.
<u>AB 2409</u>	W.,P. & W.
<u>AB 2410</u>	INS.
<u>AB 2412</u>	L. GOV.
<u>AB 2413</u>	AGRI.
<u>AB 2415</u>	NAT. RES.
<u>AB 2415</u>	TRANS.
<u>AB 2418</u>	HEALTH
<u>AB 2419</u>	P.E.,R. & S.S.
<u>AB 2420</u>	L. GOV.
<u>AB 2420</u>	NAT. RES.
<u>AB 2424</u>	PUB. S.
<u>AB 2425</u>	HEALTH
<u>AB 2427</u>	REV. & TAX.
<u>AB 2428</u>	REV. & TAX.
<u>AB 2429</u>	REV. & TAX.
<u>AB 2433</u>	HEALTH
<u>AB 2434</u>	REV. & TAX.
<u>AB 2435</u>	HUM. S.
<u>AB 2437</u>	ED.
<u>AB 2439</u>	E. & R.
<u>AB 2440</u>	ED.
<u>AB 2441</u>	G.O.
<u>AB 2442</u>	JUD.
<u>AB 2445</u>	HIGHER ED.
<u>AB 2447</u>	L. GOV.
<u>AB 2449</u>	ED.
<u>AB 2451</u>	L. GOV.
<u>AB 2455</u>	L. GOV.
<u>AB 2456</u>	HEALTH
<u>AB 2707</u>	TRANS.
<u>ACR 112</u>	RLS.
<u>ACR 113</u>	RLS.
<u>ACR 114</u>	RLS.
<u>ACR 115</u>	RLS.
<u>ACR 116</u>	RLS.
<u>ACR 117</u>	TRANS.
<u>HR 34</u>	RLS.



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Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 3/7/14
Re: Consent Bill Referrals

Since you received the preliminary the referrals for AB 2415 and AB 2361 have changed. AB 1673 has been added, substantive amendments are attached.



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AMENDMENTS TO ASSEMBLY BILL NO. 1673

Amendment 1

In the title, in line 1, strike out "10100 of the Elections Code, relating to", strike out line 2 and insert:

82015 of the Government Code, relating to the Political Reform Act of 1974.

Amendment 2

On page 1, before line 1, insert:

SECTION 1. Section 82015 of the Government Code is amended to read:
82015. (a) "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment, except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes.

(b) (1) A payment made at the behest of a committee as defined in subdivision (a) of Section 82013 is a contribution to the committee, unless full and adequate consideration is received from the committee for making the payment.

(2) A payment made at the behest of a candidate is a contribution to the candidate, unless the criteria in either subparagraph (A) or (B) are satisfied:

(A) Full and adequate consideration is received from the candidate.

(B) It is clear from the surrounding circumstances that the payment was made for purposes unrelated to his or her candidacy for elective office. The following types of payments are presumed to be for purposes unrelated to a candidate's candidacy for elective office:

(i) A payment made principally for personal purposes, in which case it may be considered a gift under the provisions of Section 82028. Payments that are otherwise subject to the limits of Section 86203 are presumed to be principally for personal purposes.

(ii) A payment made by a state, local, or federal governmental agency or by a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) A payment not covered by clause (i), made principally for legislative, governmental, or charitable purposes, in which case it is neither a gift nor a contribution. However, payments of this type that are made at the behest of a candidate who is an elected officer shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars (\$5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the elected officer with the elected officer's agency and shall be a public record subject to inspection and copying pursuant to subdivision (a) of Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or



payments were made. Once the five-thousand-dollar (\$5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source ~~must~~ shall be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, state agencies shall forward a copy of these reports to the ~~Fair Political Practices~~ Commission, and local agencies shall forward a copy of these reports to the officer with whom elected officers of that agency file their campaign statements.

(C) For purposes of subparagraph (B), a payment is made for purposes related to a candidate's candidacy for elective office if all or a portion of the payment is used for election-related activities. For purposes of this subparagraph, "election-related activities" shall include, but are not limited to, the following:

(i) Communications that contain express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(ii) Communications that contain reference to the candidate's candidacy for elective office, the candidate's election campaign, or the candidate's or his or her opponent's qualifications for elective office.

(iii) Solicitation of contributions to the candidate or to third persons for use in support of the candidate or in opposition to his or her opponent.

(iv) Arranging, coordinating, developing, writing, distributing, preparing, or planning of any communication or activity described in clause (i), (ii), or (iii).

(v) Recruiting or coordinating campaign activities of campaign volunteers on behalf of the candidate.

(vi) Preparing campaign budgets.

(vii) Preparing campaign finance disclosure statements.

(viii) Communications directed to voters or potential voters as part of activities encouraging or assisting persons to vote if the communication contains express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(D) A contribution made at the behest of a candidate for a different candidate or to a committee not controlled by the behesting candidate is not a contribution to the behesting candidate.

(3) A payment made at the behest of a member of the Public Utilities Commission, made principally for legislative, governmental, or charitable purposes, is not a contribution. However, payments of this type shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars (\$5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the member with the Public Utilities Commission and shall be a public record subject to inspection and copying pursuant to subdivision (a) of Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar (\$5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source ~~must~~ shall be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, the Public Utilities Commission shall forward a copy of these reports to the Fair Political Practices Commission.

(c) "Contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the candidate's own money or property used on behalf of his or her candidacy other than personal funds of the candidate used to pay either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if the services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

(d) "Contribution" further includes any transfer of anything of value received by a committee from another committee, unless full and adequate consideration is received.

(e) "Contribution" does not include amounts received pursuant to an enforceable promise to the extent those amounts have been previously reported as a contribution. However, the fact that those amounts have been received shall be indicated in the appropriate campaign statement.

(f) (1) "Contribution" does not include a payment made by an occupant of ~~a home or an~~ office for costs related to any meeting or fundraising event held in the occupant's ~~home or~~ office if the costs for the meeting or fundraising event are five hundred dollars (\$500) or less.

(2) "Contribution" does not include a payment made by an occupant of a home who is not a lobbyist, lobbying firm, or lobbyist employer for costs related to any meeting or fundraising event held in the occupant's home if the costs for the meeting or fundraising event are five hundred dollars (\$500) or less.

(g) Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by any individual for his or her own travel expenses if the payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid to him or her.

(h) "Contribution" further includes the payment of public moneys by a state or local governmental agency for a communication to the public that satisfies both of the following:

(1) The communication expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure, or, taken as a whole and in context, unambiguously urges a particular result in an election.

(2) The communication is made at the behest of the affected candidate or committee.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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Substantive

SEC. 3. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

Amendment 3
On page 1, strike out lines 1 to 7, inclusive

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