



STATE OF CALIFORNIA  
FAIR POLITICAL PRACTICES COMMISSION  
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**To:** Chair Remke, Commissioners Audero, Casher, Wasserman, and Wynne

**From:** Hyla Wagner, General Counsel  
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**Subject:** 2015 Regulatory Clean-Up Packet

- Amend: Regulations 18215.3, 18247.5, 18404, 18405, 18422, 18425, 18427.1, 18450.4, 18531.5, and 18531.62
- Repeal: Regulation 18402.5

**Date:** February 8, 2016

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Staff recommends adoption of the regulatory changes set forth below to ensure that Commission regulations are consistent with recently enacted legislation. These are technical “clean-up” amendments:

1. [AB 990](#) (Bonilla) Chapter 747, Statutes of 2015

This bill requires that campaign advertisement disclosure statements be printed in no less than 14-point, bold, sans serif type font. The bill requires that an advertisement supporting or opposing a candidate that is paid for by an independent expenditure include a disclosure statement stating: “This advertisement was not authorized or paid for by a candidate for this office or a committee controlled by a candidate for this office.” And if the advertisement is mailed, this disclosure statement must be located a quarter of an inch from the recipient’s name and address, and be contained within a box that meets prescribed criteria for line width and include a contrasting color background to the rest of the mailer. This bill contained an urgency clause and took effect on October 10, 2015.

Regulation 18450.4 sets out display rules for disclaimers required on political advertisements under Sections 84503, 84504, 84506, or 84506.5. Based on the AB 990, subdivision (b) (3) (C) was amended to incorporate the new 14 point, bold, sans serif type font requirement.

2. [AB 1544](#) (Cooley) Chapter 756, Statutes of 2015

This bill allows a payment made at the behest of a candidate who is an elected officer to be

exempt from the behested payments reporting requirement if the payment is made by a state, local, or federal government agency and is principally for legislative or governmental purposes. The payment is now exempt from reporting requirements regardless of who receives the payment, meaning the government agency may make the payment to another government agency, a nonprofit or a private third party, and it does not have to be reported as a behested payment. This bill also contained an urgency clause and was effective October 10, 2015.

Since this amendment supersedes subdivision (c) of Regulation 18215.3, that subdivision has been deleted.

3. [AB 594](#) (Gordon), Chapter 364, Statutes of 2015

This bill:

- a. Eliminates the requirement to file supplemental pre-election reports and supplemental independent expenditure reports.
- b. Clarifies that the 90-day 24-hour reporting period includes the election date itself, in addition to the 90 days before the election, making those provisions consistent throughout the Act.
- c. Clarifies requirements for who has to file pre-election statements and provides uniform timelines.
- d. Raises the recipient committee qualification threshold from \$1,000 to \$2,000 and makes conforming adjustments. This amount has not been changed since 1987.

This legislation resulted in non-substantive conforming language changes to Regulations 18247.5, 18402.5, 18404, 18405, 18422, 18425, 18427.1, 18531.5, and 18531.62 as follows:

Regulation 18247.5: Amended at subdivision (c) to remove cross reference to a repealed statute.

Regulation 18402.5: Repealed entire regulation since the requirement to file supplemental pre-election reports and supplemental independent expenditure reports was eliminated.

Regulation 18404: Amended at subdivision (a) to remove cross reference to a repealed statute and at subdivision (d)(2) to reflect the new statutory threshold for committee qualification.

Regulation 18405: Deleted subdivision (a)(2) since the requirement to file supplemental pre-election reports and supplemental independent expenditure reports was eliminated, and amended the reference to remove cross reference to a repealed statute.

Regulations 18422(a), 18531.5(c)(3) and 18531.62(c)(1): Amended to reflect the new statutory threshold for committee qualification.

Regulation 18425: Amended at subdivision (c)(3) to remove cross reference to a repealed statute.

Regulation 18427.1: Amended at subdivision (b) to change the phrase “90 days before the election” to “90 days prior to the election, or on the date of the election” consistent with the new statutory language.

4. The following legislation was passed and signed into law but does not require any immediate amendments to Commission regulations:

- [SB 21](#) (Hill), Chapter 757, Statutes of 2015. This bill requires a nonprofit organization that makes travel payments of \$5,000 or more for one elected state or local officeholder or \$10,000 or more a year for elected state or local officeholders, and whose expenses for such travel payments total 1/3 or more of the organization’s total expenses in a year as reflected on the organization’s Internal Revenue Service Form 990, to disclose to the Commission the names of donors who donated \$1,000 or more and also went on the trips. The bill also requires a person who receives a gift of a travel payment from any source to report the travel destination on his or her Form 700.
- [SB 704](#) (Gaines), Chapter 704, Statutes of 2015. This bill establishes an additional situation in which an official is not financially interested in a contract under the remote interests portion of Section 1090. This situation applies to an owner or partner of a firm serving as an appointed member of an unelected board or commission to the agency that will be entering into a contract. If the owner or partner recuses himself or herself from providing any advice regarding a project and from all participation in reviewing a project that results from a contract between the firm and the contracting agency the interest will be considered to be a remote interest. The bill also includes within the definition of “remote interest” the interest of a planner employed by a consulting engineering, architectural, or planning firm.
- [AB 1083](#) (Eggman), Chapter 186, Statutes of 2015. This bill allows the Commission to contract with the City of Stockton to provide advice and enforcement of local campaign rules.