



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
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To: Chair Miadich, Commissioners Baker, Cardenas, Wilson, and Wood

From: Galena West, Executive Director
Dave Bainbridge, General Counsel

Subject: Regulation Projects and Schedule for 2022

Date: February 7, 2022

Introduction

Commission staff proposes the following schedule for regulatory changes by the Commission in 2022. The general topic for each regulation project and the proposed dates it would be presented to the Commission are listed below. The summaries include a list of existing regulations that may be affected by the proposed regulatory changes but are not intended as a comprehensive list of all potential regulatory changes. Similarly, the scope and specific issues addressed in each regulation project described below may change during the process.

The proposed projects are based on prior direction from the Chair and Commissioners, as well as recommendations from staff and the public. The schedule may require revision during the year in the event of circumstances requiring immediate Commission action, changes in Commission priorities, legislative actions, staffing changes, or other unforeseen circumstances. Additional regulatory projects may be added, particularly during the second half of the year, upon direction by the Commission or as otherwise needed.

In most instances, a regulation project will be presented to the Commission at a meeting for pre-notice to allow for Commission and public comment and discussion. After the pre-notice meeting, staff may revise the regulations based on input provided, and submit it to the Office of Administrative Law pursuant to the Administrative Procedures Act. Typically, two months after the pre-notice meeting, staff will present the regulations to the Commission for final consideration and adoption. The Law and Policy Committee, at its discretion, may review, discuss, take public comment, and make recommendations on any regulatory proposals before the item is presented to the Commission.

The purpose of the regulation schedule is to provide Commissioners, staff, and the public advance notice of potential upcoming regulatory changes. Staff encourages interested parties to provide input early on so that staff may consider that input during the drafting process. Upon approval by the Commission, the regulatory calendar will be posted on the Commission's website and will be updated periodically.

Project Summary

Subject	Summary	Reg Sections¹	Relevant Statutes²	Source
Filing Officer Referrals	Provide specific criteria and requirements for filing officials submitting referrals to the Enforcement Division for campaign finance, SEI, behested payment, and lobbying reporting violations	New	83116	Enforcement Division staff
Cryptocurrency	Consider revising prohibition on making and receiving campaign contributions via cryptocurrency	18215.4	84300, 84301, 84304, 85320	Chair
Complaints against Commissioners	Require referral of any complaint or filing officer referral alleging a Commissioner violated the Act to the Office of the Attorney General	New	91001	Chair
Direct personal benefit definition	Update the regulatory definition of “direct personal benefit” to reflect amendments made to Section 89521 by AB 1367	18960	89521	Legislative Counsel
Bank account signor disclosure	Require disclosure of authorized signors for campaign bank accounts on a statement of organization (Form 410)	18410	84102	Audit Division staff
Recall elections	Various new regulations to address ambiguities and gaps in the application of the Act’s disclosure provisions in recall elections.	New	84200.5, 85315, 85400, 87201, 87500, 90001	Legal Division staff
Prohibited Lobbyist Activities	New provisions to interpret and make specific prohibitions on lobbyists and lobbying firms contained in 86205	New	86205	Executive Director

¹ All regulatory references are to the California Code of Regulations, title 2, division 6.

² All statutory references are to the California Government Code.

Regulation Schedule

Commission Meeting Date	Pre-notice	Adoption
January		
February		
March	Filing officer referrals, Cryptocurrency	
April	Complaints against Commissioners	
May		Filing officer referrals, Cryptocurrency
June	Direct personal benefit definition	Complaints against Commissioners
July	Bank account signor disclosure	
August	Recall elections	Direct personal benefit definition
September	Prohibited lobbyist activities	Bank account signor disclosure
October		Recall elections
November		Prohibited lobbyist activities
December		