



Project Summaries

| Subject | Description | Reg Sections¹ | Relevant Statutes² | Source |
|---|--|---------------------------------|--------------------------------------|--|
| Enforcement penalties | Update and reorganize regulations governing streamline penalties and include criteria for participation in the Political Reform Education Program (PREP) | 18360.1 – 18360.3 | 83116 | Executive staff and Enforcement Division Staff |
| Carryover, transfer and return of contributions | Specify in regulation what a candidate-controlled committee may do with contributions for a general election when the candidate either withdraws from the primary election or wins in the primary such that no general election is held. These regulations were first presented to the Commission in August of 2023 for pre-notice discussion. | 18531.2, 18537.1 | 85306, 85317, 85318 | Legal Division staff |
| Crypto-currency reporting | Amend regulation on reporting campaign contributions made in cryptocurrency so that such a contribution is reported as a monetary contribution rather than a non-monetary contribution. Also, clarify in regulation that cryptocurrency need not be reported on a statement of economic interests. | 18421.2 | 82005, 84211, 87103 | Commission |
| Committee jurisdiction determination | A committee that makes more than 70% of its contributions or expenditure to support or oppose candidates or measures voted on in one city or county is considered a city or county general purpose committee. This designation determines where the committee files its campaign statements. This proposed amendment would clarify that the 70% threshold is calculated by counting contributions or expenditures to support | 18227.5 | 82027.5 | Legal Division staff |

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.

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| | or oppose candidates or measures, not all expenditures of the committee. | | | |
| Honorarium ban | Elected officials cannot receive honorarium unless it is part of a bona fide business, trade, or profession. However, if the sole or predominant activity of the business, trade, or profession is making speeches, it is not considered “bona fide” and is subject to the honorarium ban. This regulation proposal would revise current regulations to permit elected officials to receive payment for public speaking engagements when the official had a business that preceded their election to public office. | 18930 – 18932.5 | 89501, 89502 | Commission |
| Paid Social Media Posts | Senate Bill 678 provides a disclaimer requirement for content posted on an internet website, web application, or digital application by a person whom a committee paid in connection with the post. The disclaimer indicates the person was paid by the committee to post the content. Similarly, current regulation requires third parties paid by a committee to post on social media to include a tag or link to the committee’s social media account, which must contain a committee disclosure. This proposal would amend the existing regulation in light of SB 678 and adopt new regulatory language clarifying the application of SB 678. | 18450.9 | 84504.3, 84513 | Legal Division staff |
| Audits by the FPPC | FTB and the FPPC’s Audits and Assistance Division share responsibilities for performing audits under the Act. A few audit provisions refer only to the FTB but are also applicable to the FPPC when it is conducting audits. This proposal would clarify in regulation those provisions omitting specific reference to the FPPC apply to the FPPC in conducting audits as well. This proposal would also bring back a prior regulatory provision which | 18993, 18994, 18996 | 90002, 90004, 90006 | Audits and Assistance Division staff |

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| | permitted the FPPC to exclude from audit draws jurisdictions where its candidates were already subject to audit by the FPPC or a local agency. | | | |
| Transfers to interest-bearing accounts | Consistent with the regulation governing candidate-controlled committees, this proposal would explicitly permit general purpose committees and political party committees to transfer “all purpose” funds to an interest-bearing account so long as the funds are transferred back to the “all purpose” account before the committee spends the funds. | 18534 | 85303 | Legal Division staff |
| Levine Act <i>Postponed due to pending legislation that would amend Section 84308.</i> | SB 1439 went into effect on January 1, 2023. It significantly broadened the scope of the Levine Act resulting in the Commission extensively overhauling its regulations interpreting Section 84308. Since the amended statute and regulations have gone into effect, staff has identified additional questions and issues to clarify in the regulations. | 18438 – 18438.8 | 84308 | Legal Division staff |
| Conflict of Interest – Public Generally Exception | This proposal would add a specific public generally exception for members of districts primarily responsible for the management of airport, harbor, or similar publicly available infrastructure, if the member has a permit or lease for use of the facilities and the decision will affect all existing permit or lease holders in a similar manner without a unique effect on the board member. | 18703 | 87100, 87103 | Legal Division staff |
| COLA | Amend various regulations to reflect biennial cost of living adjustments required by statute | 18545, 18700, 18730, 18940.2 | 83124, 85316, 89503 | Statutorily required |

Regulation Schedule

| Commission Meeting | Pre-notice | Adoption |
|---------------------------|---|--|
| January | | |
| February | | Enforcement penalties* |
| March | Committee jurisdiction determination Crypto currency reporting | |
| April | Honorarium ban Paid social media posts | |
| May | | Committee jurisdiction determination Crypto currency reporting |
| June | Audits by the FPPC | Honorarium ban Paid social media posts |
| July | | |
| August | Transfers to interest-bearing accounts | Audits by the FPPC |
| September | COI – Public Generally exception | |
| October | | Transfers to interest-bearing accounts |
| November | | COI – Public Generally exception COLA Carryover, transfer, and return of contributions |
| December | | |

*Previously presented to the Commission in 2023 for pre-notice discussion and direction.