

LEAGUE OF  
CALIFORNIA CITIES  
CITY ATTORNEY  
CONFERENCE  
SPRING 2017  
FPPC UPDATE

Presented by:

RACHEL H. RICHMAN, PARTNER  
BURKE, WILLIAMS & SORENSEN, LLP



# OVERVIEW

- ▶ POLITICAL REFORM ACT REVISION PROJECT
- ▶ RECENT FPPC REGULATIONS AND ACTIVITIES
- ▶ RELEVANT PENDING LEGISLATION

# POLITICAL REFORM ACT REVISION PROJECT

- ▶ PROJECT STARTED IN SUMMER 2016
- ▶ PROPOSED AMENDMENTS WERE NOT TO BE SUBSTANTIVE
- ▶ LEAGUE'S FPPC COMMITTEE REVIEWED DRAFTS AND PROVIDED COMMENTS
- ▶ DRAFT 2 RELEASED AT THE END OF DECEMBER

# POLITICAL REFORM ACT REVISION PROJECT

- ▶ JANUARY FPPC VOTED TO SPONSOR THE LEGISLATION
- ▶ FPPC IS WORKING TO FIND A LEGISLATOR TO SPONSOR THE PROPOSED BILL
- ▶ FPPC STAFF WORKING WITH THE OFFICE OF LEGISLATIVE COUNSEL TO PREPARE THE REVISED PRA INTO BILL FORM CONSISTENT WITH LANGUAGE PROTOCOL
- ▶ UNCERTAIN HOW LEGISLATIVE PROCESS MAY IMPACT/ALTER LANGUAGE SUBMITTED

# POLITICAL REFORM ACT REVISION PROJECT

- ▶ DRAFT AVAILABLE ONLINE -130 PAGES
- ▶ ALMOST EVERY SECTION HAS BEEN MOVED AND RENUMBERED
- ▶ FPPC WILL PROVIDE UPDATES
- ▶ COMMITTEE WILL MONITOR ITS PROGRESS

# RECENT/UPCOMING FPPC REGULATIONS

- ▶ PRA PROJECT MAIN FOCUS
- ▶ MINOR NON-SUBSTANTIVE CHANGES SUCH AS CPI ADJUSTMENTS TO GIFT LIMITS NOW \$470 FOR 2017-2018
- ▶ FUTURE REGULATIONS TO BE INTRODUCED IN JULY THAT WILL MAKE “REFINEMENTS” TO UPDATES MADE IN 2014 AND 2015

# GENERAL ACTIVITIES OF FPPC IN 2016

- ▶ ANSWERED 9,622 CALLS AT ASK FPPC
- ▶ RESPONDED TO 12,495 EMAILS
- ▶ ISSUED 252 ADVICE LETTERS
- ▶ 311 ENFORCEMENT ORDERS RESULTING IN NEARLY \$900,000 IN FINES

# RELEVANT PENDING LEGISLATION

- ▶ AB 1087 Mullin local elective offices: Contribution limitations
- ▶ Impose the same limit on contributions to local candidates as exist for state elective office
- ▶ Cities can adopt own limits which are higher or lower
- ▶ If passed, it would become effective January 1, 2019
- ▶ FPPC will monitor

# RELEVANT PENDING LEGISLATION

- ▶ SB 45 Mendoza: Mass Mailing Prohibition
- ▶ Codifies FPPC regulation 18901 regarding mass mailings
- ▶ Prohibits otherwise permissible mass mailings from being sent within 90 days preceding an election if candidates name will appear on the ballot.
- ▶ “An item in which the elected officer's name appears only in the letterhead or logotype of the stationery, forms, including “For Your Information” or “Compliments of” cards, cards or stamps, and envelopes of the agency sending the mailing, or of a committee of the agency, or of the elected officer, or in a roster listing containing the names of all elected officers of the agency...”

# RELEVANT PENDING LEGISLATION

- ▶ AB 1524 Brough PRA: Mass mailing prohibition
- ▶ Similar to SB 45 but expands the 90 days blackout period to certain ballot measures
- ▶ “If a measure on the ballot at that election will have a direct financial impact on the agency”
- ▶ Exempts mass mailings required to be sent by law
- ▶ Exempts school districts and community college districts on bond measures and other matters specified in the Education Code

# RELEVANT PENDING LEGISLATION

- ▶ SB 24 Portantino Political Reform Act: Economic Interest Disclosure
- ▶ Would change the ranges of disclosure for investments, income and real property and create additional ranges
- ▶ Currently some ranges are from \$100,000 to \$1 million and \$1 million and higher
- ▶ Proposed ranges:
- ▶ \$100,000 to \$250,000; \$250,000 to \$500,000; \$500,000 to \$1 million
- ▶ \$1 million to \$5 million; \$5 million to \$10 million and more than \$10 million

THANK YOU.

