

CONCURRENCE IN SENATE AMENDMENTS

AB 2592 (Pacheco and Addis)

As Amended August 20, 2026

2/3 vote

SUMMARY

Transfers responsibility for lobbyist ethics training from the Assembly and Senate Legislative Ethics Committees to the Fair Political Practices Commission (FPPC), beginning in 2029.

Prohibits a person who has been convicted of a crime of public corruption from serving as a lobbyist for 12 years following the date of the conviction, even if the person has been pardoned for that crime.

Senate Amendments

- 1) Prohibit a person who has been convicted of a crime of public corruption from acting as a lobbyist for 12 years following the date of the conviction. Provide that this restriction applies to a person who is pardoned for conviction of a crime of public corruption.
- 2) Require a person to include a statement signed under penalty of perjury on their lobbyist certification that the person has not been convicted of a crime of public corruption within the previous 12 years. Prohibit the Secretary of State (SOS) from accepting a lobbyist certification from a person who has not included that statement on the lobbyist certification.
- 3) Provide that a person's lobbyist certification is void upon a person's conviction for public corruption.
- 4) Provide, for the purposes of this bill, that a "crime of public corruption" means a person has been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.

COMMENTS

As approved by the Assembly, this bill, contained only the provisions related to transferring responsibility for lobbyist ethics training to the FPPC. The Senate amendments add the provisions that prohibit a person who was convicted of a crime of public corruption from serving as a lobbyist for 12 years following the date of that conviction. Those provisions are similar to ones that were approved by the Assembly earlier this year in AB 1560 (Tangipa), of the current legislative session, though unlike AB 1560, this bill provides that the restriction of serving as a lobbyist for 12 years following the date of a public corruption conviction applies even if the person was pardoned for the conviction. This bill, as amended in the Senate, is generally consistent with prior Assembly actions.

Under the Political Reform Act (PRA), a lobbyist is an individual who is compensated to communicate directly with any elective state, state agency, or legislative official to influence legislative or administrative action on behalf of their employer or client. The PRA requires any person who qualifies as a lobbyist to register with the SOS and submit a lobbyist certification, as specified. Any lobbyist who violates these provisions may be subject to fines and criminal penalties.

Section 20 of the Elections Code lists various types of felony convictions that prevent a person from being eligible to be elected to office. The disqualifying crimes are ones that are sometimes referred to as "public trust" crimes – that is, illegal acts that involve the breach of the ethical obligation that a public servant is expected to exercise their public responsibilities in a manner that prioritizes the public interest over private gain. Elections Code Section 20 is also, to some extent, an implementing statute for Article VII, Section 8 of the California Constitution, which provides in part "Laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries."

This bill applies this ethical standard to a lobbyist and prohibits a person convicted of a crime listed in Section 20 of the Elections Code from serving as a lobbyist during the 12 years following the date of the conviction. That restriction applies even if the person is pardoned for that conviction.

SB 1738 (Roberti), Chapter 84, Statutes of 1990, also known as the "Ethics in Government Act of 1990," enacted a comprehensive ethics reform package. Among other provisions, SB 1738 required legislators, designated employees of the Legislature, and lobbyists to take periodic ethics orientation courses, conducted by the legislative ethics committees in the Assembly and Senate. According to prior legislative analyses, the FPPC supported the initial provision giving the legislative ethics committees, rather than the FPPC, responsibility for conducting lobbyist ethics training. State law requires that the training be offered at least semiannually, and the ethics committees generally have held the training with greater frequency. According to information from the Senate Committee on Legislative Ethics, the committees typically offer 16 lobbyist training sessions per two year legislative session, including 11 sessions prior to the June 30 deadline for lobbyists to renew their certification in the first year of the legislative session, 2 additional training sessions in the summer and fall of the first year of the session, and three dates in the second year of the legislative session.

This bill requires the FPPC to offer the training on-demand, which should provide greater flexibility for lobbyists seeking to complete their training obligations. According to a legislative analysis from 1993, the legislative ethics committees were charging \$50 for the lobbyist ethics training at the time. The Senate Committee on Legislative Ethics indicates that the committees charged \$25 for training between 2002-2008, and have charged \$50 from 2009 to the present. While the fee is intended to cover the costs of conducting the training, the fee revenue has exceeded those costs in recent years. As a result, a surplus has developed in the account that is set aside for paying for the costs of lobbyist ethics training. Under the provisions of this bill, any such surplus remaining as of January 1, 2029, would be transferred to the FPPC to fund its lobbyist training responsibilities.

According to information from the bill's author and sponsor, from the National Conference of State Legislatures, and from committee staff research, at least eight states—Alaska, Hawaii, Louisiana, Maine, Maryland, New York, Oregon, and Washington—require mandatory training for state lobbyists. Five of these states (Alaska, Hawaii, Louisiana, Maryland, and New York) mandate training on ethics and/or lobbying laws, and that training is administered by the state's ethics agency. The remaining three states (Maine, Oregon, and Washington) instead focus their training exclusively on legislative codes of conduct or workplace harassment prevention, and in those cases, the training is administered by the state legislature.

California voters passed an initiative, Proposition 9, in 1974 that created the FPPC and codified significant restrictions and prohibitions on candidates, officeholders, and lobbyists. That initiative is commonly known as the PRA. Amendments to the PRA that are not submitted to the voters, such as those contained in this bill, must further the purposes of the initiative and require a two-thirds vote of both houses of the Legislature.

According to the Author

"AB 2592 strengthens ethics and accountability in California's lobbying process. Transferring lobbyist training to the FPPC will ensure consistent, standardized instruction from the state's primary authority on political ethics and campaign finance. The bill also reinforces the integrity of the lobbying profession by prohibiting individuals convicted of crimes of public corruption from serving as lobbyists for 12 years. Together, these reforms promote compliance, accountability, and public trust in California's governmental processes."

Arguments in Support

In support of a prior version of this bill, the FPPC wrote, "Starting January 1, 2029, AB 2592 would transfer the lobbyist training duty to the FPPC. The bill would require that the course curriculum be developed in consultation with the Legislative Ethics Committees and that the course be available on-demand through an online platform, internet webpage, or application. The bill would provide that the fee for the training is \$50, subject to a biennial cost of living adjustment. The bill would also provide that any unused funds collected by the Legislative Ethics Committees from lobbyists for the course shall be transferred to the FPPC for the purpose of developing the course. While Assembly and Senate Ethics Counsel do an excellent job conducting the training, the FPPC is more appropriately suited to provide this training as the experts on the state's lobbying laws and the agency charged with advising on the lobbying rules outside of this training. Shifting to an on-demand model will also assist lobbyists in fulfilling their training duty."

Arguments in Opposition

None received.

FISCAL COMMENTS

According to the Senate Appropriations Committee, the FPPC indicates that it would require (1) one new analyst, at an ongoing annual cost of \$107,000, and (2) annual software licensing costs of \$80,000, to implement the provisions of the bill (General Fund) that require the FPPC to conduct lobbyist ethics training. The FPPC estimates \$60,000 in revenue from the fee it may charge to each lobbyist that takes the training course (General Fund).

VOTES:

ASM ELECTIONS: 8-0-0

YES: Pellerin, Gallagher, Bennett, Berman, Elhawary, Johnson, Solache, Stefani

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 78-0-2

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Muratsuchi, Celeste Rodriguez

UPDATED

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