
CONSENT

Bill No: AB 359
Author: Ramos (D)
Amended: 7/2/25 in Senate
Vote: 27

SENATE ELECTIONS & C.A. COMMITTEE: 5-0, 7/1/25
AYES: Cervantes, Choi, Allen, Limón, Umberg

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

SUBJECT: Fair Political Practices Commission

SOURCE: California Fair Political Practices Commission

DIGEST: This bill makes permanent a provision of law that allows the Fair Political Practices Commission (FPPC) to administer, implement, and enforce a local campaign finance or government ethics law upon mutual agreement between the FPPC and a local jurisdiction with a population of less than three million people.

ANALYSIS:

Existing law:

- 1) Creates the Political Reform Act (PRA), which sets campaign finance and disclosure laws for state and local campaigns, candidates, officeholders, and ballot measures.
- 2) Establishes the FPPC to implement, administer, and enforce the PRA.
- 3) Permits local jurisdictions to adopt campaign reporting requirements that are different from those set forth in the PRA for elections for candidates seeking election in the jurisdiction or ballot measures being voted on only in that jurisdiction.

- 4) Permits the FPPC to administer, implement, and enforce a local campaign finance or government ethics law upon mutual agreement between the FPPC and a local jurisdiction with a population of less than three million people, provided:
 - a) The local campaign finance or government ethics law complies with the PRA.
 - b) The agreement provides for the reimbursement of the FPPC's costs and does not contain a financial disincentive to terminate the agreement.
 - c) The governing body of the local agency consults with the FPPC before adopting or amending any local campaign finance or government ethics law.
 - d) The FPPC submits the proposed agreement to the Department of General Services for review and submits the final signed agreement to the Department of Finance.
- 5) Provides that upon approval of such an agreement, the FPPC shall be the civil prosecutor responsible for the civil enforcement of the local campaign finance or government ethics law of the local government agency. As the civil prosecutor, the FPPC may do all of the following with respect to the local campaign finance or government ethics law:
 - a) Provide advice.
 - b) Investigate possible violations.
 - c) Bring administrative actions in accordance with the PRA.
 - d) Bring civil actions without seeking permission from the local agency.
- 6) Allows an agreement to be terminated 90 days after an FPPC or local ordinance or resolution to do so passes.
- 7) Requires the FPPC to conspicuously post on its website a list of every local jurisdiction it has entered into an agreement with to administer, implement, and enforce campaign finance or government ethics laws.
- 8) Excludes local jurisdictions with a population of three million or more and the County of San Bernardino from these contracting provisions. San Bernardino County has its own provision of law related to the FPPC assuming these duties for that county.

- 9) Sunsets the authority for local jurisdictions to contract with the FPPC on January 1, 2026.

This bill:

- 1) Deletes the January 1, 2026 sunset date in 9) of existing law.
- 2) Deletes the special provision for the County of San Bernardino described in 8) of existing law, thus allowing that county to enter an agreement with the FPPC pursuant to the more general law that this bill makes permanent.
- 3) Removes the provision that the FPPC be acting as the civil prosecutor in order to exercise the powers enumerated in 5) above and adds authority to conduct audits to the list.
- 4) Deletes obsolete language in the PRA related to the cities of Sacramento and Stockton having the FPPC administer, implement, and enforce their local campaign finance and government ethics laws.

Background

In 2012, the Legislature passed and the Governor signed AB 2146 (Cook, Chapter 169, Statutes of 2012), which permitted San Bernardino County and the FPPC to enter into an agreement that provides for the FPPC to enforce the county's local campaign finance reform ordinance, until January 1, 2018. Prior to this, the FPPC did not enforce any local campaign finance ordinances.

The County of San Bernardino, which had been the subject of several high-profile corruption cases, was then in the process of developing a campaign finance ordinance. Rather than appoint an ethics commission, which could present fiscal as well as conflict of interest challenges, the county proposed to contract with the FPPC to enforce its local campaign finance ordinance. The FPPC and San Bernardino County entered into a series of mutual agreements, covering the period from January 1, 2013 through December 31, 2018.

As required by law, the FPPC submitted a report to the Legislature on March 24, 2016. The report concluded by stating the partnership between the FPPC and the San Bernardino County had been successful and both parties supported removing the January 1, 2018 sunset date from the statute. Consequently, the Legislature passed and the Governor signed AB 2558 (Steinorth, Chapter 202, Statutes of 2016), which removed the sunset date. The agreement between San Bernardino County and the FPPC expired at the end of 2022.

AB 1083 (Eggman, Chapter 186, Statutes of 2015), authorized the City Council of the City of Stockton and the FPPC to enter into an agreement that provides for the FPPC to enforce a local campaign finance ordinance passed by the City Council of the City of Stockton, as specified. Stockton and the FPPC never entered into an agreement.

SB 267 (Pan, Chapter 622, Statutes of 2017) authorized a similar agreement between the City Council of the City of Sacramento and the FPPC. The FPPC and City of Sacramento had an agreement that lasted from March 1, 2018 until December 31, 2019.

AB 2880 (Harper, Chapter 394, Statutes of 2018) authorizes, until 2026, the FPPC to administer, implement, and enforce a local campaign finance ordinance or government ethics law upon mutual agreement between the FPPC and the governing body of a local agency with a population of less than three million people. Since 2022, however, only one jurisdiction, the City of San Bernardino, has maintained such an agreement with the FPPC.

Comments

Author's Statement. The FPPC, since its inception in 1974, has provided Californians with transparency about their government and ensured public officials remain fair and unbiased stewards of their state. The FPPC's work has not only made an impact at the state level, but at the local level as well. It has been responsible for enforcing local campaign finance and ethics law for many local governments throughout the state, including in the author's home district of San Bernardino County. Soon this service will no longer be available to local agencies unless the State of California removes the sunset date that is set to expire next year. It is crucial that local governments are allowed to continue contracting with the FPPC for its services in ensuring that local campaign finance and ethics law are followed and that constituents continue experiencing the same level of governmental transparency they have come to expect.

A Tale of Two Cities. Only two cities, Sacramento and San Bernardino, have ever had agreements with the FPPC to administer, implement, and enforce their campaign finance laws under the state law that this bill seeks to make permanent. Sacramento was unsatisfied with the FPPC's service, and its agreement with the FPPC ended in 2019. The City of San Bernardino reports that it is satisfied, and the author of this bill represents the City of San Bernardino. As noted above, the County of San Bernardino has its own statute providing for the FPPC to administer, implement, and enforce campaign finance laws there, but no longer has an agreement with the FPPC to do so. This bill would delete that special provision

for the County of San Bernardino, allowing it to use the general law if it decides to re-enter an agreement with the FPPC at any time in the future.

Just One City, But That May Change. As noted in the previous comment, just one jurisdiction, the City of San Bernardino, has an agreement with the FPPC under the provision of law this bill seeks to make permanent. The FPPC reports that it would like to keep the option open for other local government agencies to contract with the FPPC in the future, as this bill does. FPPC staff report that several other jurisdictions have reached out to them to express interest in entering an agreement. FPPC staff also reports that a local ethics commission reached out on behalf of itself and other local ethics commissions to inquire about the FPPC performing enforcement-related functions in instances where there is a local ballot measure that involves or affects their agency to avoid the appearance of bias in those prosecutions. These circumstances raise the question as to whether it would be better to extend the sunset date in this bill, rather than delete it.

Why Three Million? The existing law this bill makes permanent is limited to agreements between the FPPC and local jurisdictions with a population of less than three million. AB 2880 included this population limit to exclude the County of Orange, which had recently created an ethics commission through a ballot measure and in the process explicitly chose not to seek statutory authority for the FPPC to provide enforcement. This population limit also excludes the City of Los Angeles, the County of Los Angeles, and the County of San Diego.

Related/Prior Legislation

AB 2880 (Harper, Chapter 394, Statutes of 2018) authorized FPPC to administer, implement, and enforce a local campaign finance ordinance or government ethics law upon mutual agreement between the FPPC and a local agency with a population of less than three million people.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 7/14/25)

California Fair Political Practices Commission (Source)

California Common Cause

California Special Districts Association

City of San Bernardino

League of Women Voters of California

OPPOSITION: (Verified 7/14/25)

None received

ARGUMENTS IN SUPPORT:

The League of Women Voters writing in support states that effective monitoring and enforcement is essential to ensure full disclosure of campaign contributions and expenditures. The League of Women Voters asserts that the FPPC has the necessary campaign finance expertise to implement local provisions and ensure transparency.

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: 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, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Carrie Cornwell / E. & C.A. / (916) 651-4106
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