

CONCURRENCE IN SENATE AMENDMENTS

AB 359 (Ramos)

As Amended July 2, 2025

2/3 vote

SUMMARY

Removes the January 1, 2026 sunset date from a provision of law that authorizes the Fair Political Practices Commission (FPPC) to contract with a local government agency, upon mutual agreement, to administer, implement, and enforce the agency's local campaign finance or government ethics laws.

Senate Amendments

Delete an obsolete provision of the Political Reform Act (PRA) that authorizes the FPPC, upon mutual agreement between the FPPC and the San Bernardino County Board of Supervisors, to have primary responsibility for the impartial, effective administration, implementation, and enforcement of a local San Bernardino County campaign finance reform ordinance.

COMMENTS

AB 2880 (Harper), Chapter 394, Statutes of 2018, authorized the FPPC to administer 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, as specified. As a result of AB 2880, any local jurisdiction that wants to establish campaign contribution limits but that does not want to create its own mechanism for enforcement of those limits has the option of contracting with the FPPC (subject to the agreement of the FPPC) for that purpose. AB 2880 included a January 1, 2026 sunset date.

Prior to AB 2880 becoming law, the FPPC did not have the authority to enforce local campaign finance ordinances without special authorization legislation. According to previous analyses, legislative intent for expanding the law was to allow "local governments...the ability to bring in a cost-effective, experienced, independent, and impartial entity to investigate possible local campaign finance or government ethics violations and bring appropriate administrative action against these violators."

Last December, the FPPC submitted a report outlining the work completed under contracts with two local government agencies – the City of San Bernardino and the City of Sacramento. According to the report, the City of San Bernardino retained the services of the FPPC to provide for the enforcement and interpretation of the laws under the provisions of the City's campaign finance regulations governing the City's offices. The initial contract duration was January 1, 2021 – December 31, 2022. The contract was subsequently renewed and the agreement remains active. The City has reported they are satisfied with the contract and feel that it meets the City's needs.

This bill removes the January 1, 2026 sunset date, thereby making the law permanent. Additionally, because the FPPC submitted the required performance report to the Legislature before January 1, 2025, this reporting requirement is obsolete. Thus this bill repeals the reporting requirement.

Absent legislation that either extends or removes the sunset date, the City of San Bernardino will be unable to continue contracting with the FPPC.

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.

The Senate amendments delete an obsolete provision of the PRA that authorizes the FPPC, upon mutual agreement between the FPPC and the San Bernardino County Board of Supervisors, to have primary responsibility to administer, implement, and enforce San Bernardino County's campaign finance reform ordinance. If this bill is signed into law it will permanently allow the FPPC to administer, implement, and enforce a local campaign finance or government ethics law with *any* local jurisdiction with a population of less than three million people. This provision would apply to the County of San Bernardino, which has a population of approximately 2.2 million.

The bill, as amended in the Senate, is generally consistent with Assembly actions.

According to the Author

"[The] Commission'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...Soon this service will no longer be available to local agencies unless the State removes the sunset date that is set to expire next year...It is crucial that local governments are allowed to continue contracting with the Commission for their services in ensuring their local campaign finance and ethics law are followed and that constituents continue experiencing the same level of governmental transparency they have come to expect."

Arguments in Support

In support of a previous version of this bill, the California Special Districts Association wrote: "Current law, the Political Reform Act of 1974, allows the Fair Political Practices Commission (FPPC), upon mutual agreement between the FPPC and the governing body of a local government agency, to assume primary responsibility for the administration, implementation, and enforcement of a local campaign finance or government ethics law passed by the local government agency. AB [359] would further authorize the FPPC to conduct audits under the auspices of the local campaign finance or government ethics law. In this way, the FPPC's ability to investigate and pursue matters involving campaign financing and ethics would be increased, strengthening its ability to obtain relevant facts and information and resolve these investigations."

Arguments in Opposition

None received.

FISCAL COMMENTS

According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

VOTES:**ASM ELECTIONS: 7-0-0**

YES: Pellerin, Macedo, Bennett, Berman, Solache, Stefani, Tangipa

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Sanchez

ASSEMBLY FLOOR: 79-0-0

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, 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

SENATE FLOOR: 35-0-5

YES: Allen, Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Alvarado-Gil, Becker, Padilla, Reyes, Umberg

UPDATED

VERSION: July 2, 2025

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