

CONCURRENCE IN SENATE AMENDMENTS

AB 775 (Fong)

As Amended August 20, 2026

2/3 vote

SUMMARY

Requires behested payment disclosure reports to be filed using an electronic filing system developed by the Fair Political Practices Commission (FPPC), except as specified, and requires all filed behested payment reports to be posted online. Modifies the deadline for reporting behested payments.

Senate Amendments

Redraft provisions of the bill to incorporate changes to state law that were made by AB 808 (Addis), Chapter 278, Statutes of 2025 and SB 760 (Allen), Chapter 551, Statutes of 2025.

COMMENTS

This bill originally was approved by the Assembly last year. Since that time, the Legislature approved and the Governor signed two bills – AB 808 (Addis) and SB 760 (Allen) – that amended a section of law that this bill proposes to amend. The Senate amendments redraft two sections of this bill to incorporate the changes made by AB 808 and SB 760. Those amendments ensure that this bill does not inadvertently undo the changes made by those bills. This bill, as amended in the Senate, is consistent with prior Assembly actions.

SB 124 (Karnette), Chapter 450, Statutes of 1997, provided that a payment made at the behest of a candidate principally for a legislative, governmental, or charitable purpose is not considered a campaign contribution or a gift, but required those payments to be reported to an elected officer's agency if the payments are made at the behest of a candidate who is also an elected officer, and if the payments total \$5,000 or more in a calendar year from a single source. Examples of these types of payments, commonly referred to as "behested payments," include charitable donations made in response to a solicitation sent out by an elected officer or donations of supplies and refreshments made by a third party for a health fair that was sponsored by an elected officer.

Under existing law, an elected official must submit a behested payment report to their agency within 30 days of those payments totaling \$5,000 or more by a single source in a calendar year. The agency then forwards a copy of that report within 30 days either to the FPPC or a local filing officer. The FPPC posts behested payment reports online within 10 days of receipt. As a result, under existing law, a timely behested payment report filed by an elected state officer or Public Utilities Commission member generally is posted online within 70 days after the \$5,000 reporting threshold is met. Reports filed by local elected officers may or may not be posted online, depending on the policies of the relevant local agencies.

This bill changes the deadline for filing behested payment reports. Reports would be due within 30 days of the end of the calendar quarter in which the reportable payments are made. While this change might initially seem to delay the public availability of these reports, other aspects of this bill will actually speed up their public release in some cases.

Specifically, this bill requires state officials to file behested payment reports *directly* with the FPPC, rather than with the official's agency. This change eliminates a current 30 day period for

state agencies to forward behested payment reports to the FPPC. For local officials, this bill similarly eliminates a 30 day period for local agencies to forward behested payment reports to the local filing officer responsible for making those reports publicly available. Currently, some agencies use that 30 day period to review reports filed by public officials for completeness and accuracy before those reports are made publicly available. With the elimination of that 30 day period, public agencies may need to update internal policies if they want to continue to review reports for completeness and accuracy before public release.

Additionally, by requiring that all state behested payment reports be filed using the FPPC's electronic system, this bill eliminates delays caused by manual data entry of reports by FPPC staff. While the FPPC has up to 10 days to post reports online, FPPC staff indicates that most reports submitted electronically are posted online on the same day or the following business day.

As a result, behested payments that are made in the latter part of a calendar quarter likely will be made publicly available sooner under this bill than under current law. Even in cases where the new filing deadlines may result in reports being posted slightly later, any delays are expected to be minimal. Furthermore, having reports filed on a regular quarterly schedule will make it more predictable for the public and media to know when new reports are available. Finally, by ensuring that all behested payment reports are posted online, this bill will enhance transparency and public access to those reports. This bill additionally codifies two regulations that the FPPC adopted in 2021 that imposed additional disclosure requirements for behested payment reports.

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 Political Reform Act (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.

Please see the policy committee analysis for a full discussion of this bill.

According to the Author

Transparency and public access are vital to good governance. However, to ensure all state and local elected officials are acting ethically and to improve transparency, we must provide reasonable timeframes for due diligence and compliance. By updating the process and deadline for filing behested payment reports, AB 775 will provide more flexibility for state and local officials to ensure compliance, while also increasing transparency on both the state and local level."

Arguments in Support

The sponsor of this bill, the FPPC, writes in support, "AB 775 would require behested payment reports to be filed electronically with the FPPC, while also keeping a local filing option so long as the reports are made publicly available online. This will improve transparency by making the reports significantly easier to find and access. The bill would also alter the deadline for filing behested payment reports. Behested payments that meet the threshold would be required to be reported within 30 days following the end of the calendar quarter in which that threshold was met. This change removes uncertain deadlines and creates a set schedule for behested payment reports, similar to the semi-annual and pre-election campaign finance reporting schedules. This will enable watchdogs, the public, the media, and enforcement to proactively review filings on a schedule, ultimately resulting in better tracking and transparency."

Arguments in Opposition

None received.

FISCAL COMMENTS

According to the Senate Appropriations Committee, the FPPC would incur first-year costs of \$177,000, and \$170,000 annually thereafter, to expand the electronic behested payment filing system to cover local officials (General Fund). Specifically, FPPC anticipates (1) increased annual software costs of \$5,000, and (2) personnel costs of \$172,000 in the first year and \$165,000 ongoing for one additional information technology position.

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

UPDATED

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