

Date of Hearing: June 17, 2026

ASSEMBLY COMMITTEE ON ELECTIONS

Gail Pellerin, Chair

SB 401 (Hurtado) – As Amended June 1, 2026

SENATE VOTE: 40-0

SUBJECT: Political Reform Act of 1974: filing deadlines: emergency situations.

SUMMARY: Permits the Fair Political Practices Commission (FPPC) to extend Political Reform Act (PRA) filing deadlines in the event of an emergency. Specifically, **this bill:**

- 1) Defines “emergency situation,” for the purpose of this bill, as an emergency proclaimed by the Governor or a local governing body pursuant to the California Emergency Services Act (CESA).
- 2) Permits the FPPC to extend the filing deadline established by the PRA for individuals that live in an area impacted by an emergency situation that is reasonably likely to affect the individual’s ability to timely file the required report or statement. Prohibits the FPPC from granting an extension of more than 60 days, or for a campaign statement or report due during the 90 days before an election.

EXISTING LAW:

- 1) Creates the FPPC, and makes it responsible for the impartial, effective administration and implementation of the PRA. (Government Code §§83100, 83111)
- 2) Requires, pursuant to the PRA, that various reports and statements be filed, including the following:
 - a) Requires candidates for elective office, political committees, and slate mailer organizations to file periodic and activity-based campaign statements and reports disclosing their financial activities, including contributions received and made, and expenditures made. (Government Code §§84200-84223, 84600-84616)
 - b) Requires an elected officer or member of the Public Utilities Commission to file reports of specified payments exceeding \$5,000 annually made at the behest of the officer or member. (Government Code §84224)
 - c) Requires candidates for, and current holders of, specified elected or appointed state and local offices, and designated employees of state and local agencies, to file statements of economic interests (SEIs) disclosing their financial interests, including investments, real property interests, and income. (Government Code §§87100-87505)
 - d) Requires lobbyists, lobbying firms, lobbyist employers, and certain lobbying coalitions to file periodic disclosure reports detailing lobbying activity, payments, and expenses.

(Government Code §§86100-86118)

- 3) Permits the Governor, pursuant to CESA, to proclaim a state of emergency in an area affected or likely to be affected by that state of emergency when conditions of disaster or of extreme peril exist to the safety of persons and property within the state, as specified. Permits a city, county, or city and county, as specified, to proclaim a local emergency where conditions of disaster or of extreme peril exist to the safety of persons and property within the jurisdiction. (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code)

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

COMMENTS:

- 1) **Purpose of the Bill:** According to the author:

Public officials who are victims of natural disasters and other emergency situations like the Palisades and Eaton fires in 2025 and during the COVID-19 Pandemic should not be overburdened when it may be difficult or downright impossible to file various statements of interest required under the Political Reform Act on time. This bill removes bureaucratic barriers so the FPPC may extend deadlines when appropriate, so the state does not unfairly penalize families for failing to meet filing deadlines outside of their control. SB 401 would allow families to focus on rebuilding more quickly, access essential services, and not be overburdened at a time when they should be focused on making sure their family is safe and secure.

- 2) **PRA Filings in Emergency Situations:** As detailed above, the PRA requires candidates, elected officers, political committees, lobbyists, and other individuals to file various reports and statements. In limited circumstances, the FPPC has extended filing deadlines when emergency conditions interfered with a person's ability to comply with applicable filing requirements. For example, at the outset of the COVID-19 pandemic, the FPPC adopted an emergency regulation extending the deadline by 60 days for certain public officials to file their annual SEI. More recently, the FPPC adopted a similar emergency regulation for individuals affected by wildfires in Los Angeles County.

Despite these actions, the FPPC generally lacks authority under existing law to extend PRA filing deadlines. In the examples above, the FPPC was able to grant filing extensions because the affected deadlines were established by regulation rather than by statute. Most PRA filing deadlines, however, are prescribed in the Government Code, leaving the FPPC without authority to modify or extend those deadlines to account for extenuating circumstances. Nevertheless, in its enforcement proceedings, the FPPC generally considers individual circumstances, including whether a respondent was affected by a declared emergency.

As discussed above, the CESA authorizes the Governor to proclaim a state of emergency when conditions of disaster or extreme peril to the safety of persons or property exist within the state. During a declared state of emergency, CESA grants the Governor broad authority to

suspend regulatory statutes and the orders, rules, and regulations of state agencies when strict compliance would prevent, hinder, or delay efforts to mitigate the effects of the emergency. Accordingly, gubernatorial emergency proclamations have occasionally provided relief from PRA filing deadlines. For example, in February 2025, Governor Newsom issued Executive Order N-17-25 in response to fire and windstorm conditions in Los Angeles and Ventura Counties. Among other provisions, the order extended by 60 days the deadlines for public officials in Los Angeles County to file behested payment reports and SEIs.

This bill authorizes the FPPC to extend PRA filing deadlines for individuals affected by a declared state of emergency. The bill limits any such extension to no more than 60 days, consistent with filing extensions provided during prior emergencies, and prohibits extensions for disclosure reports due during the 90-day period preceding an election.

3) **Arguments in Support:** In support of this bill, California Common Cause writes:

California Common Cause supports the bill's goal of ensuring that filers are not penalized when emergencies disrupt their ability to comply with PRA reporting requirements. Providing reasonable flexibility during genuine emergencies helps promote fairness while recognizing that circumstances beyond a filer's control may make compliance temporarily impossible.

We are particularly appreciative that the bill now includes important safeguards to ensure that flexibility does not come at the expense of transparency.

4) **Political Reform Act of 1974:** 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.

REGISTERED SUPPORT / OPPOSITION:

Support

Fair Political Practices Commission (Sponsor) (prior version)
California Common Cause

Opposition

None on file.

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