

Date of Hearing: July 2, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 521 (Gonzalez) – As Amended April 24, 2025

Policy Committee: Public Employment and Retirement

Vote: 7 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill permanently disqualifies a city manager or attorney, or any person acting under contract for such services, convicted of a felony from any future public employment in an equivalent role.

This bill also adds a felony involving a conflict of interest arising directly out of a public employee's official duties as grounds for a five year disqualification from any public employment within the state.

FISCAL EFFECT:

No fiscal effect.

COMMENTS:

1) **Purpose.** According to the author:

Senior level staff, such as city managers and attorneys, have substantial responsibility over local government decision-making and public dollars. Holding these senior-level staff to a higher standard when they commit crimes that violate public trust is essential, just as the elected officials they serve who, when convicted of conflict of interest, are barred from holding office for life. This bill proposes to address local conflicts of interest, particularly those involving high-ranking public employees.

2) **Background. Public Employment.** Existing law defines "public employee" as any person employed at will for the purposes of providing services to an elected public officer who takes public office, or is reelected to public office, on or after January 1, 2013. Under this definition, the bill's liability for felony violations of conflict of interest laws and the five-year ban apply to non-civil service employees only, typically highly placed aides to elected government officials. Otherwise, the bill's provisions may conflict with the due process rights and collective bargaining rights of civil service employees.

Conflict of Interest. While a conflict of interest, in and of itself, does not represent a felony, this bill provides that a conflict of interest would operate as an attribute of any of the existing expressly prescribed felonies in which a conviction results under current law. These include the following: "accepting, 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 arising directly out of their official duties as a public employee.” According to the California District Attorneys Association, the list in current law “notably omits a conviction under California’s conflict of interest laws. SB 521 corrects that oversight and ensures that a conviction for conflict of interest carries the same disqualification penalty.”

This bill subjects a public employee convicted of a felony conflict of interest to a five-year ban from future public employment and permanently disqualifies a city manager or attorney convicted of a felony from public employment.

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