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GOVERNMENT CODE - GOV

TITLE 9. POLITICAL REFORM [81000 - 91014] (Title 9 added June 4, 1974, by initiative Proposition 9.)

CHAPTER 1. General [81000 - 81015] (Chapter 1 added June 4, 1974, by initiative Proposition 9.)

81000. This title shall be known and may be cited as the "Political Reform Act of 1974."

(Added June 4, 1974, by initiative Proposition 9.)

81001. The people find and declare as follows:

- (a) State and local government should serve the needs and respond to the wishes of all citizens equally, without regard to their wealth;
- (b) Public officials, whether elected or appointed, should perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them;
- (c) Costs of conducting election campaigns have increased greatly in recent years, and candidates have been forced to finance their campaigns by seeking large contributions from lobbyists and organizations who thereby gain disproportionate influence over governmental decisions;
- (d) The influence of large campaign contributors is increased because existing laws for disclosure of campaign receipts and expenditures have proved to be inadequate;
- (e) Lobbyists often make their contributions to incumbents who cannot be effectively challenged because of election laws and abusive practices which give the incumbent an unfair advantage;
- (f) The wealthy individuals and organizations which make large campaign contributions frequently extend their influence by employing lobbyists and spending large amounts to influence legislative and administrative actions;
- (g) The influence of large campaign contributors in ballot measure elections is increased because the ballot pamphlet mailed to the voters by the state is difficult to read and almost impossible for a layperson to understand; and
- (h) Previous laws regulating political practices have suffered from inadequate enforcement by state and local authorities.

(Amended by Stats. 2021, Ch. 50, Sec. 127. (AB 378) Effective January 1, 2022.)

81002. The people enact this title to accomplish the following purposes:

- (a) Receipts and expenditures in election campaigns should be fully and truthfully disclosed in order that the voters may be fully informed and improper practices may be inhibited.
- (b) The activities of lobbyists should be regulated and their finances disclosed in order that improper influences will not be directed at public officials.
- (c) Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided.
- (d) The state ballot pamphlet should be converted into a useful document so that voters will not be entirely dependent on paid advertising for information regarding state measures.
- (e) Laws and practices unfairly favoring incumbents should be abolished in order that elections may be conducted more fairly.
- (f) Adequate enforcement mechanisms should be provided to public officials and private citizens in order that this title will be vigorously enforced.

(Amended by Stats. 1980, Ch. 289. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81003. This title should be liberally construed to accomplish its purposes.

(Added June 4, 1974, by initiative Proposition 9.)

81004. (a) All reports and statements filed under this title shall be signed under penalty of perjury and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of the filer's knowledge it is true and complete.

(b) A report or statement filed by a committee which qualifies under subdivision (a) of Section 82013 shall be signed and verified by the treasurer, and a report or statement filed by any other person shall be signed and verified by the filer. If the filer is an entity other than an individual, the report or statement shall be signed and verified by a responsible officer of the entity or by an attorney or a certified public accountant acting as agent for the entity. Every person who signs and verifies any report or statement required to be filed under this title which contains material matter which that person knows to be false is guilty of perjury.

(c) (1) Notwithstanding any other provision of this title, a person required to file a report or statement by paper with the Secretary of State may instead file the paper report or statement by email with the Secretary of State, or by other digital means as prescribed by the Secretary of State.

(2) A report or statement filed by email pursuant to paragraph (1) shall be signed using a digital signature that conforms with the requirements of Section 16.5.

(3) A report or statement filed with the Secretary of State by email that meets the requirements in this subdivision is the original report or statement for audit and other legal purposes.

(Amended (as amended by Stats. 2021, Ch. 50, Sec. 128) by Stats. 2022, Ch. 328, Sec. 1. (AB 2172) Effective January 1, 2023. Superseded on operative date of amendment by Stats. 2018, Ch. 662. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81004. (a) All reports and statements filed under this title shall be signed under penalty of perjury and verified by the filer in compliance with this section and Section 84213, as applicable. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of the filer's knowledge it is true and complete.

(b) A report or statement filed by a committee which qualifies under subdivision (a) of Section 82013 shall be signed and verified by the treasurer, and a report or statement filed by any other person shall be signed and verified by the filer. If the filer is an entity other than an individual, the report or statement shall be signed and verified by a responsible officer of the entity or by an attorney or a certified public accountant acting as agent for the entity. Every person who signs and verifies any report or statement required to be filed under this title which contains material matter which that person knows to be false is guilty of perjury.

(c) A report or statement filed online or electronically shall include a secure electronic signature that is submitted under penalty of perjury and that conforms to subdivision (a) of this section and subdivision (b) of Section 1633.11 of the Civil Code.

(d) A filing made on behalf of a filer by a vendor or service provider authorized by the filer to make such filings is presumed filed under penalty of perjury by the filer.

(Amended (as amended by Stats. 2018, Ch. 662, Sec. 1) by Stats. 2021, Ch. 50, Sec. 129. (AB 378) Effective January 1, 2022. Conditionally operative on date prescribed by Stats. 2018, Ch. 662, Sec. 44. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81004.5. Any report or statement filed pursuant to this title may be amended by the filer at any time. Amending an incorrect or incomplete report or statement may be considered as evidence of good faith.

(Added by Stats. 1976, Ch. 1161.)

81005. (a) If this title requires that a statement or report be filed before or on a specified date or during or within a specified period, and the filing deadline falls on a Saturday, Sunday, or official state holiday, the filing deadline for the statement or report shall be extended to the next regular business day.

(b) This extension does not apply to the following statements or reports:

(1) Contribution reports required by Section 84203, subdivision (b) of Section 84203.3, or Section 85309, or the contributor's notice of a late in-kind contribution required by subdivision (a) of Section 84203.3, when the due date for these types of reports falls on a Saturday, Sunday, or official state holiday immediately before an election.

(2) Independent expenditure reports required by Section 84204 or 85500.

(Added by Stats. 2019, Ch. 312, Sec. 1. (AB 902) Effective January 1, 2020.)

81006. Except as provided in this title, no fee or charge shall be collected by any officer for the filing of any report or statement or for the forms upon which reports or statements are to be prepared.

(Amended by Stats. 1985, Ch. 1183, Sec. 1. Effective September 29, 1985. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81007. When a report or statement or copies thereof required to be filed with any officer under this title have been sent by first-class mail or by any other guaranteed overnight delivery service addressed to the officer, it shall for purposes of any deadline be deemed to have been received by the officer on the date of the deposit in the mail or of receipt by that delivery service. It shall be presumed until the contrary is established that any date stamped by the post office on the envelope or contained on the delivery service receipt containing the report or statement is the date it was deposited in the mail or received by the delivery service. Mail which is not received by the filing officer shall be presumed not to have been sent unless the filer possesses a post office or delivery service receipt establishing the date of deposit and the name and address of the addressee.

(Amended (as amended by Stats. 1994, Ch. 638, Sec. 1) by Stats. 2021, Ch. 50, Sec. 130. (AB 378) Effective January 1, 2022. Superseded on operative date of amendment by Stats. 2018, Ch. 662. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81007. When a report or statement or copies thereof required to be filed in paper format with any officer under this title has been sent by first-class mail or by any other guaranteed overnight delivery service addressed to the officer, it shall for purposes of any deadline be deemed to have been received by the officer on the date of the deposit in the mail or of receipt by that delivery service. It shall be presumed until the contrary is established that any date stamped by the post office on the envelope or contained on the delivery service receipt containing the report or statement is the date it was deposited in the mail or received by the delivery service. Mail that is not received by the filing officer shall be presumed not to have been sent unless the filer possesses a post office or delivery service receipt establishing the date of deposit and the name and address of the addressee.

(Amended by Stats. 2018, Ch. 662, Sec. 2. (SB 1239) Effective January 1, 2019. Conditionally operative on date prescribed by Stats. 2018, Ch. 662, Sec. 44. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81007.5. (a) Any report or statement or copies thereof required to be filed with any official under Chapter 4 (commencing with Section 84100) or Chapter 7 (commencing with Section 87100) may be faxed by the applicable deadline, provided that the required originals or paper copies are sent by first-class mail or by any other personal delivery or guaranteed overnight delivery service within 24 hours of the applicable deadline and provided that the total number of pages of each report or statement faxed is no more than 30 pages.

(b) A faxed report or statement shall not be deemed filed if the faxed report or statement is not a true and correct copy of the original or copy of the report or statement personally delivered or sent by first-class mail or guaranteed overnight delivery service pursuant to subdivision (a).

(c) A filing officer who receives a faxed report or statement shall make the report or statement available to the public in the same manner as provided in Section 81008. If the faxed report or statement is requested prior to the receipt of the original or copy of the report or statement by the filing officer, the filing officer shall inform the requester that the faxed report or statement will not be considered a filed report or statement if the requirements of subdivision (b) have not been met by the filer.

(Amended by Stats. 1997, Ch. 394, Sec. 1. Effective January 1, 1998. Superseded on operative date of amendment by Stats. 2018, Ch. 662.)

81007.5. (a) Any report or statement or copies thereof required to be filed with any official under Chapter 4 (commencing with Section 84100) or Chapter 7 (commencing with Section 87100), other than a report or statement that is required to be filed online or electronically with the Secretary of State in accordance with this title or with a local government agency in accordance with an ordinance adopted by the agency pursuant to Section 84615, may be emailed or faxed by the applicable deadline, provided that the required originals or paper copies are sent by first-class mail or by any other personal delivery or guaranteed overnight delivery service within 24 hours of the applicable deadline and provided that the total number of pages of each report or statement emailed or faxed is no more than 30 pages.

(b) An emailed or faxed report or statement shall not be considered filed if the emailed or faxed report or statement is not a true and correct copy of the original.

(c) A filing officer who receives an emailed or faxed report or statement shall make the report or statement available to the public in the same manner as provided in Section 81008.

(Amended by Stats. 2018, Ch. 662, Sec. 3. (SB 1239) Effective January 1, 2019. Conditionally operative on date prescribed by Stats. 2018, Ch. 662, Sec. 44.)

81008. Every report and statement filed pursuant to this title is a public record open for public inspection and reproduction during regular business hours, commencing as soon as practicable, but in any event not later than the second business day following the day on which it was received. No conditions whatsoever shall be imposed upon persons desiring to inspect or reproduce reports and statements filed under this title, nor shall any information or identification be required from these persons. Copies shall be provided at a charge not to exceed ten cents (\$0.10) per page. In addition, the filing officer may charge a retrieval fee not to exceed five

dollars (\$5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.

(Amended by Stats. 2013, Ch. 654, Sec. 1. (AB 1418) Effective January 1, 2014. Superseded on operative date of amendment by Stats. 2018, Ch. 662. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81008. A report or statement filed pursuant to this title is a public record open for public inspection and reproduction during the filing officer's regular business hours, commencing as soon as practicable, and no later than the second business day after the day it was received. A filing officer shall make electronically filed data publicly available on the Internet as soon as possible after it is received in compliance with Sections 84602 and 84615. Conditions shall not be imposed upon persons asking to inspect or reproduce reports and statements filed under this title, and information or identification shall not be required from these persons. Copies shall be provided at a charge not to exceed ten cents (\$0.10) per page. In addition, the filing officer may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements which are five or more years old. A request for more than one report or statement or report and statement at the same time shall be considered a single request.

(Amended by Stats. 2018, Ch. 662, Sec. 4. (SB 1239) Effective January 1, 2019. Conditionally operative on date prescribed by Stats. 2018, Ch. 662, Sec. 44. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81009. (a) Statements of organization, registration statements, and original campaign statements of persons holding elective state office, candidates for any such office, committees supporting any such officeholder or candidate, and committees supporting or opposing statewide measures, shall be retained by filing officers indefinitely.

(b) Original campaign statements of mayors, city council members, county supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate shall be retained indefinitely, except that original campaign statements of candidates not elected to these offices and of committees supporting candidates not elected to these offices shall be retained by filing officers for a period of not less than five years.

(c) Original campaign statements of all other persons shall be retained by filing officers for a period of not less than seven years.

(d) Original statements of economic interests of persons holding statewide elective office shall be retained by filing officers indefinitely.

(e) Original reports and statements not specified above in this section shall be retained by filing officers for a period of not less than seven years.

(f) Copies of reports or statements shall be retained by the officer with whom they are filed for a period of not less than four years, provided, however, that a filing officer is not required to retain more than one copy of a report or statement.

(g) (1) If an original report or statement or a copy is filed in a paper format, the officer with whom it is filed may comply with this section by retaining one of the following available for public inspection:

(A) The original report or statement or copy filed in a paper format.

(B) A copy on microfilm or other space-saving materials.

(C) An electronic copy.

(2) Upon request, the officer shall provide copies of such statements pursuant to Section 81008.

(Amended (as amended by Stats. 1985, Ch. 1183, Sec. 2) by Stats. 2024, Ch. 211, Sec. 1. (AB 1170) Effective January 1, 2025. Superseded on operative date of amendment by Stats. 2018, Ch. 662, as further amended by Stats. 2024, Ch. 211, Sec. 2. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81009. (a) Statements of organization, registration statements, and original campaign statements of persons holding elective state office, candidates for any such office, committees supporting any such officeholder or candidate, and committees supporting or opposing statewide measures, shall be retained by filing officers indefinitely.

(b) Original campaign statements of mayors, city council members, county supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate shall be retained indefinitely, except that original campaign statements of candidates not elected to these offices and of committees supporting candidates not elected to these offices shall be retained by filing officers for a period of at least five years.

(c) Original campaign statements of all other persons shall be retained by filing officers for at least seven years.

(d) Original statements of economic interests of persons holding statewide elective office shall be retained by filing officers indefinitely.

(e) Original reports and statements not specified above in this section shall be retained by filing officers for at least seven years.

(f) Copies of reports or statements shall be retained by the officer with whom they are filed for at least four years, provided, however, that a filing officer is not required to retain more than one copy of a report or statement.

(g) (1) If an original report or statement or a copy is filed in a paper format, the officer with whom it is filed may comply with this section by retaining either of the following available for public inspection:

(A) The original report or statement or copy filed in a paper format.

(B) An electronic copy.

(2) Upon request, the office shall provide copies of such statements pursuant to Section 81008.

(3) Reports and statements filed online or electronically under this title shall be retained and archived pursuant to this section and Sections 84602 and 84615.

(Amended (as amended by Stats. 2018, Ch. 662, Sec. 5) by Stats. 2024, Ch. 211, Sec. 2. (AB 1170) Effective January 1, 2025. Conditionally operative on date prescribed by Stats. 2018, Ch. 662 Sec. 44, and by Stats. 2024, Ch. 211, Sec. 8. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81009.5. (a) Any local government agency which has enacted, enacts, amends, or repeals an ordinance or other provision of law affecting campaign contributions and expenditures shall file a copy of the action with the commission.

(b) Notwithstanding Section 81013, no local government agency shall enact any ordinance imposing filing requirements additional to or different from those set forth in Chapter 4 (commencing with Section 84100) for elections held in its jurisdiction unless the additional or different filing requirements apply only to the candidates seeking election in that jurisdiction, their controlled committees or committees formed or existing primarily to support or oppose their candidacies, and to committees formed or existing primarily to support or oppose a candidate or to support or oppose the qualification of, or passage of, a local ballot measure which is being voted on only in that jurisdiction, and to city or county general purpose committees active only in that city or county, respectively.

(Amended by Stats. 1991, Ch. 674, Sec. 1.)

81010. With respect to reports and statements filed with a filing officer pursuant to this title, the filing officer shall:

(a) Supply the necessary forms and manuals prescribed by the Commission;

(b) Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this title;

(c) Notify promptly all persons and known committees who have failed to file a report or statement in the form and at the time required by this title;

(d) Report apparent violations of this title to the appropriate agencies; and

(e) Compile and maintain a current list of all reports and statements filed with this office.

(Amended (as added June 4, 1974, by Prop. 9) by Stats. 2021, Ch. 50, Sec. 131. (AB 378) Effective January 1, 2022. Superseded on operative date of amendment by Stats. 2018, Ch. 662.)

81010. For reports and statements filed with a filing officer pursuant to this title, the filing officer shall do all of the following:

(a) Supply the necessary forms and manuals prescribed by the Commission.

(b) Determine whether required documents have been filed and, if so, whether they conform on their face with the requirements of this title.

(c) Notify promptly all persons and known committees who have failed to file a report or statement in the form and at the time required by this title.

(d) Report apparent violations of this title to the appropriate agencies.

(e) Compile and maintain a current list of all reports and statements filed with this office.

(Amended by Stats. 2018, Ch. 662, Sec. 6. (SB 1239) Effective January 1, 2019. Conditionally operative on date prescribed by Stats. 2018, Ch. 662, Sec. 44. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81010.5. A filing officer or filing official's failure to comply with a duty or to provide notice of a filing or disclosure obligation does not affect a person's duty to file statements and reports disclosing information as required by this title or any enforceable conflict of interest code.

(Added by Stats. 2019, Ch. 312, Sec. 2. (AB 902) Effective January 1, 2020.)

81011.5. Any provision of law to the contrary notwithstanding, the election precinct of a person signing a statewide petition shall not be required to appear on the petition when it is filed with the county elections official, nor any additional information regarding a signer other than the information required to be written by the signer.

(Amended by Stats. 2002, Ch. 221, Sec. 44. Effective January 1, 2003.)

81012. This title may be amended or repealed by the procedures set forth in this section. If any portion of subdivision (a) is declared invalid, then subdivision (b) shall be the exclusive means of amending or repealing this title.

(a) This title may be amended to further its purposes by statute, passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring and signed by the Governor, if at least 8 days before passage in each house, or at least 12 days before passage in each house if the previous form of the bill did not amend this title, the bill in its final form has been delivered to the commission for distribution to the news media and to every person who has requested the commission to send copies of such bills to that person.

(b) This title may be amended or repealed by a statute that becomes effective only when approved by the electors.

(Amended by Stats. 2023, Ch. 499, Sec. 2. (SB 681) Effective January 1, 2024. Note: This section was added on June 4, 1974, by initiative Prop. 9.)

81012.5. (a) The Legislative Counsel shall, through the information system described in Section 10248, make available to the public the option to sign up to receive an email alert any time any of the following actions occur:

(1) A new bill that would amend this title is introduced.

(2) An existing bill that would amend this title is amended, referred to the floor or committee, voted on, or is otherwise subject to an action triggering a notification by the information system described in Section 10248.

(3) An existing bill that would not amend this title is amended to include provisions that would amend this title.

(b) The email alerts described in subdivision (a) shall be sent in the shortest feasible time, but no later than 9 a.m. the calendar day after the legislative action that is subject to the alert.

(c) All email alerts sent through the information system described in Section 10248 regarding bills that would amend this title shall include the text "Political Reform Act Bill" in the email subject line.

(Added by Stats. 2023, Ch. 499, Sec. 3. (SB 681) Effective January 1, 2024.)

81013. Nothing in this title prevents the Legislature or any other state or local agency from imposing additional requirements on any person if the requirements do not prevent the person from complying with this title. If any act of the Legislature conflicts with the provisions of this title, this title shall prevail.

(Added June 4, 1974, by initiative Proposition 9.)

81014. Whenever any reference is made in this title to a federal or state statute and that statute has been or is subsequently repealed or amended, the Commission may promulgate regulations to carry out the intent of this title as nearly as possible.

(Added June 4, 1974, by initiative Proposition 9.)

81015. If any provision of this title, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this title to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this end the provisions of this title are severable.

(Added June 4, 1974, by initiative Proposition 9.)