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**AB-359 Fair Political Practices Commission.** (2025-2026)

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**Assembly Bill No. 359**

**CHAPTER 257**

An act to amend Section 83123.6 of, and to repeal Section 83123.5 of, the Government Code, relating to the Political Reform Act of 1974.

[ Approved by Governor October 03, 2025. Filed with Secretary of State October 03, 2025. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 359, Ramos. Fair Political Practices Commission.

The Political Reform Act of 1974 permits the Fair Political Practices Commission, upon mutual agreement between the commission 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. The act authorizes the commission with respect to the local campaign finance or government ethics law to, among other things, provide advice, investigate possible violations, and bring civil actions. If such an agreement is executed, the act further requires the commission to report to the Legislature on or before January 1, 2025 with specified information, including legislative recommendations, regarding the performance of the agreement. Existing law repeals these provisions on January 1, 2026. The act authorizes the commission to enter into a similar agreement with the Board of Supervisors of the County of San Bernardino.

This bill would additionally authorize the commission to conduct audits with respect to the local campaign finance or government ethics law. The bill would delete the requirement for the commission to report to the Legislature and remove the January 1, 2026 repeal date, thereby indefinitely extending the operation of the provisions described above. The bill would repeal the provisions pertaining to the County of San Bernardino.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 83123.5 of the Government Code is repealed.

**SEC. 2.** Section 83123.6 of the Government Code is amended to read:

**83123.6.** (a) (1) Upon mutual agreement between the Commission and the governing body of a local government agency, the Commission may assume primary responsibility for the impartial, effective administration, implementation, and enforcement of a

local campaign finance or government ethics law passed by the local government agency.

(2) Upon approval of an agreement pursuant to paragraph (1), the Commission shall be the civil prosecutor responsible for the civil enforcement of the local campaign finance or government ethics law of the local government agency in accordance with this title.

(b) (1) The Commission may do all of the following with respect to the local campaign finance or government ethics law:

(A) Provide advice.

(B) Conduct audits.

(C) Investigate possible violations.

(D) Bring administrative actions in accordance with this title and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2.

(E) Bring civil actions.

(2) The Commission shall not be required to obtain authorization from the local government agency to bring an administrative or civil action pursuant to paragraph (1).

(c) A local campaign finance or government ethics law of the local government agency enforced by the Commission pursuant to this section shall comply with this title.

(d) The governing body of the local government agency shall consult with the Commission before adopting and amending any local campaign finance or government ethics law that is subsequently enforced by the Commission pursuant to this section.

(e) (1) The governing body of the local government agency and the Commission shall enter into any agreements necessary and appropriate to carry out the provisions of paragraph (1) of subdivision (a), including agreements pertaining to any necessary local reimbursement of direct and indirect costs incurred by the Commission in administering, implementing, or enforcing a local campaign finance or government ethics law pursuant to this section. Before approving an agreement for local reimbursement, the Commission shall submit the proposed agreement to the Department of General Services for review. The Commission may approve the agreement 90 days after submitting it to the Department of General Services or after receiving the department's written review of the agreement, whichever occurs first. The Commission shall submit an approved agreement, along with any review received, to the Department of Finance.

(2) An agreement entered into pursuant to this subdivision shall not contain a cancellation fee, a liquidated damages provision, or other financial disincentive to terminate the agreement pursuant to subdivision (f), except that, if the local government agency terminates the agreement, the Commission may require the governing body of the local government agency to pay the Commission for services rendered and any other expenditures reasonably made by the Commission in anticipation of services to be rendered pursuant to the agreement.

(f) The governing body of the local government agency or the Commission may, at any time, by ordinance or resolution, terminate an agreement made pursuant to this section for the Commission to administer, implement, or enforce a local campaign finance ordinance or any provision thereof. The termination shall be effective 90 days after the enactment of the ordinance or resolution unless an agreement between the local government and the Commission requires a longer period.

(g) The Commission shall conspicuously post on its internet website a list of every local government agency that it has entered into agreement with pursuant to this section.

(h) This section does not apply to a jurisdiction with a population of 3,000,000 or more.

**SEC. 3.** The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.