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AB-953 Political Reform Act of 1974: contributions and expenditures by foreign nationals. (2025-2026)

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Assembly Bill No. 953

CHAPTER 170

An act to amend Section 85320 of the Government Code, relating to the Political Reform Act of 1974.

[Approved by Governor October 01, 2025. Filed with Secretary of State October 01, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 953, Pacheco. Political Reform Act of 1974: contributions and expenditures by foreign nationals.

The Political Reform Act of 1974 provides for the comprehensive regulation of political campaigns, lobbying, and other matters relating to governmental ethics and elections. The act prohibits a foreign government or foreign principal from making any contribution, expenditure, or independent expenditure in connection with the qualification or support of, or opposition to, a state or local ballot measure or an election for a state or local office. The act prohibits a person or committee from soliciting or accepting a contribution from a foreign government or foreign principal for the same purposes. The act makes a violation of these prohibitions a misdemeanor.

This bill would expand the prohibitions described above to apply to foreign nationals. The bill would define "foreign national" as a person who is not a citizen of the United States and who is not a lawfully admitted permanent resident. The bill would exclude from this definition a person who has been granted deferred action, and whose deferred action has not expired, under the federal Deferred Action for Childhood Arrivals (DACA) program, as described in guidelines issued by the United States Department of Homeland Security.

By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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: yes

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

SECTION 1. The Legislature finds and declares the following:

(a) The First Amendment rights of speech and association, as they relate to participating in elections, are core values in the United States. The Supreme Court of the United States has repeatedly held that these freedoms include the right to make campaign contributions in support of candidates and ballot measures at the federal, state, and local levels.

(b) In accordance with federal law, the right to participate in elections is solely reserved for citizens and permanent legal residents of the United States, whether they act as individuals or in association. The First Amendment's protection of political speech does not apply to foreign nationals, who are forbidden under Section 30121 of Title 52 of the United States Code from directly or indirectly making political contributions, expenditures, or independent expenditures in connection with federal, state, or local elections. Furthermore, federal law prohibits a person from knowingly soliciting or receiving contributions from a foreign national.

(c) Individual states must also safeguard and bolster this restriction on foreign influence in our state and local elections by prohibiting contributions, expenditures, and independent expenditures from foreign nationals in connection with federal, state, and local elections.

SEC. 2. Section 85320 of the Government Code is amended to read:

85320. (a) A foreign government, foreign principal, or foreign national shall not make, directly or through any other person, a contribution, expenditure, or independent expenditure in connection with the qualification or support of, or opposition to, any state or local ballot measure or in connection with the election of a candidate to state or local office.

(b) A person or a committee shall not solicit or accept a contribution from a foreign government, foreign principal, or foreign national in connection with the qualification or support of, or opposition to, any state or local ballot measure or in connection with the election of a candidate to state or local office.

(c) For the purposes of this section, the following terms have the following meanings:

(1) (A) "Foreign national" means a person who is not a citizen of the United States and who is not a lawfully admitted permanent resident.

(B) "Foreign national" does not include a person who has been granted deferred action, and whose deferred action has not expired, under the federal Deferred Action for Childhood Arrivals (DACA) program, as described in guidelines issued by the United States Department of Homeland Security.

(2) "Foreign principal" includes any of the following:

(A) A foreign political party.

(B) A person outside the United States, unless either of the following is established:

(i) The person is an individual and a citizen of the United States.

(ii) The person is not an individual and is organized under or created by the laws of the United States or of any state or other place subject to the jurisdiction of the United States and has its principal place of business within the United States.

(C) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

(D) A domestic subsidiary of a foreign corporation if the decision to contribute or expend funds is made by an officer, director, or management employee of the foreign corporation who is neither a citizen of the United States nor a lawfully admitted permanent resident of the United States.

(d) This section shall not prohibit a contribution, expenditure, or independent expenditure made by a lawfully admitted permanent resident.

(e) Any person who violates this section shall be guilty of a misdemeanor and shall be fined an amount equal to the amount contributed or expended.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 4. 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.