

AMENDED IN ASSEMBLY MAY 8, 2012

AMENDED IN ASSEMBLY APRIL 24, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2410

Introduced by Assembly Member Fuentes

February 24, 2012

An act to add Section 20 to the Elections Code, relating to elective office.

LEGISLATIVE COUNSEL'S DIGEST

AB 2410, as amended, Fuentes. Elective office: felony conviction.

Existing law prescribes various eligibility and procedural requirements for a person to become a candidate for elective office.

This bill would prohibit the consideration of a person as a candidate for, and would provide that the person is not eligible to be elected to, any elective office in this state if the election occurs within 20 years of the date upon which the person completes a sentence, including probation, for conviction of a felony ~~that involved a conflict of interests, an act of fraud, dishonesty, a breach of a public trust, or money laundering~~ *involving accepting or 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.* The bill would provide that “conviction of a felony” includes a conviction of a felony in this state and a conviction under the laws of any other state, the United States, or any foreign government or country of a crime that, if committed in this state, would be a felony, and for which the person has not received a pardon from the Governor of this state, the governor or other officer authorized to grant pardons in another state, the President

of the United States, or the officer of the foreign government or country authorized to grant pardons in that foreign jurisdiction.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20 is added to the Elections Code, to
2 read:

3 20. (a) A person shall not be considered a candidate for, and
4 is not eligible to be elected to, any elective office in this state if
5 the election occurs within 20 years of the date upon which the
6 person completes a sentence, including probation, for conviction
7 of a felony ~~that involved a conflict of interests, an act of fraud,~~
8 ~~dishonesty, a breach of a public trust, or money laundering~~
9 *involving accepting or giving, or offering to give, any bribe, the*
10 *embezzlement of public money, extortion or theft of public money,*
11 *perjury, or conspiracy to commit any of those crimes.*

12 (b) For purposes of this section, “conviction of a felony”
13 includes a conviction of a felony in this state and a conviction
14 under the laws of any other state, the United States, or any foreign
15 government or country of a crime that, if committed in this state,
16 would be a felony, and for which the person has not received a
17 pardon from the Governor of this state, the governor or other officer
18 authorized to grant pardons in another state, the President of the
19 United States, or the officer of the foreign government or country
20 authorized to grant pardons in that foreign jurisdiction.