

AMENDED IN SENATE MARCH 23, 2011

SENATE BILL

No. 18

Introduced by Senator Blakeslee

December 6, 2010

An act to amend Section 86203 of, and to add Section 89504 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 18, as amended, Blakeslee. Political Reform Act of 1974: gifts.

The Political Reform Act of 1974 regulates the receipt of gifts by public officials, including Members of the Legislature, and also regulates the activities of members of the lobbying industry, including lobbyist employers. *Existing law prohibits certain public officials from receiving gifts in excess of a specified dollar amount from a single source on an annual basis.*

~~This bill would state the intent of the Legislature to enact legislation that would further limit the ability of special interest groups, including lobbyist employers, to give gifts to Members of the Legislature.~~

This bill would prohibit a lobbyist, lobbying firm, or lobbying employer from making to an elected state official, and an elected state official from receiving from a lobbyist, lobbying firm, or lobbying employer, specified gifts, regardless of the value of the gift.

Existing law makes a willful violation of the Political Reform Act of 1974 a misdemeanor. Because this bill would create a new crime or expand the definition of a crime, it 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 and compliance with specified procedural requirements.

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

Vote: ~~majority~~ $\frac{2}{3}$. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

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

1 *SECTION 1. Section 86203 of the Government Code is*
2 *amended to read:*

3 86203. (a) It shall be unlawful for a lobbyist, or lobbying firm,
4 to make gifts to one person aggregating more than ten dollars (\$10)
5 in a calendar month, or to act as an agent or intermediary in the
6 making of any gift, or to arrange for the making of any gift by any
7 other person.

8 (b) *It shall be unlawful for a lobbyist, lobbying firm, or lobbyist*
9 *employer to give to a person holding elective state office or to a*
10 *member of that officeholder's immediate family, from the date the*
11 *officeholder is elected until he or she vacates the office, any of the*
12 *following gifts:*

13 (1) *Theme park tickets.*

14 (2) *Sporting event tickets.*

15 (3) *Theater and concert tickets.*

16 (4) *Racetrack tickets.*

17 (5) *Spa treatments, and other services of a personal nature.*

18 (6) *Golf, skiing, or fishing trips, and other recreational outings*
19 *or vacations.*

20 (7) *Gift cards.*

21 SEC. 2. *Section 89504 is added to the Government Code, to*
22 *read:*

23 89504. (a) *No person holding elective state office, from the*
24 *date of his or her election to the date he or she vacates office, shall*
25 *accept as a gift from a lobbyist, lobbying firm, or lobbyist*
26 *employer, any of the following:*

- 1 (1) *Theme park tickets.*
- 2 (2) *Sporting event tickets.*
- 3 (3) *Theater and concert tickets.*
- 4 (4) *Racetrack tickets.*
- 5 (5) *Spa treatments, or other services of a personal nature.*
- 6 (6) *Golf, skiing, or fishing trips, and other recreational outings*
- 7 *or vacations.*
- 8 (7) *Gift cards.*

9 (b) *For purposes of this section, “gift” has the same meaning*
 10 *as defined in Section 86201.*

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

20 *SEC. 4. The Legislature finds and declares that this bill furthers*
 21 *the purposes of the Political Reform Act of 1974 within the meaning*
 22 *of subdivision (a) of Section 81012 of the Government Code.*

23 ~~SECTION 1. (a) The Legislature finds and declares that the~~
 24 ~~public has expressed its disapproval of the practice whereby special~~
 25 ~~interest groups provide gifts, including tickets to sporting events,~~
 26 ~~rounds of golf, spa treatments, and other recreational activities,~~
 27 ~~for the purpose of gaining access to, and influence with, Members~~
 28 ~~of the Legislature.~~

29 ~~(b) Therefore, it is the intent of the Legislature to enact~~
 30 ~~legislation that will limit the ability of special interest groups,~~
 31 ~~including lobbyist employers, to give gifts to Members of the~~
 32 ~~Legislature.~~