

ASSEMBLY BILL

No. 837

Introduced by Assembly Members Thomson and Ackerman

February 27, 1997

An act to amend Section 86103 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 837, as introduced, Thomson. Political Reform Act of 1974: lobbyists: certification.

Existing provisions of the Political Reform Act of 1974 regulate the activities of lobbyists, lobbying firms, and lobbyist employers, as defined, in connection with attempts to influence legislative and administrative action by legislative and other state officials. As part of this regulatory activity, the act requires that lobbying firms and lobbyist employers register with the Secretary of State and that each lobbyist who is a partner, owner, officer, or employee of a lobbying firm or who is an employee of a lobbyist employer, complete a certification. Among other things, the certification requires the lobbyist to state that he or she has completed an orientation course on the ethical issues and laws relating to lobbying within the previous 24 months. In the case of a new lobbyist certification, where the lobbyist has not completed the course within the previous 24 months, the certification must include a statement that the lobbyist will complete a course within a reasonable period of time, in which case the certification will be accepted on a conditional basis and, within a reasonable time after the lobbyist completes the

course, the lobbyist must file a new certification with the Secretary of State which shall replace the conditional certification.

This bill would apply the conditional certification procedures to all, rather than to just new, lobbyist certifications and require that the conditional certification be replaced by a statement of completion of the ethics course issued by the appropriate legislative ethics committee.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on certain persons who violate the provisions of the bill.

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 with a 2/3 vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a 2/3 vote.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

- 1 SECTION 1. Section 86103 of the Government Code
- 2 is amended to read:
- 3 86103. A lobbyist certification shall include all of the
- 4 following:
- 5 (a) A recent photograph of the lobbyist, the size of
- 6 which shall be prescribed by the Secretary of State.
- 7 (b) The full name, business address, and telephone
- 8 number of the lobbyist.



1 (c) A statement that the lobbyist has read and
2 understands the prohibitions contained in Sections 86203
3 and 86205.

4 (d) (1) A statement that the lobbyist has completed,
5 within the previous 24 months, the course described in
6 subdivision (b) of Section 8956.

7 ~~(2) If, in the case of a new lobbyist certification,~~ the
8 lobbyist has not completed the course within the previous
9 24 months, the lobbyist certification shall include a
10 statement that the lobbyist will complete a scheduled
11 course within a reasonable period of time, and the
12 lobbyist certification shall be accepted on a conditional
13 basis. Within a reasonable time following the lobbyist's
14 completion of the ethics course, the lobbyist shall file ~~a~~
15 ~~new lobbyist certification~~ with the Secretary of State
16 ~~which shall replace the conditional lobbyist certification~~
17 ~~previously filed~~ *a statement of completion of the ethics*
18 *course issued by the appropriate legislative ethics*
19 *committee.*

20 (e) Any other information required by the
21 commission consistent with the purposes and provisions
22 of this chapter.

23 SEC. 2. No reimbursement is required by this act
24 pursuant to Section 6 of Article XIII B of the California
25 Constitution because the only costs that may be incurred
26 by a local agency or school district will be incurred
27 because this act creates a new crime or infraction,
28 eliminates a crime or infraction, or changes the penalty
29 for a crime or infraction, within the meaning of Section
30 17556 of the Government Code, or changes the definition
31 of a crime within the meaning of Section 6 of Article
32 XIII B of the California Constitution.

33 Notwithstanding Section 17580 of the Government
34 Code, unless otherwise specified, the provisions of this act
35 shall become operative on the same date that the act
36 takes effect pursuant to the California Constitution.

37 SEC. 3. The Legislature finds and declares that the
38 provisions of this act further the purposes of the Political



- 1 Reform Act of 1974 within the meaning of subdivision (a)
- 2 of Section 81012 of the Government Code.

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