BACKGROUND
Current law prohibits the use of public dollars on candidate elections. However, it has been recently discovered that the Fair Political Practices Commission (FPPC) currently lacks the authority to investigate and bring legal action when a person or public agencies use public dollars are to weigh in on ballot measures.

This lack of authority has been highlighted in the news, the most recent example being the use of public funds by the Bay Area Rapid Transit (BART) to fund a campaign supporting a $3.5 billion bond. While the FPPC did fine BART, it was for $7,500 due to failure to disclose the use of funds, not the misuse. Another example was LA County’s use of funds to support Measure H, a quarter cent sales tax increase in 2017.

THE BILL
AB 1306 amends the Political Reform Act of 1974 to prohibit any elected state or local officer, including any state or local appointee, employee, or consultant, from using or permitting others to use public resources for a campaign activity.

The bill would authorize the FPPC to impose an administrative or civil penalty against a person for a misuse of public resources for campaign activity, not to exceed $1,000 for each day on which a violation occurs, plus three times the value of the unlawful use of public resources.

PREVIOUS LEGISLATION
California Proposition 73- the Limits on Campaign Donations Initiative- was on the June 7, 1988 ballot in California as an initiated state statute.

The measure was approved. Proposition 73, among other things, prohibits public officials from using and candidates accepting public funds for the purpose of seeking elective office.

STATUS
To be heard on April 10th in Assembly Elections and Redistricting.

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1 https://www.mercurynews.com/2018/12/20/state-watchdog-to-ask-for-criminal-prosecution-over-bart-campaign-violations/