

Date of Hearing: March 25, 2026

ASSEMBLY COMMITTEE ON ELECTIONS
Gail Pellerin, Chair
AB 1560 (Tangipa) – As Introduced January 8, 2026

SUBJECT: Lobbyist certification.

SUMMARY: Prohibits a person who has been convicted of a crime of public corruption from serving as a lobbyist. Specifically, **this bill**:

- 1) Prohibits a person who is convicted of a crime of public corruption from thereafter acting as a lobbyist pursuant to the Political Reform Act (PRA). Provides that if a person convicted of a crime of public corruption is already a registered lobbyist, the certification shall be void upon the person's conviction.
- 2) Provides, for the purposes of this bill, that a "crime of public corruption" means a person has been convicted of a felony 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.
- 3) Prohibits the Secretary of State (SOS) from accepting a lobbying certification from a person who has been convicted of a crime of public corruption.
- 4) Requires a lobbyist certification to include a statement that the lobbyist has not been convicted of a crime of public corruption.

EXISTING LAW:

- 1) Creates the Fair Political Practices Commission (FPPC), and makes it responsible for the impartial, effective administration and implementation of the PRA. (Government Code §§81000 et seq.)
- 2) Makes violations of the PRA subject to administrative, civil, and criminal penalties. (Government Code §§83116, 91000-91005.5)
- 3) Provides that a person convicted of a misdemeanor under the PRA is prohibited from being a candidate for any elective office or acting as a lobbyist for a period of four years following the date of conviction, except as specified. (Government Code §91002)
- 4) Defines a "lobbyist" to mean any individual who receives \$2,000 or more in economic consideration in a calendar month, or whose principal duties as an employee are, to communicate directly or indirectly with any elective state official, state agency official, or legislative official for the purpose of influencing legislative or administrative action, and anyone serving as a placement agent, as specified. (Government Code §82039)
- 5) Requires a lobbyist to attend an ethics course as a condition of registration. Provides that the Senate Committee on Legislative Ethics and Assembly Legislative Ethics Committee jointly

conduct ethics courses for lobbyists. (Government Code §§8956, 86103)

- 6) Makes it unlawful for a lobbyist, or lobbying firm, to make gifts to one person aggregating more than \$10 in a calendar month, or to act as an agent or intermediary in the making of any gift, or to arrange for the making of any gift by any other person. (Government Code §86203)
- 7) Provides that no lobbyist or lobbying firm shall:
 - a) Do anything with the purpose of placing any elected state officer, legislative official, agency official, or state candidate under personal obligation to the lobbyist, the lobbying firm, or the lobbyist's or the firm's employer.
 - b) Deceive or attempt to deceive any elected state officer, legislative official, agency official, or state candidate with regard to any material fact pertinent to any pending or proposed legislative or administrative action.
 - c) Cause or influence the introduction of any bill or amendment thereto for the purpose of thereafter being employed to secure its passage or defeat.
 - d) Attempt to create a fictitious appearance of public favor or disfavor of any proposed legislative or administrative action or to cause any communication to be sent to any elected state officer, legislative official, agency official, or state candidate in the name of any fictitious person or in the name of any real person, except with the consent of such real person.
 - e) Represent falsely, either directly or indirectly, that the lobbyist or the lobbying firm can control the official action of any elected state officer, legislative official, or agency official.
 - f) Accept or agree to accept any payment in any way contingent upon the defeat, enactment, or outcome of any proposed legislative or administrative action. (Government Code §86205)
- 8) Requires each individual lobbyist to submit a lobbyist certification with the SOS. Requires that lobbyist certification to include all of the following:
 - a) A recent photograph of the lobbyist, in a size prescribed by the SOS.
 - b) The lobbyist's full name, business address, email address, and telephone number.
 - c) A statement that the lobbyist has read and understands the existing prohibitions listed above in 6) and 7).
 - d) A statement regarding the lobbyist's completion of the ethics course, as specified. (Government Code §§86100, 86103)

- 9) Prohibits a person from being considered a candidate for, or from being elected to, any state or local elective office if the person has been convicted of a felony 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. (Elections Code §20)
- 10) Provides that a person who is convicted of giving or offering a bribe to procure personal election or appointment is disqualified from holding elected office. Provides that laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries. (California Constitution Article VII, Section 8)
- 11) Specifies that one of the purposes of the PRA is that the activities of lobbyists should be regulated and their finances disclosed in order that improper influences will not be directed at public officials. (Government Code §81002(b))

FISCAL EFFECT: Unknown. State-mandated local program; contains a crimes and infractions disclaimer.

COMMENTS:

- 1) **Purpose of the Bill:** According to the author:

Public trust in government depends on accountability and integrity in the policymaking process. California law already recognizes that certain crimes of public corruption, including offenses involving the misuse or theft of public funds, are serious enough to prevent someone from running for public office for life. Yet under current law, those same individuals can still register as lobbyists and be paid to influence the decisions of the Legislature. That double standard undermines public confidence in government.

AB 1560 closes this loophole by prohibiting individuals convicted of public corruption from serving as lobbyists in California. The bill requires lobbyists to certify that they have not been convicted of such crimes and prevents the Secretary of State from accepting a lobbying certification from individuals who have abused the public trust.

If someone has been convicted of corrupting the public process, they should not be allowed to profit from influencing it. AB 1560 is a commonsense step to restore integrity, strengthen transparency, and ensure that Sacramento holds lobbyists to the same ethical standard expected of those who seek elected office.

- 2) **Lobbyists and the PRA:** Under the PRA, a lobbyist is an individual who is compensated to communicate directly with any elective state, state agency, or legislative official to influence legislative or administrative action on behalf of their employer or client. The PRA requires any person who qualifies as a lobbyist to register with the SOS and submit a lobbyist certification that includes a recent photograph of the lobbyist; the full name, business address, and telephone number of the lobbyist; a statement that the lobbyist has read and understands the prohibitions in law; and, a statement that the lobbyist has completed or will

complete the lobbyist ethics course. Any lobbyist who violates these provisions may be subject to substantial fines and criminal penalties. All lobbyist registrations are publicly available on the SOS's website, and the SOS publishes a directory of registered individual lobbyists, lobbying firms, and lobbyist employers.

- 3) **Public Crimes:** Elections Code Section 20 lists various types of felony convictions that prevent a person from being eligible to be elected to office. The disqualifying crimes are ones that are sometimes referred to as "public trust" crimes – that is, illegal acts that involve the breach of the ethical obligation that a public servant is expected to exercise their public responsibilities in a manner that prioritizes the public interest over private gain. Elections Code Section 20 is also, to some extent, an implementing statute for Article VII, Section 8 of the California Constitution, which provides in part "Laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries."

Court cases relating to the interpretation of Article VII, Section 8 of the California Constitution pertaining to public officers and disqualification from holding office illustrate that same sentiment. One such case is *Lubin v. Wilson* (1991) 232 Cal.App.3d 1422, a case involving former state Senator Paul B. Carpenter who unsuccessfully attempted to appeal his disqualification and forfeiture of public office on the Board of Equalization after being convicted of racketeering, extortion, and conspiracy. The court's opinion acknowledged that the "[r]emoval from public office is simply a consequence of a reasonable and sound public policy, and a condition imposed upon a public official in furtherance of the public interest in good government. Public officials are elected for the benefit of the community and can and should be removed, irrespective of detriment to the individuals involved if the interests of the community so require (State v. Twitchell, supra, 367 P.2d at p. 992.)."

In addition, the court opinion stated that, "[a] person holds office subject to conditions imposed by the state and, where cause for removal is provided by law, the person is deemed to have accepted the office on condition he or she could be removed for cause and in the manner provided (Cline v. Superior Court (1920) 184 Cal. 331, 336)."

This bill applies this ethical standard to a lobbyist and prohibits a person convicted of a public trust crime from serving as a lobbyist. The author contends that a lobbyist plays a direct role in influencing public policy and allowing individuals convicted of public corruption to participate in that process undermines public trust. Conversely, one could argue that a lobbyist's role is distinctly different from a public official. As mentioned above, a public official is entrusted and expected to prioritize the broader public's interests. In contrast, a lobbyist is hired to advocate for the specific interests of their clients or certain groups. Additionally, a permanent ban could be considered unreasonable as it unfairly blocks career opportunities and may raise political speech first amendment concerns as it restricts who can lobby.

- 4) **Enforcement:** The FPPC is responsible for administering, interpreting, and enforcing the PRA and thus would be required to prosecute an individual who violates this bill and registers as a lobbyist knowing they have been convicted of a public trust crime.

The FPPC's Enforcement Division analyzes and processes thousands of complaints and referrals per year about potential violations of the PRA. Generally, complaints and referrals are received from citizens, other government agencies, and the media. In order for the FPPC to investigate whether an individual has been convicted of a crime of public corruption, they would likely need access to a lobbyist's criminal records.

Similarly, in order for the SOS to reject a lobbyist certification from a person who has been convicted of a crime of public corruption, the SOS would need access to a lobbyist's criminal records. It is unclear whether the FPPC or the SOS have access to criminal records necessary to effectively enforce the provisions of this bill.

- 5) **Other States:** According to the National Conference of State Legislatures (NCSL), in every Legislature in the United States, professional lobbyists must register before lobbying. The form and contents of lobbyist registration forms vary substantially by state. Required information generally includes contact information, business address, client information, and what subject matters or government actions the lobbyist expects to work on. A few states also require photos for identification cards, lists of any subcontracted lobbyists, honesty and completeness pledges, and terms of compensation for lobbying work, among other information. Some states put ethics commissions, SOS offices, or other entities in charge of developing and enforcing lobbyist registration requirements instead of providing details in statute.

According to NCSL, at least two states require a sworn affirmation that a lobbyist has not been previously convicted of a certain crime. Alaska requires a lobbyist registration to include a sworn affirmation that the lobbyist has not been previously convicted of a felony involving moral turpitude, and Georgia requires a lobbyist registration to include a statement verifying that the applicant has not been convicted of a felony involving moral turpitude and requires, if an applicant has been so convicted, a statement identifying such conviction, the date thereof, a copy of the person's sentence, and a statement that more than ten years have elapsed since the completion of their sentence.

Additionally, Massachusetts generally prohibits an individual convicted of crimes related to public corruption from registering as a lobbyist for a period of 10 years. This restriction is part of the state's efforts to regulate lobbying activities and maintain ethical standards in government.

- 6) **Federal Law:** In January 2019, President Trump signed into law the Justice Against Corruption on K Street Act of 2018, also referred to as the JACK Act, to force greater transparency regarding the criminal history of federal lobbyists. The JACK Act amends the Lobbying Disclosure Act of 1995 and requires a federal lobbyist to file a report that discloses whether they have been convicted in a federal or state court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, conflict of interest, making a false statement, perjury, or money laundering.

- 7) **Arguments in Support:** In support, the County of Fresno, writes:

Over the years, our state has seen several high-profile cases in which individuals found guilty of public corruption-related charges continue working in an industry

where public trust is essential. Allowing those facing such serious charges to lobby only encourages the problem. California cannot afford to let individuals with a record of unethical behavior influence policy and shape decisions that affect all Californians.

AB 1560 is a straightforward, common-sense reform that protects the integrity of our government. By keeping those with corruption charges out of the lobbying process, this bill will help to restore public trust, promote fairness, and ensure that decisions are guided by the public interest, not what benefits individuals with questionable morals.

Passing AB 1560 is a critical step toward a more transparent and accountable government. California deserves a lobbying system that reflects our values, not one that rewards misconduct.

- 8) **Political Reform Act of 1974:** California voters passed an initiative, Proposition 9, in 1974 that created the FPPC and codified significant restrictions and prohibitions on candidates, officeholders and lobbyists. That initiative is commonly known as the PRA. Amendments to the PRA that are not submitted to the voters, such as those contained in this bill, must further the purposes of the initiative and require a two-thirds vote of both houses of the Legislature.

REGISTERED SUPPORT / OPPOSITION:

Support

County of Fresno

Opposition

None on file.

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