



August 8, 2018

The Honorable Henry Stern
State Capitol
Sacramento, CA 95814

Re: AB 84 (Mullin) –Legislative Caucus Party Committees – OPPOSE

Senator Stern,

The Campaign Legal Center is writing in opposition to AB 84, which would amend the Political Reform Act (“PRA”) to allow party leaders in the Senate and Assembly to establish “legislative caucus committees” subject to the same fundraising rules as state and county political party committees. AB 84 would largely annul important distinctions between contribution limits for candidates and political parties, strengthen the position of incumbents, and undermine key purposes of the PRA.

Currently, the PRA does not permit a candidate for the state legislature to accept campaign contributions in excess of \$4,400 from another legislative candidate, including current officeholders. State and local party committees, however, may contribute unlimited amounts to legislative candidates, and are able to raise contributions of up to \$36,500 per donor. AB 84 would effectively erase the different limits on contributions to parties and candidates in the case of legislative caucus leaders, allowing these influential legislators to accept contributions up to eight times higher than the limits applicable to other legislative candidates. Accordingly, legislative caucus committees could become conduits for large campaign donors seeking loopholes to gain additional influence over officeholders and candidates.

Under AB 84, legislative caucus leaders also would be able to raise and spend uncapped amounts for independent expenditures supporting their party’s candidates. The bill thus would significantly increase the financial clout of caucus leaders by enabling these powerful legislators to act as political kingmakers within their parties. Incumbents would likely be the primary beneficiaries of party leaders’ largesse, while challengers would face yet another hurdle to their election.

By destabilizing laws governing contributions and empowering incumbents in leadership positions, AB 84 would undercut two of the primary purposes of the PRA: preventing “corruption of the political process” and reducing practices “unfairly favoring incumbents.”¹ For these reasons, the Campaign Legal Center respectfully asks that you reject this ill-advised legislation.

Respectfully submitted,

/s/

Austin Graham
Legal Counsel

¹ See *Agua Caliente Band of Cahuilla Indians v. Superior Court*, 40 Cal.4th 239, 244 (2006); Cal. Gov. Code §§ 81001 (f), 81002 (e).