

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18402.2. Limited Liability Companies, Responsible Officer.

(a) Responsible Officer. A limited liability company that qualifies as a committee under Sections 82013(b) or (c) must identify a responsible officer on each statement and report filed under Chapter 4 or 5 of the Act. The “responsible officer” of the committee is the individual primarily responsible for approving the political activity of the limited liability company including, but not limited to:

(1) Authorizing expenditures, including contributions, on behalf of the limited liability company.

(2) Developing or approving campaign strategy on behalf of the limited liability company.

(b) Primary Responsibility. If more than one individual shares in the primary responsibility for approving the limited liability company's political activities as set forth in subdivision (a), at least one such individual must be listed as the committee's responsible officer.

(c) Liability. A responsible officer may be held liable for a violation of the Act pursuant to Section 83116.5.

(d) Recipient Committee. A limited liability company that receives contributions, as defined in Section 82015 of the Act, totaling two thousand dollars (\$2,000) or more in a calendar year, qualifies as a recipient committee as specified in Section 82013 of the Act.

(e) Intermediary. A limited liability company that makes a contribution on behalf of another, or while acting as the intermediary or agent of another, as defined in Regulation 18432.5, must disclose to the recipient of the contribution both the limited liability company's

name and street address, as well as the full name and street address, occupation, and the name of employer, if any, or principal place of business if self-employed, of the person on behalf of whom the limited liability company made the contribution, as required by Section 84302 of the Act.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 81004, 82013, 82015, 83116.5 and 84302, Government Code.

HISTORY

1. New section filed 7-22-2020; operative 8-21-2020 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2020, No. 30).