

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

§ 18424.2. Behested Payment Reporting. Charitable Organization Fundraising Solicitations.

(a) A payment made in response to a fundraising solicitation from a charitable organization is a reportable payment “made at the behest of” the elected officer or Public Utilities Commissioner (“PUC”) member in the following circumstances:

(1) The solicitation is sent under the control or at the direction of, in cooperation, coordination, or concert with, at the request or suggestion of, or with the express, prior consent of the elected officer, PUC member, or agent thereof; and

(2) The solicitation “features” the elected officer or PUC member.

(b) For purposes of this regulation, a solicitation “features” the elected officer or PUC member if either applies:

(1) The solicitation includes the elected officer or PUC member's photograph or signature or singles out the name or office of the officer or member by the manner of display in the layout of the document, such as by headlines, captions, type size, typeface, or type color.

(2) The solicitation includes a roster or letterhead listing its governing board, the elected officer or PUC member is listed as a board member, and the board includes a majority of elected officers or PUC members.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82004.5, 82041.3 and 84224, Government Code.

HISTORY

1. New section filed 11-8-2021; operative 12-8-2021 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 2021, No. 46).