

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

§ 18438.8. Disclosure Under Government Code Section 84308.

(a) An officer who is required by section 84308(c) to disclose the receipt of a contribution shall disclose any disqualifying contribution the officer knows of or has reason to know of, either orally or in writing, on the public record at the beginning of a public meeting in a proceeding involving the license, permit, or other entitlement for use, if a meeting is held. However, in the circumstance where the officer learns of the contribution during the public meeting, the officer shall make the disclosure on the public record prior to continuing to take part in the proceeding. If there is no public meeting, written disclosure shall be entered into the agency's official records. The officer, or an employee of the agency on behalf of the officer, shall disclose that the officer has received contributions from a party, participant, or agent of a party or participant, greater than \$250 within the preceding 12 months and the name(s) of the contributor(s).

(b) Any party to a proceeding pending before an agency shall disclose on the record of the proceeding the names of any persons whose contributions are required to be aggregated, if the person has made a contribution to any officer of the agency. The party shall disclose the amount of the contribution(s) made within the preceding 12 months and the names of the contributors, including contributions made by an individual required to be aggregated with the party or the party's agent under Section 82015.5. The party shall make the disclosure:

(1) On the date the party files the application or other request initiating the proceeding.

(2) For a contribution made at any stage during the proceeding, within 30 days of making the contribution, or the date on which the party makes its first appearance before or

communication with the agency regarding the proceeding following the contribution, whichever is earliest.

(3) If an agent of a party makes an appearance before or communication with the agency subsequent to the party's disclosure, the party or agent must disclose the agent's identity on the date of the agent's first appearance before or communication with the agency following the party's disclosure.

CREDITS

NOTE: Authority cited: Section 83112, Government Code. Reference: Section 84308, Government Code.

HISTORY

1. New section filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
2. Amendment filed 2-22-85; effective thirtieth day thereafter (Register 85, No. 8).
3. Amendment of section and NOTE filed 5-26-2006; operative 6-25-2006. 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 2006, No. 21).
4. Amendment filed 7-13-2023; operative 8-12-2023 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing 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 2023, No. 28).