

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

§ 18932.4. Exceptions to “Honorarium”: General Exceptions.

None of the following is an “honorarium,” as defined by Government Code Section 89501(a), and none is subject to any prohibitions on honoraria.

(a) Information materials as defined by California Code of Regulations, Title 2, Section 18942.1.

(b) A payment received from one's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle or first cousin or the spouse of any such person. However, a payment from any such person is an honorarium if the donor is acting as an agent or intermediary for any person not identified in this subdivision.

(c) A campaign contribution required to be reported under Chapter 4 (commencing with Section 84100) of Title 9 of the Government Code.

(d) A personalized plaque or trophy with an individual value of less than two hundred fifty dollars (\$250).

(e) Free admission, and refreshments and similar non-cash nominal benefits provided to a filer during the entire event at which the filer gives a speech, participates in a panel or seminar, or provides a similar service, and actual intrastate transportation and any necessary lodging and subsistence provided directly in connection with the speech, panel, seminar, or service, including but not limited to meals and beverages on the day of the activity.

(f) Any of the following items, when provided to an individual who attends any public or private conference, convention, meeting, social event, meal, or like gathering without providing any substantive service:

(1) Benefits, other than cash, provided at the conference, convention, meeting, social event, meal, or gathering.

(2) Free admission and food or beverages provided at the conference, convention, meeting, social event, meal, or gathering.

(3) The foregoing items may be reportable as gifts and limited by Government Code Section 89503. Reference should be made to Government Code Section 82028 and to California Code of Regulations, Title 2, Sections 18940, et seq., to determine whether or not these items are gifts that are reportable or otherwise limited.

(g) Any payment made for transportation, lodging and subsistence that is exempted from prohibitions on honoraria by Government Code Section 89506 or California Code of Regulations, Title 2, Sections 18950, et seq.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82028, 89501 through 89506, Government Code.

HISTORY

1. New section filed 11-12-92; operative 12-14-92 (Register 92, No. 46).
2. Change without regulatory effect relocating section filed 11-17-94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

3. Amendment of first paragraph, subsections (b), (f) and (g), and Note filed 7-25-95; operative 7-25-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 30).

4. Amendment of first paragraph and subsection (f)(3) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

5. Amendment of subsection (e) filed 3-11-2010; operative 3-11-2010. 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 2010, No. 11).