

1 Amend 2 Cal. Code Regs., 18361.1 to read:

2 **§ 18361.1. Administrative Subpoenas.**

3 (a) The staff, under the direction of the Executive Director, shall seek to assure voluntary  
4 compliance with the Political Reform Act and shall investigate possible violations of the Act.  
5 ~~The staff shall make reasonable efforts to first obtain the information requested in an~~  
6 administrative subpoena on a voluntary basis. The staff shall not serve an administrative  
7 subpoena less than 21 days after written communication to the prospective recipient requesting  
8 voluntary disclosure of information. prior to the issuance of an administrative subpoena. The  
9 Executive Director, in the exercise of ~~their~~ discretion, may forego ~~this procedure requesting~~  
10 voluntary disclosure of information with respect to an investigation in progress.-The staff shall  
11 periodically report to the members of the Commission ~~on the status of all investigations,~~  
12 ~~including~~ the reasons for the issuance of any administrative subpoena without first ~~making~~  
13 ~~reasonable efforts to obtain~~ seeking to obtain the information voluntarily. Failure to report to the  
14 Commission concerning the issuance of subpoenas shall not affect the validity of any  
15 administrative subpoena.

16 (b) When the staff issues an administrative subpoena as provided in subdivision (a), the  
17 ~~subject~~ recipient of the subpoena must provide all records in their possession responsive to the  
18 subpoena. Any record(s) withheld based on objection must be accompanied by a description of  
19 the withheld record(s), which shall include the following information:

- 20 (i) the date of the record;
- 21 (ii) the identity of the author(s);
- 22 (iii) the identity of the recipient(s);
- 23 (iv) the specific ground for which the objection to produce the record is made; and

1 (v) the current location of the record.