

1 Amend 2 Cal. Code Regs., Section 18420 to read:

2 **§ 18420. Reporting of Campaign Contributions and Expenditures of by State or Local**
3 **Government Agencies.**

4 (a) Any candidate or committee that receives contributions from a state or local
5 government agency ~~shall~~ must report receipt of those contributions.

6 (b) The payment by a state or local government agency of the salary or expenses of its
7 employees or agents is an expenditure or contribution only if the salary or expenses are for
8 campaign activities and meet the requirements of ~~2 Cal. Code Regs. section~~ Regulation 18423.

9 For purposes of this subdivision, "campaign activities" ~~shall~~ include, but are not limited to, the
10 following:

11 (1) Arranging or coordinating a campaign-related event;

12 (2) Acting in the capacity of the campaign manager or coordinator;

13 (3) Soliciting, receiving or acknowledging campaign contributions or arranging for the
14 raising of contributions;

15 (4) Developing, writing or distributing campaign literature or making arrangements for
16 campaign literature;

17 (5) Arranging for the development, production or distribution of campaign literature;

18 (6) Preparing television, radio or newspaper campaign advertisements;

19 (7) Arranging for the development, production, publishing or broadcast of campaign
20 advertisements;

21 (8) Establishing liaison with or coordinating activities of campaign volunteers;

22 (9) Preparing campaign budgets;

23 (10) Preparing campaign statements; and

1 (11) Participating in partisan get out the vote drives.

2 Nothing in this subdivision ~~shall require~~ requires the reporting of an employee's
3 campaign activities if such activities are performed on vacation time or other than during
4 publicly paid working hours.

5 (c) Notwithstanding subdivision (b), the payment of salary or expenses by a state or local
6 government agency to an elected official ~~shall~~ must not be an expenditure or contribution.

7 (d) If a state or local government agency makes expenditures or contributions, as those
8 terms are defined in ~~Government Code sections~~ Sections 82015 and 82025 and ~~2 Cal. Code~~
9 ~~Regs. sections~~ Regulation 18215 ~~and 18225~~, the state or local government agency ~~shall~~ must file
10 campaign statements required by Chapter 4 and any other relevant provisions of the ~~Political~~
11 ~~Reform~~ Act if the agency qualifies as a committee under ~~Government Code section~~ Section
12 82013.

13 (e) The individual authorizing or directing the making of expenditures or contributions
14 which qualify an agency as a committee ~~shall be~~ is the treasurer unless another individual is
15 designated.

16 Comment: This regulation establishes the requirement for a committee to report receipt of
17 contributions from state or local government agencies. If a state or local government agency has
18 enough campaign activity to qualify as a committee, the state or local government agency itself
19 will be required to file campaign statements.

20 Nothing in this regulation should be read as condoning or authorizing campaign-related
21 activities by a state or local government agency. Under many circumstances, such activities may
22 be illegal. See Penal Code section 424; Government Code section 54964; *Stanson v. Mott*, 17
23 Cal. 3d 206 (1976); *People v. Sperl*, 54 Cal. App. 3d 640 (1976); and *People v. Battin*, 77 Cal.

- 1 App. 3d 635 (1978).
- 2 Note: Authority cited: Section 83112, Government Code. Reference: Sections 84200, et seq.,
- 3 Government Code.