

1 Amend 2 Cal. Code Regs., Section 18440 to read:

2 **§ 18440. Telephone Advocacy.**

3 For the purposes of ~~Government Code~~ Section 84310:

4 (a) A candidate, candidate controlled committee established for an elective office for the
5 controlling candidate, political party committee, or slate mailer organization “expends campaign
6 funds” to pay for a telephone call if either of the following applies:

7 (1) A candidate or committee of the type listed on subdivision (a) makes an expenditure
8 for the call reportable under ~~Government Code, Title 9, Chapter 4 (Sections 84100, et seq.)~~
9 Chapter 4 or 5 of the Act or a person makes a payment for the call at the behest of ~~the a~~
10 candidate or committee of the type listed in subdivision (a) and that payment is a contribution to
11 the candidate or a the committee under ~~Government Code~~ Section 82015.

12 (2) A slate mailer organization pays for the call after receiving a payment to make the call
13 that qualifies as an expenditure of campaign funds by a candidate or committee under
14 subdivision (a)(1) of this regulation.

15 (b) A required disclosure statement ~~shall~~ must identify at least one candidate, committee
16 of the type listed in subdivision (a), or slate mailer organization “paying for” the call or at least
17 one candidate or committee of the type listed in subdivision (a) “authorizing” the call and ~~shall~~
18 must state that the call is “paid for” or “authorized” by the identified candidate, committee, or
19 slate mailer organization.

20 (c) For purposes of subdivision (b) of this regulation:

21 (1) A candidate, committee of the type listed in subdivision (a), or slate mailer
22 organization “pays for” a call when it pays directly for the call or pays another person to make
23 the call on its behalf.

1 (2) A candidate or committee of the type listed in subdivision (a) “authorizes” a call if a
2 person pays for the call at the behest of the candidate or committee under ~~Government Code~~
3 Section 82015.

4 (d) Each candidate, committee of the type listed in subdivision (a), ~~and or~~ slate mailer
5 organization paying for and each candidate and committee of the type listed in subdivision (a)
6 authorizing a call requiring a disclosure statement ~~shall~~ must maintain a record of the script of
7 the call, and a copy of the recording of any recorded messages, for a period of time as set forth in
8 ~~2 Cal. Code Regs. Section~~ Regulation 18401(b).

9 (e) This regulation is not applicable to a telephone call that is paid for by an independent
10 expenditure.

11 Note: Authority cited: Section 83112, Government Code. Reference: Section 84310,
12 Government Code.