

1 Amend 2 Cal. Code Regs., Section 18531.10 to read:

2 **§ 18531.10. Communications Identifying State Candidates.**

3 (a) Definitions. For purposes of ~~Government Code section~~ Section 85310:

4 (1) A candidate is “clearly identified” if the communication states his or her name, makes  
5 unambiguous reference to his or her office or status as a candidate, or unambiguously describes  
6 him or her in any manner. A candidate also is "clearly identified" if the communication contains  
7 the voice or a visual depiction of the candidate. A candidate is not considered “clearly identified”  
8 if the candidate's name is required by the provisions of state or federal law to appear in the  
9 communication and the candidate is not singled out in the manner of display.

10 (2) A communication “expressly advocate[s]” the election or defeat of a candidate as that  
11 term is defined in Section 82025(c)(2) ~~2 Cal. Code Regs. section 18225, subdivision (b)(2).~~

12 (3) A communication is “made at the behest” of a candidate as that term is defined in ~~2~~  
13 ~~Cal. Code Regs. section~~ Regulation 18225.7.

14 (b) The \$50,000 threshold contained in Section 85310(a) ~~subdivision (a) of Government~~  
15 ~~Code section 85310~~ is met when a person makes or promises to make a payment or payments  
16 totaling \$50,000.

17 (c) Communications are subject to Section 85310(a) ~~subdivision (a) of Government Code~~  
18 ~~section 85310~~ if they occur within 45 days before an election for which the candidate identified  
19 is on the ballot.

20 (d) The contribution limit referred to in Section 85310(c) ~~subdivision (c) of Government~~  
21 ~~Code section 85310~~ applies to all contributions received by a committee that makes or promises  
22 to make payments at the behest of a candidate for a communication described in Section  
23 85310(a) ~~subdivision (a) of Government Code section 85310~~, regardless of whether the

1 contributions are used to fund the communication at issue. Once a committee receives a  
2 contribution or contributions in excess of the limit referenced in Section 85310(c) subdivision (e)  
3 ~~of Government code section 85310~~, the committee may not make or promise to make a payment  
4 for a communication governed by that subdivision. Any contribution received by a committee  
5 that makes a communication described in Section 85310(c) subdivision (e) of Government Code  
6 ~~section 85310~~ may not be attributed to a person other than the person making the contribution to  
7 that committee.

8 (e) The contribution limits under this regulation are subject to periodic adjustment  
9 pursuant to Government Code section 83124.

10 Note: Authority cited: Section 83112, Government Code. Reference: Section 85310,  
11 Government Code.