

1 Amend 2 Cal. Code Regs. 18215.3 to read:

2 **§ 18215.3. “Behested Payments” Reporting.**

3 (a) Except as provided in subdivision (b) below, for purposes of behested payment  
4 reporting as required by ~~Sections 82015(b)(2) and (b)(3)~~ Section 84224, “made at the behest of”  
5 means made under the control or at the direction of, in cooperation, consultation, coordination, or  
6 concert with, at the request or suggestion of, or with the express, prior consent of the elected  
7 officer, Public Utilities Commission (“PUC”) member, or his or her agent.

8 (b) A payment is not “made at the behest of” an elected officer ~~under Section~~  
9 ~~82015(b)(2)(B)(iii)~~ or a PUC member ~~under Section 82015(b)(3)~~ and is not subject to behested  
10 payment reporting if the payment is made in response to a fundraising solicitation from a  
11 charitable organization requesting a payment ~~where unless the solicitation does not feature~~  
12 features an elected officer or PUC member.

13 (1) For purposes of this regulation, a solicitation “features an elected officer or PUC  
14 member” ~~has the same meaning as found in Regulation 18901(e)(2): “Features an elected~~  
15 ~~officer” means that~~ if the item mailed includes the elected officer's photograph or signature, or  
16 singles out the elected officer by the manner of display of his or her name or office in the layout  
17 of the document, such as by headlines, captions, type size, typeface, or type color.<sup>22</sup>

18 (2) An elected officer or PUC member is also featured in a solicitation if the roster or  
19 letterhead listing the governing body contains a majority of elected officers ~~(Section~~  
20 ~~82015(b)(2)(B)(iii))~~ or PUC members ~~(Section 82015(b)(3))~~.

21 Note: Authority cited: Section 83112, Government Code. Reference: ~~Section 82015~~ Sections  
22 82004.5, 82041.3, and 84224, Government Code.