

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

§ 18225.4. Independent Expenditures; When Aggregated.

(a) Definitions. For purposes of determining when independent expenditures are aggregated under the provisions of this title:

- (1) “Entity” means any person, other than an individual;
- (2) “Majority owned” means an ownership of more than fifty percent.

(b) The independent expenditures of an entity, whose independent expenditures are directed and controlled by any individual, shall be aggregated with independent expenditures made by that individual and any other entity whose independent expenditures are directed and controlled by the same individual;

(c) If two or more entities make independent expenditures that are directed and controlled by a majority of the same persons, the independent expenditures of those entities shall be aggregated;

(d) Independent expenditures made by entities that are majority owned by any person shall be aggregated with the independent expenditures of the majority owner and all other entities majority owned by that person, unless such entities act independently in their decisions to make independent expenditures.

COMMENT to Regulation 18225.4: See Regulation 18428 regarding the aggregation of independent expenditures under Chapter 4 and Chapter 5 of this title. Also see *In re Lumsdon* (1976) 2 FPPC Ops. 140 and *In re Kahn* (1976) 2 FPPC Ops. 151.

Note: Authority cited: Section 83112, Government Code. Reference: Section 82025, Government Code.

HISTORY

1. New section filed 5-2-95; operative 5-2-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 18).
2. Amendment of subsections (b)-(c) filed 7-5-95; operative 7-5-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 27).
3. Amendment filed 4-4-2006; operative 5-4-2006 (Register 2006, No. 14).
4. Amendment of Comment filed 7-22-2019; operative 8-21-2019 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2019, No. 30).