

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

§ 18232. Salary and Reimbursement for Expenses or Per Diem Received from a State, Local, or Federal Government Agency.

For purposes of Section 82030(b)(2), the following definitions apply:

(a) “Salary” from a state, local, or federal government agency means any and all payments made by a government agency to a public official, or accrued to the benefit of a public official, as consideration for the public official's services to the government agency. Such payments include wages, fees paid to public officials as “consultants” as defined in Regulation 18700.3, pension benefits, health and other insurance coverage, rights to compensated vacation and leave time, free or discounted transportation, payment or indemnification of legal defense costs, and similar benefits.

(b) “Per diem” received from a state, local, or federal government agency means payment of a fixed sum of money, accruing daily to a public official when the public official is required to incur increased daily living expenses.

(c) “Reimbursement for expenses” received from a state, local, or federal government agency means a payment to a public official, in compensation for otherwise uncompensated actual expenses incurred or to be incurred within 60 days by the public official in the course of official duties.

COMMENT: Cross-references: For the definition of “income,” see Section 82030. For the definition of “public official,” see Section 82048.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82030, 87100, 87102.5, 87102.6, 87102.8 and 87103, Government Code.

HISTORY

1. New section filed 1-17-2001; operative 2-1-2001. 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) (Register 2001, No. 3).
2. Amendment filed 1-16-2002; operative 2-15-2002 (Register 2002, No. 3).
3. Change without regulatory effect amending section filed 9-19-2016; operative 10-19-2016 pursuant to 2 CCR 18312(e). Submitted to OAL for filing and printing 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 2016, No. 39).
4. Amendment of subsection (c) filed 5-12-2021; operative 6-11-2021 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 2021, No. 20).