

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

**§ 18424. Behested Payment Reporting. Additional Information.**

To the extent the information is known to the elected officer or Public Utilities Commission (“PUC”) member, the behested payment report filed pursuant to Section 84224 shall include the following:

(a) A brief description of any relationship of the nonprofit organization payee to the elected officer, PUC member, or a member of their immediate family, or member of their campaign or officeholder staff. The brief description shall include the following information about any individual listed above:

(1) Any decision-making capacity within the organization, such as a board member or executive officer position.

(2) Salaried employment at the organization.

(3) Status as a founding member of the organization.

(4) A position on an honorary or advisory board of the organization.

(b) A brief description of any proceeding before the elected officer's or PUC member's agency at the time of a reported payment or within the 12 months prior to the reported payment in which the payor is the named party or subject of the decision.

(1) A “proceeding” for purposes of subdivision (b) includes decisions on a contract, license, permit, or other entitlement and matters of nongeneral legislation. A “proceeding” does not include decisions on general legislation.

(2) A proceeding is considered “before the elected officer's or PUC member's agency” if it has been placed on the agency's formal agenda, or if the official has

knowledge that the matter has been submitted to the agency for decision and the official may make, participate in making, or otherwise use official position to influence the agency's decision on the matter, as those terms are defined in Regulation 18704.

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

### **HISTORY**

1. New section filed 11-8-2021; operative 12-8-2021 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. 46).