

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

§ 18435. Definitions. Mass Mailing.

(a) A “mass mailing” has been made when over two hundred substantially similar pieces of mail have been sent within a calendar month.

(b) The “sender”, as used in Section 84305, is:

(1) The candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable under Sections 84200 through 84216.5; or

(2) The candidate or committee who coordinates the expenditure for the mailing pursuant to Regulation 18225.7(c) with a person who pays for the mailing and the person does not qualify as a candidate or committee under Section 82013.

(c) The identification required by Section 84305 must be preceded by the words “Paid for by.” These words must be presented in the same size and color as the identification required by Section 84305, and must be immediately adjacent to and above or immediately adjacent to and in front of the required identification unless otherwise specified by statute.

(d) Mass mailing disclosure requirements under Section 84305 do not apply to mailings that are advertisements under Section 84501 and sent by a committee, other than a candidate controlled committee established for an elective office for the controlling candidate or a political party committee.

(e) A mailing of a personal nature, such as invitations, greeting cards and announcements to friends and family, sent by a person qualifying as a committee under Section 82013(b) or (c) is not a “mass mailing” for purposes of the Act if the mailing is not for a political purpose.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82041.5 and 84305, Government Code.

HISTORY

1. New section filed 6-17-76; effective thirtieth day thereafter (Register 76, No. 25).
2. Amendment filed 2-17-82; effective thirtieth day thereafter (Register 82, No. 8).
3. Amendment filed 12-15-83; effective thirtieth day thereafter (Register 83, No. 51).
4. Amendment of subsection (a) filed 7-28-92; operative 8-27-92. Submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 92, No. 31).
5. New subsection (d) filed 3-7-2011; operative 4-6-2011. 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 2011, No. 10).
6. Amendment of subsection (b) and new subsection (e) filed 12-28-2012; operative 1-27-2013. 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 2012, No. 52).
7. Amendment of subsection (b), repealer of subsections (c)-(c)(2) and (e), subsection relettering and amendment of newly designated subsection (c) filed 2-13-2018; operative 3-15-2018 pursuant to title 2, section 18312(e)(1)(A) of the California Code of Regulations. 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) (Register 2018, No. 7).

8. Amendment of section heading and section filed 12-24-2019; operative 1-23-2020 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. 52).