

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

§ 18438.6. Solicitation, Direction, and Receipt of Contributions Under Government Code

Section 84308.

For purposes of Government Code Section 84308,

(a) A person "accepts" or "receives" a contribution only if the contribution is for that person's own candidacy or own controlled committee.

(b) A person "makes a contribution" to an officer or candidate only if the contribution is made for that officer's or candidate's own candidacy or controlled committee.

(c) An officer "solicits" a contribution only if he or she knows or has reason to know that the person being solicited for a contribution is a party or agent of a party, or is a participant or agent of a participant and either:

(1) The officer or candidate personally requests a contribution for his or her own campaign or controlled committee, or for any other candidate, public official or committee, either orally or in writing; or

(2) The agent of the officer or candidate with the officer or candidate's knowledge, requests a contribution for the officer or candidate's own campaign or controlled committee.

(d) Notwithstanding subsection (c), a solicitation does not include a request made in a mass mailing sent to members of the public, to a public gathering, or published in a newspaper, on radio or TV, or in any other mass media.

A person does not "solicit" solely because his or her name is printed with other names on stationery or a letterhead used to request contributions.

(e) A person "directs" a contribution if he or she acts as the agent of another person or of

a committee other than his or her own controlled committee in accepting a contribution on behalf of, or transmitting a contribution to, such other person or committee.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84308, Government Code.

HISTORY

1. New section filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
2. Amendment filed 2-22-85; effective thirtieth day thereafter (Register 85, No. 8).