

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

§ 18450.11. Spokesperson Disclosure.

(a) A report must be filed, pursuant to Section 84511, whenever a committee does either of the following:

(1) Makes expenditures that total in the aggregate \$5000 or more to an individual for the individual's appearance in an advertisement.

(2) Makes expenditures of any amount to an individual for the individual's appearance in an advertisement that states or suggests that the individual is a member of an occupation that requires licensure, certification, or other specialized, documented training as a prerequisite to engage in that occupation.

(b) For purposes of the report filed pursuant to Section 84511 and this regulation, “expenditure” has the meaning set forth in Section 82025.

(c) The report filed must contain the following information:

(1) The committee's name, street address and committee identification number;

(2) The name, ballot number or letter and jurisdiction of the measure;

(3) The date of the expenditure;

(4) The name and address of the individual who appears in the advertisement; and

(5) The occupation of the individual who appears in the advertisement when filing a report pursuant to paragraph (2) of subdivision (a) of this regulation; and

(6) The total amount of the expenditure.

(d) Any committee subject to the electronic reporting requirements of subdivision (a) of Section 84605 must file this report electronically.

(e) A committee that is required to maintain documentation evidencing appropriate license, certification, or other training pursuant to subparagraph (d)(2)(B) of Section 84511 must provide the documentation to the Commission within 24 hours of the Commission's request by forwarding copies of the documentation to the Commission by electronic mail.

(f) For purposes of Section 84511, a committee makes an “expenditure” and must file the report required under Section 84511 and include the paid spokesperson disclosure on an advertisement when the committee coordinates the payment for the appearance of the individual with a person who makes the payment, but that person does not qualify as a committee under Section 82013.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82025, 84501, 84511 and 84605, Government Code.

HISTORY

1. New section filed 2-19-2002; operative 3-21-2002 (Register 2002, No. 8).
2. Amendment filed 2-2-2015; operative 3-4-2015 pursuant to title 2, section 18312(e)(1) 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 and not subject to procedural or substantive review by OAL) (Register 2015, No. 6).
3. Amendment of subsections (a)(1)-(2) 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).

4. New subsection (f) filed 8-16-2021; operative 9-15-2021 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. 34).