

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

§ 18572. Lobbyist Contributions - Making a Contribution Defined.

(a) A lobbyist makes a contribution prohibited by Government Code section 85702 when any of the following occur:

(1) The lobbyist mails, delivers or otherwise transmits to an elected state officer, a candidate for elective state office or the candidate's controlled committee, or to a committee primarily formed to support or oppose such a candidate, that the lobbyist is registered to lobby, a contribution as defined in Government Code section 82015 and 2 Cal. Code Regs. section 18215, and the contribution is made from the lobbyist's personal funds or assets. A contribution will be deemed to be made from a lobbyist's personal funds or assets when the contribution is made from assets which are the personal property of the lobbyist, unless pursuant to 2 Cal. Code Regs. section 18533 the contribution is attributed to another person.

(2) the contribution is made by a business entity, including a lobbying firm, owned in whole or in part by a lobbyist, and the lobbyist participates in the decision to make the contribution.

(3) the contribution is made from funds of a committee comprised in part of personal funds or resources of a lobbyist and the lobbyist participates in the decision to make the contribution.

(b) Nothing in this regulation shall be construed to prohibit a lobbyist from advising a client or lobbyist employer regarding the making of a contribution.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82015 and 85702, Government Code.

HISTORY

1. New section filed 6-6-2002; operative 7-6-2002 (Register 2002, No. 23).
2. Editorial correction of subsection (a)(1) (Register 2004, No. 17).
3. Amendment of subsections (a)(1) and (b) 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).