

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

§ 18950. Travel Payments.

(a) A payment for travel made pursuant to the provisions of Section 89506(a) is a gift and shall be reported pursuant to the provisions of that section. A payment for travel made pursuant to an exception provided under Regulations 18950.1 through 18950.3 is not a gift or honorarium and is subject to reporting only as specified in those regulations.

(b) For purposes of Section 89506 and Regulations 18950.1 through 18950.3, the following definitions apply:

(1) “Payment for travel” means any payment that provides transportation to an official from one location to another location as well as a payment for lodging and food connected with the travel.

(2) “Speech” means making a speech, participating on a panel, or making a substantive formal presentation at a seminar or similar event.

(c) Exceptions: In addition to the exceptions to the definition of gift set forth in Regulations 18940 through 18946.6, the following gift exceptions apply to travel payments:

(1) A payment for travel that satisfies Regulation 18950.1, 18950.2, or 18950.3 does not provide a personal benefit to the official under Section 82028 and is therefore not a gift under the Act.

(2) Any payment for travel received from a state, local, or federal government agency and related per diem expenses for education, training, or other inter-agency programs or purposes, is not a gift or income to the official who uses the payment.

(3) Transportation provided to an official in a vehicle or aircraft owned by another official or agency when each official is traveling to or from the same location for an event as a representative of their respective offices is not a “payment” as defined in Section 82044.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82015, 82028, 86111, 87207, 87302 and 89501-89506, Government Code.

HISTORY

1. New section filed 1-27-93; operative 2-26-93 (Register 93, No. 5).
2. Change without regulatory effect relocating section filed 11-17-94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).
3. Amendment of section and Note filed 7-25-95; operative 7-25-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 30).
4. Repealer of first paragraph and amendment of subsections (a) and (c) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
5. Repealer and new section heading and section filed 12-23-2013; operative 1-1-2014 pursuant to section 18312(e)(1)(A), title 2, California Code of Regulations. 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 2013, No. 52).