

1 Amend 2 Cal. Code Regs., Section 18215.2 to read:

2 **§ 18215.2. Uncompensated Internet Activity by Individuals that is not a Contribution or**
3 **Expenditure.**

4 (a) Definitions:

5 (1) Internet activities. For the purposes of this regulation, the term “Internet activities”
6 includes, but is not limited to, the following activities conducted over or related to the Internet:
7 sending or forwarding electronic messages; social networking; providing a hyperlink or other
8 direct access to another person's website; blogging; creating, maintaining or hosting a website;
9 paying a nominal fee for the use of another person's website; and any other form of
10 communication distributed over the Internet.

11 (2) Equipment and services. For the purposes of this regulation, the term “equipment and
12 services” includes, but is not limited to: computers, handheld communication devices that
13 provide access to the Internet, software, routers, servers, Internet access purchased from an
14 Internet Service Provider (ISP), subscription fees, blog hosting services, bandwidth, licensed
15 graphics used on the Internet, Internet domain name services, e-mail services, and any other
16 technology that is used to provide access to or use of the Internet.

17 (b) When an individual or a group of individuals, acting independently or in coordination
18 with any candidate, committee, or political party committee, engages in Internet activities for the
19 purpose of supporting or opposing a candidate or measure under the Act, neither of the following
20 is a contribution or an expenditure by that individual or group of individuals:

21 (1) The individual's uncompensated personal services related to such Internet activities;

22 (2) The individual's use of equipment or services for uncompensated Internet activities,
23 regardless of who owns the equipment and services.

1 (c) The exemption in subdivision (b) of this Regulation does not apply to an individual
2 blogger who receives a majority of ~~his or her~~ advertisement revenue from a single candidate or
3 committee, because ~~he or she~~ the individual is not considered to be providing uncompensated
4 personal services.

5 (d) This Regulation does not exempt the following from the definition of contribution or
6 expenditure and accordingly such payments count towards the committee qualification
7 thresholds of Section 82013:

8 (1) Any payment for any general or public advertisement, as described in Section 84501,
9 which is authorized and paid for by a person or committee for the purpose of supporting or
10 opposing a candidate for elective office or a ballot measure.

11 (2) Any payment for a communication supporting or opposing a candidate or ballot
12 measure placed for a fee (other than a nominal amount) on another person's website.

13 (3) Any payment for the purchase or rental of an e-mail address list made at the direction
14 of a political committee; or any payment for an e-mail address list that is transferred to a political
15 committee.

16 Note: Authority cited: Section 83112, Government Code. Reference: Sections 82015, 82025 and
17 85312, Government Code.