

1 Amend 2 Cal. Code Regs., Section 18746.4 to read:

2 **§ 18746.4. Revolving Door; Permanently Left and Leave of Absence.**

3 (a) For the purposes of Regulation 18741.1, the following apply:

4 (1) The date on which an official permanently leaves office or employment or takes a
5 leave of absence is the date on which the official is no longer authorized to perform the duties of
6 the office or employment, and the official stops performing those duties, even if the official
7 continues to receive compensation for accrued leave credits.

8 (2) An official on a leave of absence is considered to have “permanently left” office or
9 employment on the first day of the leave if that official does not return from the leave of absence.
10 An official has not returned from a leave of absence unless the official is authorized to perform
11 the duties of the office or employment and the official returns to performing those duties, even if
12 the official continues to receive compensation for accrued leave credits.

13 (b) For the purposes of Regulations 18746.1 and 18746.3, the following apply:

14 (1) The date on which an official permanently leaves office or employment is the date on
15 which the official is no longer authorized to perform the duties of the office or employment, and
16 stops performing those duties, including making, participating in making, or attempting to use
17 ~~his or her~~ official position to influence any governmental decision.

18 (2) A person shall not be deemed to have left office permanently because the person ~~he or~~
19 ~~she~~ is on a leave of absence or serves as an intermittent employee. However, a person shall be
20 deemed to have left office permanently if the person merely receives compensation for accrued
21 leave credits.

1 (3) Notwithstanding subdivision (b)(1) and (2), the date on which a member of the
2 Legislature who resigns from office permanently leaves office is the effective date of the
3 resignation.

4 Note: Authority cited: Section 83112, Government Code. Reference: Sections 87401,
5 87402, 87406 and 87406.3, Government Code.