

1 Amend 2 Cal. Code Regs. Section 18438.4 as follows:

2 **§ 18438.4. Participants Under Government Code Section 84308.**

3 ~~For purposes of Government Code Section 84308,~~

4 (a) A person “lobbies in person” when the person communicates directly, ~~either in person~~  
5 ~~or in writing~~, with an officer of an agency for the purpose of influencing the decision in a  
6 proceeding.

7 (b) A person “testifies in person” when the person testifies or makes an oral statement  
8 before an agency during a proceeding on a license, permit or other entitlement for use for the  
9 purpose of influencing the decision of the agency.

10 (c) A person “otherwise acts to influence” officers of an agency when, for the purpose of  
11 influencing the decision in a proceeding:

12 (1) The ~~the~~ person communicates with an employee of the agency in a manner not  
13 otherwise specified in subdivision (a) or (b); or, ~~or when~~

14 (2) The ~~the~~ person’s agent lobbies ~~in person~~, or testifies in person or otherwise  
15 communicates with officers or employees of the agency, ~~for the purpose of influencing the~~  
16 ~~officers’ decision in a proceeding.~~

17 (d) A person does not lobby, testify or otherwise act to influence the officers or  
18 employees of an agency by communications made to the public, other than those made in the  
19 proceedings before the agency.

20 Note: Authority cited: Section 83112, Government Code. Reference: Section 84308, Government  
21 Code.