

1 Amend 2 Cal. Code Regs. Section 18438.6 as follows:

2 **§ 18438.6. Solicitation, Direction, and Receipt of Contributions Under Government Code**
3 **Section 84308.**

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

5 (a) A person “makes” and an officer “accepts” or “receives” a contribution only if the
6 contribution is for ~~that person’s own candidacy or own~~ the officer’s campaign or controlled
7 committee ; including, but not limited to:

8 (1) Campaign committees;

9 (2) Ballot measure committees;

10 (3) Legal defense funds;

11 (4) Officeholder Controlled Committees formed pursuant to Section 85316(b) and

12 Regulation 18531.62; and

13 (5) Recall committees.

14 ~~(b) A person “makes a contribution” to an officer or candidate only if the contribution is~~
15 ~~made for that officer’s or candidate’s own candidacy or controlled committee.~~

16 ~~(e)~~ (b) An officer “solicits” a contribution only if the officer knows or has reason to know
17 that the person being solicited for a contribution is a party or agent of a party, or is a participant
18 or agent of a participant and ~~either:~~

19 ~~(1) The officer or candidate personally requests a contribution for the officer’s or~~
20 ~~candidate’s own campaign or controlled committee, or for any other candidate, public official or~~
21 ~~committee, either orally or in writing~~ any campaign or committee, including those not controlled
22 by the officer; or

23 ~~(2) The agent of the officer, or candidate with the officer’s or candidate’s knowledge,~~
24 ~~requests a contribution for the officer’s or candidate’s own campaign or controlled committee ;~~

1 or

2 (3) The agent of the officer, at the direction of the officer, requests a contribution for any
3 other campaign or committee.

4 (c) An officer “directs” a contribution only if the officer solicits a person for a
5 contribution to a campaign or committee and:

6 (1) The officer knows or has reason to know the person is a party, participant, or agent of
7 a party or participant; and

8 (2) The person makes the contribution to the campaign or committee.

9 (d) Notwithstanding subsections (b) and (c), ~~a solicitation does not include a request~~
10 ~~made~~ an officer does not solicit or direct a contribution by making a request in a mass mailing
11 sent to members of the public, to a public gathering, or published in a newspaper, on radio or TV,
12 or in any other mass media.

13 ~~A person~~ An officer does not “solicit” or “direct” a contribution solely because the
14 ~~person’s~~ officer’s name is printed with other names on stationery or a letterhead used to request
15 contributions.

16 ~~(e) A person “directs” a contribution if the person acts as the agent of another person or of~~
17 ~~a committee other than the person’s own controlled committee in accepting a contribution on~~
18 ~~behalf of, or transmitting a contribution to, such other person or committee.~~

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