

1 Amend 2 Cal. Code Regs. Section 18422.5 to read:

2 **§ 18422.5. Top Contributor Disclosure by Committees Primarily Formed for State Ballot**  
3 **Measures or Candidates.**

4 (a) Submitting Contributor List to Commission.

5 (1) ~~When a~~ Under Section 84223(a), a committee primarily formed to support or oppose  
6 a state ballot measure or to make independent expenditures on a state candidate that raises  
7 \$1,000,000 or more for an election ~~meets the requirements of Section 84223(a), it shall~~ must  
8 maintain and submit a list of its top 10 contributors to the Commission. A committee ~~shall~~ must  
9 submit its list to the Commission by electronic mail, including its committee identification  
10 number in the subject line of the message.

11 (2) The list of a committee's top 10 contributors ~~shall~~ must disclose the information  
12 required by Section 84223(b) on a form prescribed by the Commission, or in a substantially  
13 similar format or spreadsheet approved by the Executive Director. ~~The list shall~~ committee must  
14 identify the state candidate(s) ~~and/or or~~ ballot measure(s) the committee ~~it~~ is primarily formed to  
15 support or oppose. ~~In addition,~~ And the top 10 list shall must identify whether a contributor is a  
16 recipient committee or major donor, and the recipient committee or major donor's committee  
17 identification number, if applicable.

18 (3) A committee ~~shall~~ must submit an updated list of its top 10 contributors to the  
19 Commission if a new contributor qualifies, an existing top contributor makes additional  
20 contributions, or a change occurs in the relative ranking of the contributors, as specified in  
21 Section 84223(c)(2), and when a reporting committee changes its name to add or delete a ballot  
22 measure or candidate.

1 (4) During the 16-day period before the election, a committee ~~shall~~ must submit the list  
2 within ~~24 hours (or the next business day)~~ two business days of meeting the requirements in  
3 Section 84223(a) or a change in top contributor information or reporting committee name as  
4 specified in paragraph ~~(a)(3)~~ (3), above. Outside this time period, a committee ~~shall~~ must submit  
5 the list within three business days of meeting the requirements in Section 84223(a) or a change in  
6 the top contributor information or committee name as specified in paragraph ~~(a)(3)~~ (3), above.

7 ~~(5) The first lists to be submitted after the effective date of this legislation shall be due by~~  
8 ~~September 5, 2014, and any lists that would have been due prior to this date are not required to~~  
9 ~~be filed.~~

10 (5) If a committee lists a state recipient committee on its top 10 contributors list, it must  
11 provide the names of the top two contributors of \$50,000 or more to the state recipient  
12 committee unless the state recipient committee has independently submitted a report under  
13 Section 84223 for the same election. A committee is only required to update the top two  
14 contributors to a state recipient committee under this subdivision if the state recipient committee  
15 makes an additional contribution to the committee.

16 (A) For purposes of this subdivision, the top two contributors to the state recipient  
17 committee may be determined by reference to campaign reports available online from the  
18 Secretary of State's Cal-Access System.

19 (B) A committee, which has filed within the applicable deadlines, is considered to have  
20 complied with this subdivision if the committee makes reasonable efforts to disclose the top two  
21 contributors to the state recipient committee based upon the following criteria:

22 (i) Top contributors are determined for the Cal-Access two-year election period.

1           (ii) Top contributors are determined by aggregating contributions from the same source  
2 as reported by the state recipient committee on Cal-Access as “Contributions Received”  
3 (contributions reported on Form 460) and “Late and \$5000+ Contributions Received”  
4 (contributions reported on Form 497).

5           (b) Commission Posting Lists.

6           (1) With respect to the top contributor lists provided by a committee to the Commission  
7 under Section 84223(a)-(d), the Commission ~~shall~~ will post or update the top ten contributor list  
8 within the time frames specified in Section 84223(c)(4).

9           (2) With respect to the list of top contributors supporting or opposing a state ballot  
10 measure under Section 84223(e), the Commission ~~shall~~ will make the list of top contributors  
11 supporting or opposing a state ballot measure using the top contributor lists provided by  
12 committees pursuant to ~~subdivision~~ Section 84223(a)-(d). The Commission ~~shall~~ will state on its  
13 website the methodology used in compiling the state ballot measure top contributor lists, and  
14 post and update the lists as timely as practicable.

15 Note: Authority cited: Section 83112, Government Code. Reference: Section 84223,  
16 Government Code.