

1 Amend 2 Cal. Code Regs., Section 18438.6 to read:

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

3 **Section 84308.**

4 (a) A person “makes” and an officer “accepts” or “receives” a contribution only if the
5 contribution is for the officer's campaign or controlled committee, including, but not limited to:

6 (1) Campaign committees, including for election to state or county central committees;

7 (2) Ballot measure committees;

8 (3) Legal defense funds;

9 (4) Officeholder Controlled Committees formed pursuant to Section 85316(b) and
10 Regulation 18531.62; and

11 (5) Recall committees.

12 (b) An officer “solicits” a contribution only if the officer knows or has reason to know
13 that the person being solicited for a contribution is a party or agent of a party, or is a participant
14 or agent of a participant, and:

15 (1) The officer requests a contribution for any campaign or committee, including those
16 not controlled by the officer;

17 (2) The agent of the officer, with the officer's knowledge, requests a contribution for the
18 officer's campaign or controlled committee; or

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

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

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

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

4 (d) Notwithstanding ~~subsections~~ subdivisions (b) and (c), an officer does not solicit or
5 direct a contribution by making a request in a mass mailing sent to members of the public, to a
6 public gathering, or published in a newspaper, on radio or TV, or in any other mass media.

7 An officer does not “solicit” or “direct” a contribution solely because the officer's name is
8 printed with other names on stationery or a letterhead used to request contributions.

9 **CREDITS**

10 NOTE: Authority cited: Section 83112, Government Code. Reference: Section 84308,
11 Government Code.