

## 5. Prenotice Discussion of Levine Act regulations.

Staff: Brian Lau, Assistant General Counsel. Proposed new and amended regulations interpreting and implementing Section 84308 as the result of the passage of SB 1439 in 2022. Staff presents the regulations for pre-notice discussion and direction and will be presented for adoption at a subsequent Commission meeting.

Staff Memo

Proposed Adoption of Regulation 18438

Proposed Amendments to Regulation 18438.1

Proposed Amendments to Regulation 18438.2

Proposed Amendments to Regulation 18438.3

Proposed Amendments to Regulation 18438.4

Proposed Amendments to Regulation 18438.5

Proposed Amendments to Regulation 18438.6

Proposed Amendments to Regulation 18438.7

Proposed Amendments to Regulation 18438.8

Proposed Amendments to Regulation 18705

3. **smcmorris@commoncause.org** says:

February 16, 2023 at 10:33 am

Hello. My name is Sean McMorris. I am with California Common Cause. We have submitted public comments. We appreciate the Commission's attention to this matter.

2. **laurenk@calnonprofits.org** says:

February 16, 2023 at 10:12 am

The California Association of Nonprofits (CalNonprofits) is a statewide alliance of more than 10,000 nonprofits, serving as a "chamber of commerce" for the nonprofit community. We are glad to see the staff recommendations for implementation of SB 1439 (noted in Staff Memo) as we strongly support campaign finance controls and nonprofit accountability, and because California's nonprofit staff and volunteer board members must be able to participate fully in the democratic process.

1. **KyraKazantzis@gmail.com** says:

February 16, 2023 at 10:11 am

SVCN, an association of 180 nonprofits in Santa Clara County is concerned about the lack of clarity about which nonprofit employees have a "financial interest" in the permit, entitlement for use, or contract threatens to swallow the clarification about who is an agent. Generally, nonprofit employees do not have a direct financial interest in individual contracts or funding sources simply by way of their employment, even though they may indirectly benefit from their employer's healthy funding. Board members also do not have an individual financial interest in a nonprofit's funding sources simply by nature of their Board membership. Nonprofits themselves, unlike for-profit businesses, do not make donations to candidates for public office. The lack of clarity about which nonprofit employees—if any—will also have a financial interest will cause possibly insurmountable tracking problems, confusion, and unnecessary recusals of local government electeds.