

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~~ An officer “accepts” or “receives” a contribution only if the contribution is
6 for ~~that person’s~~ the officer’s own candidacy or a committee ~~own~~ controlled by the officer
7 committee.

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

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

13 (1) The officer or candidate personally requests a contribution for the officer’s or
14 candidate’s own campaign or committee controlled by the officer ~~committee~~, or for any other
15 candidate, public official or committee, either orally or in writing; ~~or~~

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

19 (3) The agent of the officer or candidate at the direction of the officer or candidate
20 requests a contribution for any other candidate, public official or committee, either orally or in
21 writing.

22 (c) An officer “directs” a contribution only if the officer knows or has reason to know that
23 a person the officer solicited for a contribution to any other candidate, public official, or
24 committee is a party or agent of a party, or is a participant or agent of a participant and that the

1 person makes the contribution to any other candidate, public official, or committee

2 (d) Notwithstanding subsection (b) and (c), an officer does not solicit or direct a
3 contribution by making a request a solicitation does not include a request made in a mass mailing
4 sent to members of the public, to a public gathering, or published in a newspaper, on radio or TV,
5 or in any other mass media. A person does not “solicit” or “direct” a contribution solely because
6 the person’s name is printed with other names on stationery or a letterhead used to request
7 contributions.

8 (e) For purposes of Section 84308(e)(2), a person “makes a contribution” to an officer or
9 candidate only if the contribution is made for that officer’s or candidate’s own candidacy or a
10 committee controlled by the officer.

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

14 Note: Authority cited: Section 83112, Government Code. Reference: Section 84308, Government
15 Code.