

1 Amend 2 Cal. Code Regs. Section 18438.4 as follows:

2 **§ 18438.4. Participants Under Government Code Section 84308.**

3 (a) A person “lobbies in person” when the person communicates directly with an officer  
4 of an agency for the purpose of influencing the decision in a proceeding.

5 (b) A person “testifies in person” when the person testifies or makes an oral statement  
6 before an agency during a proceeding on a license, permit or other entitlement for use for the  
7 purpose of influencing the decision of the agency.

8 (c) A person “otherwise acts to influence” officers of an agency when, for the purpose of  
9 influencing the decision in a proceeding:

10 (1) The person communicates with an officer or employee of the agency in a manner not  
11 otherwise specified in subdivision (a) or (b); or

12 (2) The person’s agent lobbies or testifies in person or otherwise communicates with  
13 officers or employees of the agency.

14 (d) A person does not lobby, testify or otherwise act to influence the officers or  
15 employees of an agency by communications made to the public, other than those made in the  
16 proceedings before the agency.

17 (e) A business entity or nonprofit organization has a financial interest in a proceeding  
18 involving a license, permit, or other entitlement for use if it is reasonably foreseeable the entity  
19 or organization would experience a material financial effect under the applicable Regulation  
20 18702.3 standards for a business entity or nonprofit organization source of income.

21 Note: Authority cited: Section 83112, Government Code. Reference: Section 84308,  
22 Government Code.