

1 Amend 2 Cal. Code Regs., Section 18531.10 to read:

2 **§ 18531.10. Communications Identifying State Candidates.**

3 (a) Definitions. For purposes of Section 85310:

4 (1) A candidate is “clearly identified” if the communication states ~~his or her~~ the
5 candidate’s name, makes unambiguous reference to ~~his or her~~ the candidate’s office or status as a
6 candidate, or unambiguously describes ~~him or her~~ the candidate in any manner. A candidate also
7 is “clearly identified” if the communication contains the voice or a visual depiction of the
8 candidate. A candidate is not considered “clearly identified” if the candidate's name is required
9 by the provisions of state or federal law to appear in the communication and the candidate is not
10 singled out in the manner of display.

11 (2) A communication “expressly advocate[s]” the election or defeat of a candidate as that
12 term is defined in Section 82025(c)(2).

13 (3) A communication is “made at the behest” of a candidate as that term is defined in
14 Regulation 18225.7.

15 (b) The \$50,000 threshold contained in Section 85310(a) is met when a person makes or
16 promises to make a payment or payments totaling \$50,000.

17 (c) Communications are subject to Section 85310(a) if they occur within 45 days before
18 an election for which the candidate identified is on the ballot.

19 (d) The contribution limit referred to in Section 85310(c) applies to all contributions
20 received by a committee that makes or promises to make payments at the behest of a candidate
21 for a communication described in Section 85310(a), regardless of whether the contributions are
22 used to fund the communication at issue. Once a committee receives a contribution or
23 contributions in excess of the limit referenced in Section 85310(c), the committee may not make

1 or promise to make a payment for a communication governed by that subdivision. Any
2 contribution received by a committee that makes a communication described in Section 85310(c)
3 may not be attributed to a person other than the person making the contribution to that
4 committee.

5 (e) The contribution limits under this regulation are subject to periodic adjustment
6 pursuant to Government Code section 83124.

7 Note: Authority cited: Section 83112, Government Code. Reference: Section 85310,
8 Government Code.