

1 Adopt 2 Cal. Code Regs. Section 18424.2 to read:

2 **§ 18424.2 Behested Payment Reporting. Charitable Organization Fundraising Solicitations.**

3 (a) A payment made in response to a fundraising solicitation from a charitable
4 organization is a reportable payment “made at the behest of” the elected officer or Public
5 Utilities Commissioner (“PUC”) member in the following circumstances:

6 (1) The solicitation is sent under the control or at the direction of, in cooperation,
7 coordination, or concert with, at the request or suggestion of, or with the express, prior consent
8 of the elected officer, PUC member, or agent thereof; and

9 (2) The solicitation “features” the elected officer or PUC member.

10 (b) For purposes of this regulation, a solicitation “features” the elected officer or PUC
11 member if either applies:

12 (1) The solicitation includes the elected officer or PUC member’s photograph or
13 signature or singles out the name or office of the officer or member by the manner of display in
14 the layout of the document, such as by headlines, captions, type size, typeface, or type color.

15 (2) The solicitation includes a roster or letterhead listing its governing board, the elected
16 officer or PUC member is listed as a board member, and the board includes a majority of elected
17 officers or PUC members.

18 (c) Notwithstanding subdivision (a), a payment made in response to a fundraising
19 solicitation from a charitable organization does not result in a reportable payment “made at the
20 behest of” the elected officer or PUC member where the officer or member is merely identified
21 in the solicitation as a guest speaker for an event, and the official’s involvement in the
22 fundraising solicitation does not extend beyond the role of guest speaker.

- 1 Note: Authority cited: Section 83112, Government Code. Reference: Sections 82004.5, 82041.3,
- 2 and 84224, Government Code.