

1 Adopt 2 Cal. Code Regs. Section 18421.31 to read:

2 **§ 18421.31. Text Message Contributions.**

3 (a) A committee may raise funds through text message contributions under the Act. This
4 regulation applies to a committee engaging in fundraising through text message contributions.
5 Text message refers to messages sent to phones over the short message service (“SMS”).

6 (b) Pursuant to Regulation 18421.1(c), text message contributions are received on the
7 date that a mobile fundraising vendor, acting as agent of the candidate or committee, obtains
8 possession or control of the contributions.

9 (c) Contributions made by text message shall be considered to be transferred promptly
10 to a committee’s campaign bank account as required by Section 84306 and Regulation 18421.3 if
11 they are collected by the wireless carrier and forwarded by the mobile fundraising vendor to the
12 committee following the standard business practices for those transactions.

13 (d) In addition to any other records required by the Act and regulations, a committee
14 raising funds by text message contributions shall maintain the records required by Regulation
15 18401(a) paragraphs (1)-(3) for contributions under \$25, for contributions from \$25 to less than
16 \$100, and for contributions of \$100 or more, respectively.

17 (e) A contribution made by text message shall be attributed to the person who is
18 subscribed to the cell phone number that texted in the contribution.

19 (f) Under Regulation 18421.3(a), the entire amount authorized by the contributor is the
20 amount of the contribution, and any amounts paid by the committee to the wireless carrier or
21 mobile fundraising vendor for processing the contributions shall be reported by the committee as
22 an expenditure.

- 1 NOTE: Authority cited: Section 83112, Government Code. Reference: Sections 82015, 84104,
- 2 and 84306 Government Code.