

FACE SHEET  
FOR FILING ADMINISTRATIVE REGULATIONS  
WITH THE SECRETARY OF STATE  
(Pursuant to Government Code Section 11380.1)

RECEIVED FOR FILING  
JUN 15 1976  
Office of Administrative Hearings

ENDORSED  
APPROVED FOR FILING  
(Gov. Code 11329.2)  
JUN 16 1976  
Office of Administrative Hearings

Copy below is hereby certified to be a true and correct copy of regulations adopted, or amended, or an order of repeal by:

FAIR POLITICAL PRACTICES COMMISSION  
(Agency)

Date of adoption, amendment, or repeal:  
June 3, 1976

By: *Daniel H. Lowenstein*  
Chairman  
(Title)

ENDORSED  
FILED  
In the office of the Secretary of State  
of the State of California  
JUN 17 1976  
3:45 o'clock P.M.  
MURIEL FONG SU, Secretary of State

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ORDER ADOPTING EMERGENCY REGULATION OF THE  
FAIR POLITICAL PRACTICES COMMISSION

After proceedings had in accordance with the provisions of the Administrative Procedure Act (Government Code Title 2, Div. 3, Part 1, Ch. 4.5) and pursuant to the authority vested by Section 83112 of the Government Code, and to implement, interpret or make specific Section 86201 of the Government Code, the Fair Political Practices Commission hereby adopts its regulation in Division VI, Title 2, California Administrative Code, as follows:

Add 2 Cal. Adm. Code Section 18623 as follows:

18623. Gifts from Lobbyists; Honoraria. (86201)

- (a) As used in this section, "honorarium" means a payment for speaking at any event, participating in a panel or seminar or engaging in any similar activity. For purposes of this section, free admission, food, beverages and similar nominal benefits provided to a filer at an event at which he or she speaks, participates in a panel or seminar or

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performs a similar service, and a reimbursement or advance for actual intrastate travel and for necessary accommodations provided directly in connection with the event are not payments.

(b) An honorarium paid directly or indirectly to a state candidate, an elected state officer, a legislative official or an agency official is a gift within the meaning of Government Code Section 86201 unless it is clear from all of the surrounding circumstances that the services provided represent equal or greater value than the payment received. It is unlawful for a lobbyist to make, to act as an agent or intermediary in the making or to arrange for such a gift if the amount of the gift exceeds \$10.00 in a calendar month, Government Code Section 86203, and it also is unlawful for any person to accept such a gift if it exceeds \$10.00 in a calendar month, Government Code Section 86204. When any person claims that an honorarium is not a gift, he shall have the burden of proving that the consideration provided was of equal or greater value, unless the person is a defendant in a criminal action.

. . . . .

FINDING OF EMERGENCY

The Fair Political Practices Commission finds that an emergency exists and that the foregoing regulation is necessary for the immediate preservation of the public peace,

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health and safety or general welfare. A statement of the facts constituting such emergency is:

STATEMENT OF FACTS

This regulation is necessary in order to provide guidance for filing Statements of Economic Interests. Since these statements are filed continually, it is necessary for this regulation to take effect immediately.

. . . . .

This regulation will not create any new or increased costs to local government pursuant to Section 2231 of the Revenue and Taxation Code.

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State of California



**Fair Political Practices Commission**

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

CERTIFICATE OF COMPLIANCE  
(Gov. Code Section 11422.1)

The Fair Political Practices Commission hereby certifies that said agency has complied with the provisions of Sections 11423, 11424 and 11425, Government Code, prior to the adoption of the emergency regulation attached hereto.

FAIR POLITICAL PRACTICES COMMISSION

Handwritten signature of Daniel A. Lowenstein in cursive script.

Daniel Lowenstein, Chairman