

1 **§ 18702 Making, Participating in Making, or Using or Attempting to Use Official Position**
2 **to Influence a Governmental Decision Materiality Standards.**

3 **[Text Moved to Regulation 18704]**

4 (a) ~~To determine if a public official is making, participating in making, or using or~~
5 ~~attempting to use his/her official position to influence a governmental decision, apply 2 Cal.~~
6 ~~Code Regs., section 18702.1 through 18702.4 respectively.~~

7 (b) ~~Notwithstanding subdivision (a) of this regulation, to determine if a public official~~
8 ~~who holds an office specified in Government Code section 87200 is making, participating in~~
9 ~~making, or using or attempting to use his or her official position to influence a governmental~~
10 ~~decision relating to an agenda item which is noticed for a meeting subject to the provisions of the~~
11 ~~Bagley Keene Act (Government Code sections Sections11120 et seq.) or the Brown Act~~
12 ~~(Government Code sections 54950 et seq.) apply 2 Cal. Code Regs. sections 18702.1(a)(1)-~~
13 ~~(a)(4), 18702.2, 18702.3, 18702.4, and 18702.5.~~

14 **[Text Inserted from Regulation 18705]**

15 (a) In order to determine if a governmental decision's reasonably foreseeable financial
16 effect on a financial interest is material, for a governmental decision that affects:

17 (1) A financial interest in a business entity, — apply Regulation 18705.1;

18 (2) A financial interest in real property, — apply Regulation 18705.2;

19 (3) A financial interest in a source of income, — apply Regulation 18705.3;

20 (4) A financial interest in a source of gifts, — apply Regulation 18705.4;

21 (5) The public official's personal finances, or those of a member of his or her immediate
22 family, — apply Regulation 18705.5;

23 (b) ~~Special~~ Notwithstanding Regulations 18705.1 through 18705.5, the financial effect of
24 a governmental decision is not material if it is nominal, inconsequential, or insignificant.

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