

1 Adopt 2 Cal. Code Regs. Section 18424.3 to read:

2 **§ 18424.3 Behested Payment Reporting. Payments from Donor Advised Funds.**

3 (a) The “name of payor” reported in a behested payment report under Section 84224 for a  
4 payment from a sponsoring organization utilizing a donor advised fund must include the  
5 following information to the extent it is known by the elected officer or Public Utility  
6 Commission (“PUC”) member filing the report:

7 (1) The name of the sponsoring organization.

8 (2) The name of the donor advised fund.

9 (3) The name of the donor or, if applicable, the donor’s advisor.

10 (b) It is the duty of the elected officer or Public Utilities Commission member to identify  
11 and report the information required by subdivision (a) with as much specificity as the official  
12 knows or can determine by inquiring with the sponsoring organization.

13 (c) Where a sponsoring organization withholds the name of the donor and identifies the  
14 name of the donor advised fund only as a specific anonymous fund, the “single source” of the  
15 payment is the particular fund for purposes of determining the \$5,000 threshold triggering a  
16 behested payment report, and any subsequent reporting requirements. The official must designate  
17 the “name of payor” using a unique identifier for the specific anonymous fund.

18 (d) For purposes of this regulation:

19 (1) The “donor” is the person or persons who established the donor advised fund and  
20 made the payment request or the person who contributed to the donor advised fund and  
21 the contribution was for purposes of the reportable payment.

22 (2) A “donor advised fund” is as defined in section 4966(d)(2) of Title 26 of the United  
23 States Code.

1           (3) The “donor’s advisor” is the person designated by the donor to make the  
2 recommendation for payment from the donor advised fund.

3           (4) A “sponsoring organization” is as defined in section 4966(d)(1) of Title 26 of the  
4 United States Code. Note: Authority cited: Section 83112, Government Code. Reference:  
5 Sections 82004.5, 82041.3, and 84224, Government Code.