

1 Amend 2 Cal. Code Regs. Section 18438.4 as follows:

2 **§ 18438.4. Participants Under ~~Government Code~~ Section 84308.**

3 For purposes of ~~Government Code~~ Section 84308(a)(2),

4 (a) A person “lobbies in person” when the person communicates directly, either in person  
5 or in writing, with an officer of an agency for the purpose of influencing the decision in a  
6 proceeding.

7 (b) A person “testifies in person” when the person testifies or makes an oral statement  
8 before an agency during a proceeding on a license, permit or other entitlement for use for the  
9 purpose of influencing the decision of the agency.

10 (c) A person “otherwise acts to influence” officers of an agency when the person  
11 communicates with an employee of the agency, or when the person’s agent lobbies in person,  
12 testifies in person or otherwise communicates with officers or employees of the agency, for the  
13 purpose of influencing the officers’ decision in a proceeding.

14 (d) A person does not lobby, testify or otherwise act to influence the officers or  
15 employees of an agency by communications made to the public, other than those made in the  
16 proceedings before the agency.

17 Note: Authority cited: Section 83112, Government Code. Reference: Section 84308,  
18 Government Code.