

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18202. Definitions. Quasi-Legislative Administrative Action.

(a) A proceeding of a state agency is not a quasi-legislative proceeding for the purposes of Government Code Section 82002 if it is any of the following:

(1) A proceeding to determine the rights or duties of a person under existing laws, regulations or policies.

(2) A proceeding involving the issuance, amendment or revocation of a permit or license.

(3) A proceeding to enforce compliance with existing law or to impose sanctions for violations of existing law.

(4) A proceeding at which an action is taken involving the purchase or sale of property, goods or services by such agency.

(5) A proceeding at which an action is taken which is ministerial in nature.

(6) A proceeding at which an action is taken awarding a grant or contract.

(7) A proceeding involving the issuance of a legal opinion.

(b) A proceeding of the California Citizens Redistricting Commission is quasi-legislative except as specified in subdivision (a). Nothing in subdivision (b) applies to the determination of whether a proceeding before any other state agency is quasi-legislative.

CREDITS

NOTE: Authority cited: Section 83112, Government Code. Reference: Section 82002, Government Code.

HISTORY

1. New section filed 9-18-75; effective thirtieth day thereafter (Register 75, No. 38). For prior history of Chapter 2, see Register 75, No. 27.
2. Amendment filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
3. New subsection (b) filed 12-28-2023; operative 1-27-2024 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2023, No. 52).