

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

§ 18432.5. Intermediary and Earmarked Funds Disclosure.

(a) For purposes of Government Code Section 84302, a person, as defined in Government Code Section 82047, is an intermediary for a contribution if either of the following applies:

(1) The recipient of the contribution would consider the person to be the contributor without the disclosure of the identity of the true source of the contribution.

(2) The person is an intermediary pursuant to Regulation 18419.

(b) Any person who qualifies as an intermediary for the making of a contribution or makes a contribution with earmarked funds as defined in 85704(b) must disclose to the recipient of the contribution both the person's own full name and street address, occupation, and the name of the person's employer, if any, or the person's principal place of business if the person is self-employed, and the full name and street address, occupation, and the name of employer, if any, or principal place of business if self-employed, of the contributor or person who earmarked the funds.

(c) The recipient of the contribution must include in the recipient's campaign statement the name of the intermediary and other information disclosed pursuant to Government Code Section 84302 and subdivision (b) of this section, if the recipient knows or has reason to know that a contribution is made by an intermediary.

(d) Earmarked contributions must be disclosed on a committee's campaign statement as provided in Section 85704(e).

Note: Authority cited: Section 83112, Government Code. Reference: Section 84302, Government Code.

HISTORY

1. New section filed 2-8-90; operative 3-10-90 (Register 90, No. 7).
2. Amendment of subsection (a), repealer of subsections (a)(3), (b)-(b)(2), (c)-(c)(7)(B) with subsection relettering, and amendment of newly designated subsections (b) and (c) filed 6-23-92; operative 7-23-92 (Register 92, No. 26).
3. Amendment of section heading and section filed 2-13-2018; operative 3-15-2018 pursuant to title 2, section 18312(e)(1)(A) of the California Code of Regulations. Submitted to OAL for filing and printing 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) (Register 2018, No. 7).
4. Amendment of subsections (b) and (c) filed 5-12-2021; operative 6-11-2021 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 2021, No. 20).