

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

§ 18613. Reporting by Lobbying Firms.

(a) Reporting Payments Received. The periodic reports filed by a lobbying firm shall show all payments received in connection with lobbying activity during the period. To the extent that payments received by a lobbying firm are only partially in connection with lobbying activities, the lobbying firm shall report only that portion which was received for lobbying activities. When reporting payments received, the lobbying firm shall disclose:

(1) The full name, address and telephone number of the person or entity making the payment;

(2) If the payment was made on behalf of another person, the full name, address and telephone number of the person on whose behalf the payment was made;

(3) The date the payment was received;

(4) The amount of the payment;

(5) If the payment was received after the calendar quarter in which services were provided, the calendar quarter in which the services were provided.

(b) Reporting Payments Made.

(1) Reporting Activity Expenses. The periodic report filed by a lobbying firm shall disclose all activity expenses made or incurred during the period, regardless of whether they are paid during the period. An activity expense previously reported as incurred but not paid need not be reported again when actual payment is made. When reporting activity expenses, the lobbying firm shall disclose the full name of the payee, the date and total amount of the expense, the total number of beneficiaries, the amount

attributable to each elective state official, legislative official, state candidate or member of their immediate family who is a beneficiary of the expense, together with a description of the benefit and each official's full name, title and agency.

(2) Reporting Contributions.

(A) Except as provided in subsection (B), all lobbying firms shall disclose all monetary and non-monetary contributions totaling \$100 or more made by the firm to state candidates, elected state officers, and committees supporting such candidates or officers. For each reportable contribution, the firm shall disclose the date the contribution was made, the candidate, officer or committee receiving the contribution, and the amount of the contribution.

(B) Notwithstanding subparagraph (A), if a lobbying firm has made contributions totaling \$100 or more to an elected state officer, state candidate, or a committee supporting such an officer or candidate and the firm or a committee sponsored by the firm has previously reported those contributions in a campaign statement pursuant to Chapter 4 of the Political Reform Act which has been filed with the Secretary of State, the firm may disclose only the name and identification number of its committee on its periodic report in lieu of the information required by subparagraph (A) with respect to those contributions.

(c) Reporting Specific Lobbying Interests of Persons Who Contract with the Lobbying Firm for Lobbying Services.

(1) For each client, the lobbying firm shall report each bill or administrative action with regard to which a partner, owner, officer or employee of the lobbying firm either engaged in direct communication, or was directed by that client to engage in direct

communication, with a qualified official on behalf of that client for the purpose of influencing legislative or administrative action during the reporting period, either by reference to its legislative or administrative identification number or by brief textual description.

(2) A lobbying firm shall not report bills or administrative actions which have “died” prior to the reporting period, shall not report bills or administrative actions which the lobbying firm is only “watching” or “monitoring” and shall not report bills or administrative actions which the lobbying firm has not attempted to influence during the reporting period.

(3) The definitions contained in Regulation 18239 of the terms “direct communication,” “qualifying official” and “influence legislative or administrative action” shall apply to this subsection.

Note: Authority cited: Section 83112, Government Code. Reference: Section 86114, Government Code.

HISTORY

1. New section filed 5-28-86 as an emergency; operative 5-28-86. A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 9-25-86 (Register 86, No. 22).
2. Certificate of Compliance filed 9-15-86 (Register 86, No. 38).
3. Amendment of subsections (b)(2)(A), (b)(2)(B) and (c)(3) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
4. Amendment of subsection (c)(3) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

5. New subsection (a)(2) and subsection renumbering filed 5-26-98; operative 5-26-98.

Submitted to OAL for printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, Linda Stockdale Brewer , Sacramento Superior Court, Case No. 51275 (1991) (Register 98, No. 22).

6. Amendment of subsections (b)(2)(A), (b)(2)(B) and (c)(3) filed 6-7-2021; operative upon the Secretary of State certifying an online filing and disclosure system under Government Code section 84602(b)(7) (Register 2021, No. 24).

7. Editorial correction of History 6 (Register 2021, No. 26).

8. Amendment of subsections (b)(2)(A)-(B) filed 11-10-2021; operative 12-10-2021 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. 46).