

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

§ 18626. Contingency Fees Prohibition.

(a) For purposes of Section 86205, subdivision (f), the phrase “any payment in any way contingent” means every type of payment, including payment of a fee, salary, bonus, commission or any other form of compensation, which payment is dependent to any degree on the defeat, enactment, or outcome of any proposed legislative or administrative action.

(b) A contract for lobbying services does not, in itself, violate Section 86205(f) if it expressly states the agreed upon terms of all compensation to be received in return for those lobbying services and does not make the agreed upon payment dependent to any degree, directly or indirectly, on a specific outcome of the proposed legislative or administrative action for which the lobbying services are to be rendered.

Credits

NOTE: Authority cited: Section 83112, Government Code. Reference: Section 86205, Government Code.

HISTORY

1. New section filed 12-13-2022; operative 1-12-2023 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 2022, No. 50).