

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

§ 18526. Reimbursement of Expenditures.

(a) Expenditures made at the behest of the candidate for goods, services or travel expenses payable from the campaign bank account may be reimbursed and will be deemed expenditures from the campaign bank account if all the following apply:

(1) The person to be reimbursed is a volunteer or paid employee of the candidate's controlled committee.

(2) The treasurer of the committee is provided with a dated receipt and a written description of each expenditure prior to reimbursement.

(3) Reimbursement is paid within 45 calendar days after the expenditures are paid by the person to be reimbursed.

(b) Expenditures made at the behest of the candidate by an agent or independent contractor, such as a campaign consultant or advertising agent, for goods, services, or travel expenses payable from the campaign bank account may be reimbursed and will be deemed expenditures from the campaign bank account if all of the following apply:

(1) The expenditures are made pursuant to a written contract between the candidate or committee and the agent or independent contractor which provides for the reimbursement of such expenditure.

(2) The treasurer of the committee is provided with a dated receipt and a written description of each expenditure prior to reimbursement.

(3) Reimbursement is paid within 45 calendar days after the expenditures are paid by the person to be reimbursed.

(c) When a candidate or committee controlled by a candidate is notified that expenditures totaling \$ 100 or more in a filing period have been made by a person who is to be reimbursed, the candidate or committee shall report, pursuant to Government Code section 84211(k), the expenditures on the campaign statement for the period in which the expenditures were made by the person to be reimbursed and the reimbursements on the campaign statement for the period in which the expenditures were reimbursed.

(d) If reimbursement is not paid within the time permitted by this section, the expenditure shall be reported on the campaign statement as a nonmonetary contribution received on the 45th day after the expenditures are paid by the person to be reimbursed, unless the person seeking reimbursement makes a good faith effort to obtain reimbursement and is unable to collect.

(e) During the period specified for reimbursement, or until reimbursement is paid, whichever occurs first, the person to be reimbursed shall make no contributions to the candidate or committee which cause the total amount of expenditures and contributions made to the candidate or committee by that person to exceed contribution limits.

COMMENT: For reimbursement of officeholder expenditures, see Government Code section 89511.5.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82025, 84211 and 85201, Government Code.

HISTORY

1. New section filed 4-18-89 as an emergency; operative 4-18-89 (Register 89, No. 18). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 8-16-89.
2. Certificate of Compliance as to 4-18-89 order including amendment of subsections (a)(1),

(b)(1) and (d) transmitted to OAL 8-11-89 and filed 9-11-89 (Register 89, No. 37).

3. Amendment of subsection (c) filed 4-26-95; operative 4-26-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 17).

4. New comment filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

5. Change without regulatory effect amending subsection (c) filed 6-8-2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 23).