

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

§ 18530.8. Personal Loans.

(a) Any personal loan made before January 1, 2001, by a candidate for elective state office, and any loan made before January 1, 2021 by a candidate for an elective city or county office subject to the contribution limit in Section 85301(d), does not count toward the \$100,000 loan limit of subdivision (b) of Section 85307.

(b) For purposes of subdivision (b) of Section 85307 and this regulation, “campaign” encompasses both the primary and general elections or special and special runoff elections for a specific term of elective state office and elective city and county offices subject to the contribution limit in Section 85301(d). “Campaign” includes any of the candidate's controlled committees formed for the purpose of seeking that elective state office or that elective city or county office subject to the contribution limit in Section 85301(d), and all committees formed for the purpose of supporting the candidate's candidacy for that elective state office or that elective city or county office subject to the contribution limit in Section 85301(d).

(c) The proceeds of a loan that meets the terms of subdivision (a) of Section 85307, which the candidate then lends to the candidate's campaign, count toward the \$100,000 loan limit of subdivision (b) of Section 85307. Both the candidate and the commercial lending institution must be disclosed as the sources of the loan.

(d) A candidate may make a series of personal loans to the candidate's campaign as long as the outstanding balance does not exceed \$100,000 at the time of making the loans. If a candidate's personal loan balance has reached the \$100,000 limit, the loan balance must be reduced before the candidate may make any additional loans to the candidate's campaign.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 85301, 85307 and 85702.5, Government Code.

HISTORY

1. New section filed 2-19-2002; operative 3-21-2002 (Register 2002, No. 8).
2. Amendment of subsection (c) filed 11-9-2004; operative 11-9-2004 pursuant to Government Code section 11343.4 (Register 2004, No. 46).
3. Amendment of subsections (a)-(c) and amendment of Note filed 3-22-2021; operative 4-21-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). 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 and not subject to procedural or substantive review by OAL) (Register 2021, No. 13).
4. Amendment of subsections (c) and (d) 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).