

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

§ 18531.2. Refunding General Election Contributions.

(a) The following provisions apply to the pro rata refund of contributions raised for a general election or a special general election by a candidate for elective state office or a candidate for an elective city or county office subject to the contribution limit in Section 85301(d) who is defeated in the primary or special primary election, or who withdraws from the general election or special general election, as required under Section 85318:

(1) The candidate shall apply Regulation 18540, subdivisions (a)(1) through (a)(7), to calculate expenses attributable to the general election or the special general election that may be deducted from the refunds.

(2) The candidate shall convert to cash and include in the total contributions subject to refund each campaign asset, or the applicable portion thereof, if all of the following apply:

(A) The asset was received as a non-monetary contribution for the general or special general election.

(B) The candidate's committee held the asset on the day after the primary election, or the day after the candidate has withdrawn from the general election.

(C) The value of the asset was \$50 or more.

(b) Contributions for the general election or special general election that may be considered surplus campaign funds under Section 89519 shall be refunded under Section 85318 and this regulation.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 85301, 85318, 85702.5 and 89519, Government Code.

HISTORY

1. New section filed 12-13-2007; operative 1-12-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third District Court of Appeal, unpublished decision, 1992. (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2007, No. 50).

2. Amendment of subsection (a) 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).