

(Regulations of the California Code of Regulation, Title 2 Division 6, California Code of Regulations.)

§ 18960. Direct Personal Benefit Defined.

(a) For purposes of Government Code sections 89511(b)(3) and 89521(b)(2), an expenditure of campaign funds results in a direct personal benefit when, within six months of the expenditure and without the assistance of any intervening influence or interruption, the candidate, elected officer, individual with authority to approve the expenditure of campaign funds held by a committee, or member of their immediate family:

(1) Realizes an increase in income or assets, or a decrease in expenses or liabilities from the expenditure; or

(2) Makes personal use of an asset obtained as a result of the expenditure.

(b) An expenditure of campaign funds does not result in a prohibited direct personal benefit if otherwise specifically permitted under any other provisions of Article 4 (commencing with Section 89510) of Chapter 9.5 of Title 9 of the Government Code, or interpretative regulations thereto.

Credits

NOTE: Authority cited: Section 83112, Government Code. Reference: Sections 89511 and 89521, Government Code.

HISTORY

1. Renumbering and amendment of former section 18580 to section 18960 filed 4-26-95; operative 4-26-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 17). For prior history, see Register 90, No. 50.

2. Change without regulatory effect amending subsection (a)(1) filed 6-26-2001 pursuant to section 100, title 1, California Code of Regulations (Register 2001, No. 26).
3. Amendment of subsections (a)-(a)(1) 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).
4. Amendment of subsections (a)-(a)(2) and amendment of NOTE filed 10-20-2022; operative 11-19-2022 pursuant to Cal. Code Regs., title 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. 42).