

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

§ 18404. Termination of Candidate's and Committees' Filing Requirements.

(a) Major Donor and Independent Expenditure Committees. The filing obligations of a committee which qualifies pursuant to Government Code Section 82013(b) or (c) terminate at the end of the calendar year in which the committee qualified, except to the extent that additional campaign statements are required by Government Code Sections 84200, 84203, and 84204. If additional campaign statements are filed after the beginning of a new calendar year because the committee files a statement in connection with the qualification of a measure or a semi-annual statement covering activity for the period July 1 through December 31, the committee's filing obligations terminate when such statements have been filed.

(b) Recipient Committees. A treasurer of a committee which qualifies pursuant to Government Code Section 82013(a) may terminate the committee's status as a committee, only by completing the termination section on the Form 410 (Statement of Organization) declaring, under penalty of perjury, that the committee:

(1) Has ceased to receive contributions and make expenditures and does not anticipate receiving contributions or making expenditures in the future;

(2) Has eliminated or has declared that it has no intention or ability to discharge all of its debts, loans received and other obligations;

(3) Has no surplus funds; and

(4) Has filed all required campaign statements disclosing all reportable transactions.

(c) Filing of Committee Terminations.

As specified in Government Code Section 84101(a), the committee shall file the original of the statement of organization declaring the committee's termination with the Secretary of State, and shall also file a copy of the statement of organization with the local filing officer, if any, with whom the committee is required to file the originals of its campaign reports pursuant to Section 84215.

(d) Candidates and Officeholders. Pursuant to Government Code Section 82007, a candidate (which term includes an officeholder) is obligated to file campaign statements under the Act until the candidate's status as a candidate is terminated. An officeholder must file campaign statements required under the Act during the entire time the individual holds office. The filing obligations of a candidate or officeholder terminate as follows:

(1) Candidates or Officeholders with Committees. The filing obligations of a candidate or officeholder who has one or more controlled committees terminate when the individual has terminated all controlled committee(s) and has left office.

(2) Candidates or Officeholders without Committees. The filing obligations of a candidate or officeholder who does not have a controlled committee, and who received contributions and made expenditures of less than \$2,000 in the calendar year and filed a Form 470, terminate at the end of the calendar year for which the Form 470 was filed if:

- (A) the candidate lost, withdrew, or was not on the ballot in the election; or
- (B) the individual left office during the calendar year; and
- (C) the individual has ceased to receive contributions and make expenditures and has filed all required campaign statements.

(e) A candidate or a committee whose filing obligations have terminated remains subject to all civil and criminal penalties and remedies for any violations of this title or any other provision of law.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82007, 84101 and 84214, Government Code.

HISTORY

1. New section filed 3-31-77; effective thirtieth day thereafter (Register 77, No. 14).
2. Amendment of subsection (a) filed 5-22-78; effective thirtieth day thereafter (Register 78, No. 21).
3. Amendment filed 2-17-82; effective thirtieth day thereafter (Register 82, No. 8).
4. Amendment of subsection (a) filed 3-3-86; effective thirtieth day thereafter (Register 86, No. 10).
5. Amendment of section and Note filed 9-30-99; operative 9-30-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 40).
6. Change without regulatory effect amending subsections (a) and (d)(2) filed 3-22-2016; operative 4-21-2016 pursuant to 2 CCR 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 2016, No. 13).
7. Amendment of subsections (d)-(d)(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).