

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

§ 18525. Incumbent Candidates' Election Expenses and Officeholder Expenses.

(a) An incumbent elected officer shall make expenditures for the following campaign expenses from the appropriate campaign bank account for election to a future term of office:

(1) Payments for fundraising and campaign strategy expenses for election to a future term of office.

(2) Payments for mass mailings, political advertising, opinion polls or surveys, and other communications in connection with election to a future term of office. For purposes of this section, a mass mailing, political advertisement, opinion poll or survey, or other communication shall be considered “in connection with election to a future term of office” if it makes reference to the officer's future election or status as a candidate for a future term of office, or if it is made by an incumbent officer within 3 months prior to an election for which the officer has filed any of the following:

(A) A statement of intention to be a candidate for a specific office, pursuant to Government Code Section 85200.

(B) A declaration of candidacy or nomination papers, as specified in Chapter 1 (commencing with Section 8000) of Division 8 of the Elections Code.

(C) Any other documents necessary to be listed on the ballot as a candidate for any state or local office.

(3) Payments for services and actual expenses of political consultants, the campaign treasurer and other campaign staff, pollsters and other persons providing services directly in connection with a future election.

(4) Payments for voter registration and get-out-the-vote drives.

(b) An incumbent elected officer may make expenditures for purposes not enumerated in subdivision (a) from either the campaign bank account established pursuant to Government Code Section 85201 for election to the incumbent term of office or from a campaign bank account established pursuant to Government Code Section 85201 for election to a future term of office. This section shall not be construed to permit an incumbent elected officer to make expenditures from any campaign bank account for expenses other than those associated with the officer's election to the specific office for which the account was established and expenses associated with holding that office.

Note: Authority cited: Section 83112, Government Code. Reference: Section 85201, Government Code.

HISTORY

1. New section filed 11-15-89; operative 12-15-89 (Register 89, No. 46).
2. Amendment of subsection (a)(2)(B) and Note filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
3. Amendment of subsections (a)(2) and (b) 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).