

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

§ 18531. Return of Excessive Contributions.

(a) Contributions which either in the aggregate or on their face exceed the contribution limits of Government Code Sections 85301, 85302 and 85303 shall be deemed not to have been accepted within the meaning of that provision, if returned pursuant to this section.

(b) A monetary contribution shall be returned prior to deposit or negotiation, within 14 days of receipt.

(c) A non-monetary contribution shall be returned by returning to the contributor, within the deadline specified in subdivision (b) any of the following:

(1) The non-monetary contribution.

(2) Its monetary equivalent.

(3) The monetary amount by which the value of the non-monetary contribution exceeds the contribution limits of Government Code Sections 85301, 85302 and 85303.

(d) This regulation shall not be construed to authorize the making or solicitation of any contribution in excess of the contribution limits of Government Code Sections 85301, 85302 and 85303.

(e) Notwithstanding subsections (a) through (c), contributions to a committee, other than a candidate controlled committee, which are earmarked for purposes other than making contributions directly to candidates for elective office shall not be deemed in excess of limits and need not be returned, provided the contributions are deposited to a separate account within the deadlines prescribed in subsection (b).

Note: Authority cited: Section 83112, Government Code. Reference: Sections 85301, 85302 and

85303, Government Code.

HISTORY

1. New section filed 6-23-89; operative 6-23-89 (Register 89, No. 26).
2. Amendment of subsections (a), (b) and (d) and footnote filed 11-16-90; operative 12-26-90 (Register 91, No. 1).
3. Amendment filed 4-26-95; operative 4-26-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 17).
4. Amendment of subsections (a) and (a)(3)-(e), repealer of footnote and amendment of Note filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
5. Amendment of Note filed 5-26-98; operative 5-26-98. Submitted to OAL for printing only pursuant to *Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer*, Sacramento Superior Court, Case No. 51275 (1991) (Register 98, No. 22).
6. Amendment of section and Note filed 5-4-2001; operative 6-3-2001 (Register 2001, No. 18).
7. Editorial correction of subsection (b) (Register 2005, No. 38).