

1 Amend 2 Cal. Code Regs. Section 18404.2 to read:

2 **§ 18404.2. Administrative Termination.**

3 ~~(a) The Executive Director, or any person to whom this authority is delegated by the~~
4 ~~Executive Director, may administratively terminate a recipient committee, as defined under~~
5 ~~Section 82013(a), if all of the following conditions are met:~~

6 ~~(1) The committee has not filed campaign statements pursuant to Chapter 4 of the Act in~~
7 ~~the previous 12 months;~~

8 ~~(2) The ending cash balance on the committee's last filed campaign statement is \$3,000 or~~
9 ~~less;~~

10 ~~(3) The committee is provided notice of the proposed administrative termination at least~~
11 ~~90 days prior to the termination, and;~~

12 ~~(4) The committee fails to file a written objection to the administrative termination with~~
13 ~~the Commission within 90 days of receiving a notice of the proposed termination.~~

14 ~~(b) A committee that has been administratively terminated shall not receive any~~
15 ~~subsequent contributions, and shall not make expenditures exceeding the ending cash balance on~~
16 ~~the committee's last filed campaign statement, unless the committee's status is reinstated. A~~
17 ~~committee may reinstate its committee status after an administrative termination by filing a~~
18 ~~written request for reinstatement with the Commission.~~

19 ~~(c) The Commission shall not require an explanation for an objection to an administrative~~
20 ~~termination or a request for reinstatement filed pursuant to this regulation, and no objection or~~
21 ~~request shall be denied.~~

22 ~~(d) The Commission shall provide notice of an administrative termination, or the~~
23 ~~reinstatement of a committee subsequent to an administrative termination, to the Office of the~~

1 ~~Secretary of State and any local filing officer with whom the committee was required to file their~~
2 ~~last filed campaign statement.~~

3 (a) Bases for Administrative Termination. The Chief of the Enforcement Division may
4 terminate a recipient committee if the committee failed to:

5 (1) File a campaign statement in the previous 12 months, and the committee had an
6 ending cash balance of \$3,000 or less on its last campaign statement;

7 (2) File a campaign statement in the previous 12 months, the committee had an ending
8 cash balance of \$5,000 or less on its last campaign statement, and the committee owes \$2,000 or
9 more to the controlling candidate;

10 (3) File a campaign statement in the previous 48 months; or

11 (4) Respond to the Enforcement Division's reasonable efforts to contact the committee
12 regarding the committee's failure to file campaign statements or pay annual fees. "Reasonable
13 efforts to contact the committee" means sending a written notice by certified mail to the
14 committee treasurer at the treasurer's address listed on the committee's statement of
15 organization, and attempting to contact an individual identified as a controlling candidate,
16 principal officer, treasurer, or assistant treasurer on the committee's most recent campaign
17 statement or statement of organization at the telephone number or email address listed on the
18 statement.

19 (b) 45 Day Notice of Termination. The Enforcement Division must provide a committee
20 with written notice of a proposed termination 45 days prior to terminating the committee.

21 (c) Objection to Termination. The Enforcement Division will not terminate a committee
22 if the committee files a written objection to a proposed termination. If no written objection is
23 received within 45 days, the committee automatically terminates without further notice.

1 (d) Reinstatement. The Executive Director must reinstate a terminated committee if the
2 committee files a written request for reinstatement with the Commission, files any delinquent
3 statements required by the Enforcement Division, and pays any outstanding fees or fines.

4 (e) Prohibited Activity after Termination. A committee may not receive contributions or
5 make expenditures exceeding the ending cash balance on the committee's last campaign
6 statement after the Enforcement Division terminates the committee, except to pay outstanding
7 filing fees or fines.

8 (f) Notice to Filing Officers. The Commission will provide notice of a termination or
9 reinstatement of a committee within 90 days to the filing officers with whom the committee was
10 required to file its last campaign statement.

11 Note: Authority cited: Sections 83112 and 84212, Government Code. Reference: Sections 82013
12 and 84212, Government Code.