

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

§ 18530.2. Transfer of Funds Raised Prior to Proposition 34 and Assembly Bill 571 Limits.

(a) Candidates for Elective State Office Other Than Statewide Elective Office:

Pursuant to Section 85306, subdivision (b), a candidate for elective state office, other than a candidate for statewide elective office, may transfer funds possessed on January 1, 2001, to a controlled committee of the same candidate for an election held after January 1, 2001, without attributing the funds to specific contributors. There is no limit to the number of times the candidate's committee may transfer without attribution funds possessed on January 1, 2001; provided, however, that the maximum amount that the controlled committee holding the funds on January 1, 2001, may subsequently transfer without attribution shall be the lesser of (i) the balance on January 1, 2001, less the amount of any transfers made without attribution after January 1, 2001, and (ii) the lowest balance in the committee's account on or after January 1, 2001; and, provided further, that the maximum amount that any committee that has received such unattributed transfer may subsequently transfer without attribution shall be the lesser of (i) the sum received without attribution less any transfers subsequently made by that committee without attribution, and (ii) the lowest balance in the committee's account following receipt of such unattributed transfer.

(b) Candidates for Statewide Elective Office:

Pursuant to Section 85306, subdivision (c), a candidate for statewide elective office may transfer funds possessed on November 6, 2002, to a controlled committee of the same candidate for an election held after January 1, 2001, without attributing the funds to specific contributors.

There is no limit to the number of times the candidate's committee may transfer without attribution funds possessed on November 6, 2002; provided, however, that the maximum amount that the controlled committee holding the funds on November 6, 2002, may subsequently transfer without attribution shall be the lesser of (i) the balance on November 6, 2002, less the amount of any transfers made without attribution after November 6, 2002, and (ii) the lowest balance in the committee's account on or after November 6, 2002; and, provided further, that the maximum amount that any committee that has received such unattributed transfer may subsequently transfer without attribution shall be the lesser of (i) the sum received without attribution less any transfers subsequently made by that committee without attribution, and (ii) the lowest balance in the committee's account following receipt of such unattributed transfer.

(c) Candidates for Elective City and County Offices Subject to the Section 85301(d)

Contribution Limit:

Pursuant to Section 85306, subdivision (a), a candidate for elective city or county office may transfer funds possessed on January 1, 2021, to a controlled committee of the same candidate for an election held after January 1, 2021, without attributing the funds to specific contributors. There is no limit to the number of times the candidate's committee may transfer without attribution funds possessed on January 1, 2021; provided, however, that the maximum amount that the controlled committee holding the funds on January 1, 2021, may subsequently transfer without attribution shall be the lesser of (i) the balance on January 1, 2021, less the amount of any transfers made without attribution after January 1, 2021, and (ii) the lowest balance in the committee's account on or after January 1, 2021; and, provided further, that the maximum amount that any committee that has received such unattributed transfer may subsequently transfer without attribution shall be the lesser of (i) the sum received without

attribution less any transfers subsequently made by that committee without attribution, and (ii) the lowest balance in the committee's account following receipt of such unattributed transfer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 85301, 85306 and 85702.5, Government Code.

HISTORY

1. New section filed 1-30-2003 as an emergency; operative 1-30-2003 (Register 2003, No. 5). A Certificate of Compliance must be transmitted to OAL by 5-30-2003 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-30-2003 order, including amendment of section and Note, transmitted to OAL 5-15-2003 and filed 6-16-2003 (Register 2003, No. 25).
3. Amendment of section heading, and subsections (a)-(b), new subsection (c) and amendment of Note filed 3-22-2021; operative 4-21-2021 pursuant to Cal. Code Regs., tit. 2, section 18312(e). Submitted to OAL for filing and printing 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. 13).