

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

§ 18537. Contribution Limits and Application to Repaid Loans.

(a) This regulation is applicable to loans received or made that are subject to the contribution limits of chapter 5 of this title.

(b) Forgiveness of a loan made to a candidate or committee shall not constitute an additional contribution from the lender for purposes of the contribution limitations.

(c) Except as prohibited by Government Code section 85316, repayment of a loan in whole or in part shall enable the lender, guarantor, endorser, or cosigner to make additional contributions to the same candidate or committee provided that the additional contributions, when combined with the outstanding balance of any loan from that contributor, do not result in a violation of the contribution limits.

(d) Each loan received shall be reported as a contribution on the campaign report for the reporting period in which it was received regardless of whether it has been retired, forgiven, or remains outstanding in whole or in part. A candidate or committee which has repaid a loan, in whole or in part, and has received an additional contribution from the lender, shall indicate on the campaign statement that the cumulative amount of the contributor's contribution has been reduced accordingly.

Note: Authority cited: Section 83112, Government Code. Reference Sections 84211 and 85301-85321, Government Code.

HISTORY

1. New section filed 7-13-90; operative 8-12-90 (Register 90, No. 34).
2. Amendment filed 4-26-95; operative 4-26-95 pursuant to Government Code section

11343.4(d) (Register 95, No. 17).

3. Amendment of subsection (a) and repealer of footnote filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

4. Editorial correction of subsection (b) (Register 2001, No. 18).

5. Amendment of subsection (a) and amendment of Note filed 5-4-2001; operative 6-3-2001 (Register 2001, No. 18).

6. Amendment of section and Note filed 6-20-2006; operative 7-20-2006. 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 2006, No. 25).