

1 Amend 2 Cal. Code Regs., Section 18951 to read:

2 **§ 18951. Surplus Funds, Defined.**

3 For purposes of Section 89519:

4 (a) Campaign funds under the control of a candidate or elected officer will be considered
5 surplus campaign funds on the following dates:

6 (1) Incumbent Candidates: The 90th day after leaving an elective office for which the
7 campaign funds were raised, or if the candidate is defeated for reelection, the 90th day after the
8 end of the postelection reporting period following his or her defeat, whichever is later. An
9 incumbent candidate who wishes to use funds for a future election must transfer those funds to a
10 new committee for a future election no later than this date.

11 (2) Non-Incumbent Defeated and Withdrawn Candidates: The 90th day after the end of
12 the postelection reporting period following the election in which the candidate was defeated or
13 from which the candidate withdrew. A non-incumbent candidate who is defeated or withdraws
14 from an election who wishes to use funds for a future election must transfer those funds to a new
15 committee for a future election no later than this date.

16 (3) Deceased Candidates: Funds belonging to a candidate who dies while in office or
17 while running for office will become surplus the 90th day after the end of the postelection
18 reporting period following the candidate's death.

19 (b) The “end of the postelection reporting period” means June 30 with respect to elections
20 occurring in the first six months of the calendar year and December 31 for elections occurring in
21 the latter six months of the calendar year.

1 (c) Campaign funds are “raised” at the time the funds are received, as disclosed on the
2 candidate's campaign statements pursuant to Regulation 18421.1.

3 (d) Except as provided by Section 85315 regarding elected state officer recall
4 committees and elective city and county officer recall committees subject to the contribution
5 limit in Section 85301(d), campaign funds raised by: (1) a committee, other than a candidate
6 controlled committee; or (2) a candidate controlled ballot measure committee are not considered
7 surplus funds for purposes of this section and are governed by Sections 89511 through 89518
8 and 89520 through 89522.

9 Note: Authority cited: Section 83112 Government Code. Reference: Section 89519,
10 85301, and 85702.5, Government Code.