

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

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

3 For purposes of ~~Government Code~~ sSection 89519:

4 (a) Campaign funds ~~raised after January 1, 1989~~, under the control of a candidate or
5 elected officer ~~shall~~ will be considered surplus campaign funds on the following dates:

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

12 (2) Non-Incumbent Defeated and Withdrawn Candidates: The 90th day after the end of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

17 (3) Deceased Candidates: Funds belonging to a candidate who dies while in office or
18 while running for office ~~shall~~ will become surplus the 90th day after the end of the postelection
19 reporting period ~~on the earlier of either June 30 or December 31~~ following the candidate's death.

20 (b) The “end of the postelection reporting period” means June 30 with respect to elections
21 occurring in the first six months of the calendar year and December 31 for elections occurring in
22 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 ~~2 Cal. Code Regs. section~~ Regulation 18421.1.

3 ~~(d) Campaign funds raised on or before January 1, 1989, which have been commingled~~
4 ~~with campaign funds raised after January 1, 1989, are presumed to have been raised after January~~
5 ~~1, 1989.~~

6 ~~(d) (e)~~ Except as provided by ~~Government Code s~~ Section 85315 regarding elected state
7 officer recall committees, campaign funds raised by: (1) a committee, other than a candidate
8 controlled committee; or (2) a candidate controlled ballot measure committee ; ~~or (3) a candidate~~
9 ~~on or before January 1, 1989, that are not commingled with funds raised after that date~~ are not
10 considered surplus funds for purposes of this section and are governed by ~~Government Code~~
11 sSections 89511 through 89518 and 89520 through 89522.

12
13 Note: Authority cited: Section 83112, Government Code. Reference: Section 89519,
14 Government Code.