

Amend 2 Cal. Code Regs., Section 18404 to read:

§ 18404. Termination of Candidate's and Section 82013 Committee's² Filing Requirements.

(a) Major Donor and Independent Expenditure Committees. A committee that qualifies under Section 82013(b) or (c) is obligated to file campaign reports under the Act only for activity occurring during the calendar year in which it qualifies. The committee's filing obligations will terminate once all campaign reports required under the Act for the qualifying year are filed. The filing obligations of a committee which qualifies pursuant to Government Code Section 82013(b) or (c) terminate at the end of the calendar year in which the committee qualified, except to the extent that additional campaign statements are required by Government Code Sections 84200, 84203, and 84204. If additional campaign statements are filed after the beginning of a new calendar year because the committee files a statement in connection with the qualification of a measure or a semi-annual statement covering activity for the period July 1 through December 31, the committee's filing obligations terminate when such statements have been filed.

(b) Recipient Committees. A committee that qualifies pursuant to Government Code Section 82013(a) is obligated to file campaign reports under the Act until its status is terminated. The committee's treasurer may terminate its status as a committee subject to the requirements and procedures set forth in Regulation 18404.1. A treasurer of a committee which qualifies pursuant to Government Code Section 82013(a) may terminate the committee's status as a committee, only by completing the termination section on the Form 410 (Statement of Organization) declaring, under penalty of perjury, that the committee:

~~(1) Has ceased to receive contributions and make expenditures and does not anticipate receiving contributions or making expenditures in the future;~~

1 ~~(2) Has eliminated or has declared that it has no intention or ability to discharge all of its~~
2 ~~debts, loans received and other obligations;~~

3 ~~(3) Has no surplus funds; and~~

4 ~~(4) Has filed all required campaign statements disclosing all reportable transactions.~~

5 ~~(c) Filing of Committee Terminations.~~

6 ~~As specified in Government Code Section 84101(a), the committee shall file the original of the~~
7 ~~statement of organization declaring the committee's termination with the Secretary of State, and~~
8 ~~shall also file a copy of the statement of organization with the local filing officer, if any, with~~
9 ~~whom the committee is required to file the originals of its campaign reports pursuant to Section~~
10 ~~84215.~~

11 (c) ~~(d)~~ Candidates and Officeholders. Pursuant to Government Code Section 82007, a
12 candidate (which ~~term~~ includes an officeholder) is obligated to file campaign ~~statements~~ reports
13 under the Act until the candidate's status as a candidate is terminated because the candidate is
14 defeated, leaves office or the term of the office ends, withdrew from the election, or was not on
15 the ballot in the election. An officeholder must file campaign ~~statements~~ reports required under
16 the Act during the entire time the individual holds office. The filing obligations of a candidate or
17 officeholder terminate as follows:

18 (1) Candidates or Officeholders with Committees. The filing obligations of a candidate or
19 officeholder who has one or more controlled committees terminate when the individual has
20 terminated all controlled committee(s) as set forth in Regulation 18404.1, is no longer a
21 candidate, and has left office. This includes a committee opened by a candidate in anticipation of
22 qualifying as a Section 82013(a) committee where the candidate did not receive contributions
23 totaling \$2,000 or more in a calendar year,

1 (2) Candidates or Officeholders without Committees. The filing obligations of a
2 candidate or officeholder who ~~does not have~~ has not opened a controlled committee, ~~and who or~~
3 received contributions and made expenditures of less than \$2,000 in the calendar year ~~and filed a~~
4 ~~Form 470~~, terminate at the end of the calendar year ~~for which the Form 470 was filed~~ if:

5 (A) the candidate ~~lost~~ is defeated, withdrew, or was not on the ballot in the election that
6 year; or

7 (B) the individual left office or the term ends during the calendar year; and

8 (C) the individual has ceased to receive contributions and make expenditures and has
9 filed all required campaign statements.

10 ~~(e)~~ (d) A candidate or a committee whose filing obligations have terminated remains
11 subject to all civil and criminal penalties and remedies for any violations of this title or any other
12 provision of law.

13 Note: Authority cited: Section 83112, Government Code. Reference: Sections 82007, 82013,
14 ~~84101~~, and 84214, Government Code.