

From: [CampaignGuidance](#)
To: [Taber, Toni](#); [Alma Castillo](#); [Elections](#); [CampaignGuidance](#)
Subject: RE: Question regarding September 2nd deadline
Date: Wednesday, August 28, 2024 5:17:15 PM

Good afternoon,

The City Clerk previously provided a link to Section 12.06.720 of Title 12 of the San Jose Municipal Code which regulates surplus campaign funds. This Section limits how surplus campaign may be used. A candidate-controlled committee may remain open after the September 2nd date, provided that any remaining surplus campaign funds are only used in accordance with the limitations contained within 12.06.720 and that solicitations and contributions only occur during the specified campaign contribution periods contained within Title 12.

For reference, surplus campaign funds may only be used for the following purposes:

1. The payment of outstanding campaign debts.
2. The repayment of contributions.
3. Donations to the general fund of the City or to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization where no substantial part of the proceeds will have a material financial effect on the former candidate or elected officer, any member of his or her immediate family, or his or her campaign treasurer.
4. Contributions to a political party committee, provided the campaign funds are not used to support or oppose candidates for elective office. Notwithstanding the preceding sentence, the campaign funds may be used by a political party committee to conduct partisan voter registration, partisan get-out-the-vote activities, and slate mailers as that term is defined under the Political Reform Act.
5. Contributions to support or oppose a ballot measure.
6. The payment for professional services reasonably required by the candidate controlled committee to assist in the performance of its administrative functions, including payment for attorney's fees and other costs for litigation that arises directly out of a candidate's activities, duties, or status as a candidate, including, but not limited to, an action to enjoin defamation, defense of an action brought for a violation of state or local campaign, disclosure, or election laws, and an action from an election contest or recount.

Please let me know if you have any additional questions.

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From: Taber, Toni <toni.taber@sanjoseca.gov>
Sent: Thursday, August 22, 2024 5:12 PM
To: Alma Castillo <[REDACTED]>; Elections <elections@sanjoseca.gov>; CampaignGuidance <SJElections@sanjoseca.gov>
Subject: RE: Question regarding September 2nd deadline

I'm copying the attorney's office as I cannot give legal advice.

I can give you the link to the municipal code regarding surplus funds in the meantime:
https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT12ETOPGOPR_CH12.06MUCAOFAC_PT7DERESUCAFU_12.06.720SUCAFU

From: Alma Castillo <[REDACTED]>
Sent: Thursday, August 22, 2024 5:06 PM
To: Elections <elections@sanjoseca.gov>
Subject: Question regarding September 2nd deadline

[External Email]

Hi,
My name is Alma Castillo and I am working with Mayor Mahan's 2024 re-election campaign committee. I have a question regarding the upcoming September 2nd deadline and I need confirmation.

Currently, the committee does not have any remaining debt, and only has surplus funds. Does the committee have to be terminated by September 2nd, or may it remain active indefinitely with surplus funds?

Thank you, in advance, for your assistance.

Alma Castillo
Contribution Solutions, LLC

[REDACTED]
[REDACTED]
phone: [REDACTED]
[REDACTED]

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