



## Post-Election Filing Obligations

Now that the election is over, a committee's future filing obligations are determined by whether the candidate was elected to office. Generally, a defeated candidate committee or ballot measure committee **will close or "terminate" soon after the election**. Committees must continue to file semi-annual campaign statements as long as they remain open. In addition, a \$50 annual fee must be paid to the Secretary of State.

### Successful Candidates

State law allows local candidates who win the election to continue to maintain their campaign committee after the election to receive contributions and to use campaign funds to offset officeholder expenses. During non-election years, Form 460 is filed on a semi-annual basis if the committee remains open. See the state [FPPC Campaign Manual 2](#).

Oakland law allows each elected City Official to maintain an officeholder committee for expenses associated with holding office and contribution limits are applied annually instead of per election. To accept officeholder contributions under Oakland law, a candidate must establish an "officeholder" committee by re-designating their campaign committee after the election after all campaign related expenses and debts have been paid. To re-designate, submit an amended Statement of Organization (Form 410) and add "Officeholder" to the committee name.

To learn more about officeholder committees, see the [Oakland Campaign Reform Act Guide](#).

### Defeated Candidates

Following the election, a defeated candidate must continue to file the Form 460 on a semi-annual basis and pay the annual committee fee as long as the committee remains open. There is no deadline for terminating the committee or disposing of leftover funds; however, if there are leftover funds and the candidate wants to use the funds for a future election, the funds must be re-designated or transferred **before** becoming surplus funds. Campaign funds become surplus on the 90th day after the closing date for the postelection reporting period. For 2020 candidates the date is March 31, 2021.

### Ballot Measure Committees

If a committee chooses to remain open to support or oppose candidates or other measures, it must amend its Statement of Organization (Form 410) to reflect the change of committee type, if applicable, and to change the committee name since it is no longer primarily formed to support or oppose the ballot measure.

If the committee remains primarily formed to support or oppose the qualification or passage of another ballot measure, it must file statements quarterly until the pre-election period begins for that measure.

## Using Leftover Campaign Funds

Any funds remaining after the election may be used for purposes allowed by state law. See [FPPC Campaign Manual 2 – Chapter 5: Use of Campaign Funds](#) for a list of permissible uses. It is important to remember that there are restrictions on how campaign funds held by an elected officeholder or candidate may be spent once the funds become “surplus.” **Surplus funds may not be used for a future election.**

## Terminating Your Committee

A committee may terminate if the committee:

1. Has ceased receiving contributions or making expenditures and does not anticipate receiving contributions or making expenditures in the future;
2. Has no remaining campaign funds;
3. Has filed all required campaign statements, disclosing all reportable transactions, including the disposition of leftover funds; and
4. Has eliminated all debts or has no intention or ability to discharge debts.

To terminate, a committee must file a Statement of Organization (Form 410) and a final campaign statement (Form 460). On the Form 410, the “Termination” box must be checked. List the committee’s identification number and the date of termination. The termination date is generally the date all funds have been expended. File the original Form 410 with the Secretary of State and a copy with the Public Ethics Commission.

For additional information on post-election filing obligations, see the [FPPC’s Campaign Manual 2](#).

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