

§§ 100.34–100.50

11 CFR Ch. I (1–1–07 Edition)

with respect to which the candidate had—

- (1) Legal and rightful title; or
- (2) An equitable interest;
- (b) *Income*. Income received during the current election cycle, as defined in 11 CFR 400.2, of the candidate, including:
 - (1) A salary and other earned income that the candidate earns from bona fide employment;
 - (2) Income from the candidate's stocks or other investments including interest, dividends, or proceeds from the sale or liquidation of such stocks or investments;
 - (3) Bequests to the candidate;
 - (4) Income from trusts established before the beginning of the election cycle as defined in 11 CFR 400.2;
 - (5) Income from trusts established by bequest after the beginning of the election cycle of which the candidate is the beneficiary;
 - (6) Gifts of a personal nature that had been customarily received by the candidate prior to the beginning of the election cycle, as defined in 11 CFR 400.2; and
 - (7) Proceeds from lotteries and similar legal games of chance; and

(c) *Jointly owned assets*. Amounts derived from a portion of assets that are owned jointly by the candidate and the candidate's spouse as follows:

- (1) The portion of assets that is equal to the candidate's share of the asset under the instrument of conveyance or ownership; provided, however,
- (2) If no specific share is indicated by an instrument of conveyance or ownership, the value of one-half of the property.

[68 FR 3995, Jan. 27, 2003]

§§ 100.34–100.50 [Reserved]

Subpart B—Definition of Contribution (2 U.S.C. 431(8))

SOURCE: 67 FR 50585, Aug. 5, 2002, unless otherwise noted.

§ 100.51 Scope.

- (a) The term *contribution* includes the payments, services, or other things of value described in this subpart.
- (b) For the purpose of this subpart, a contribution or payment made by an

individual shall not be attributed to any other individual, unless otherwise specified by that other individual in accordance with 11 CFR 110.1(k).

§ 100.52 Gift, subscription, loan, advance or deposit of money.

(a) A gift, subscription, loan (except for a loan made in accordance with 11 CFR 100.72 and 100.73), advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office is a contribution.

(b) For purposes of this section, the term *loan* includes a guarantee, endorsement, and any other form of security.

(1) A loan that exceeds the contribution limitations of 2 U.S.C. 441a and 11 CFR part 110 shall be unlawful whether or not it is repaid.

(2) A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, shall not exceed the contribution limitations set forth at 11 CFR part 110. A loan, to the extent it is repaid, is no longer a contribution.

(3) Except as provided in paragraph (b)(4) of this section, a loan is a contribution by each endorser or guarantor. Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. Any reduction in the unpaid balance of the loan shall reduce proportionately the amount endorsed or guaranteed by each endorser or guarantor in such written agreement. In the event that such agreement does not stipulate the portion of the loan for which each endorser or guarantor is liable, the loan shall be considered a loan by each endorser or guarantor in the same proportion to the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors.

(4) A candidate may obtain a loan on which his or her spouse's signature is required when jointly owned assets are used as collateral or security for the