

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisor Kevin Jeffries

SUBMITTAL DATE: October 8, 2013

SUBJECT: Ordinance No. 913.2 Amending Ordinance No. 913.1 Requiring Electronic Campaign Finance Disclosure for Candidates for county offices and passage of local ballot measures.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Introduce and adopt in successive meetings Ordinance No. 913.2, an ordinance amending Ordinance No. 913.1;
- 2) Find that the adoption of Ordinance No. 913.2 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;
- 3) Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk for posting

BACKGROUND: The goal of the electronic reporting ordinance, Ordinance 913.1, was to supplement the Political Reform Act by requiring electronic reporting of contributions and expenditures regarding elections of candidates for county offices and passage of local ballot measures within the county. The purpose was to increase transparency and reduce expenses.

On January 1, 2013 Assembly Bill 2452 went into effect adding Government Code 84615 which allows a local government agency to require an elected officer, candidate, committee, or other person required to file statements, reports, or other documents, except an elected officer, candidate, committee, or other person who receives contributions totaling less than one thousand dollars (\$1,000), and makes expenditures totaling less than one thousand dollars (\$1,000), in a calendar year, to file those statements, reports, or other documents online or electronically with a local filing officer. The new law also prescribes criteria that must be satisfied by a local government agency that requires online or electronic filing of statements, reports, or other documents, as specified, including, among others, that the system be available free of charge to filers and to the public for viewing filings, and that the system include a procedure for filers to comply with the requirement that they sign statements and reports under penalty of perjury.

Kevin Jeffries
Supervisor, 1st District

Re: Ordinance No. 913.2 Amending Ordinance No. 913.1
Requiring Electronic Campaign Finance Disclosure
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In order to implement the provisions of Government Code 84615 and Assembly Bill 2452 the County must adopt an ordinance approving the use of online or electronic filing, which shall include a legislative finding that the online or electronic filing system will operate securely and effectively and will not unduly burden filers. Ordinance No. 913.1 needs to be amended to include the new provisions of Government Code 84615 and Assembly Bill 2452.

In addition, Ordinance 913.1 currently requires electronic reporting of a contribution received by or made to a Candidate or local ballot measure, or an Independent Expenditure made for or against a Candidate or local ballot measure of five-thousand dollars or more at any time other than during an Election cycle. The threshold amount will be amended to a contribution of one-thousand dollars or more to allow greater transparency.

The amended Ordinance 913.2 will continue to apply only to passage of local ballot measures within the county and elections of candidates for the following county offices: County Supervisor; County Assessor, Clerk & Recorder; Auditor-Controller; District Attorney; Sheriff, Coroner & Public Administrator; Treasurer & Tax Collector; County Superintendent of Schools; Superior Court Judge.

1 ORDINANCE NO. 913.2

2
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE
4 AMENDING ORDINANCE 913.1 REQUIRING ELECTRONIC
5 CAMPAIGN FINANCE DISCLOSURE
6

7 The Board of Supervisors of the County of Riverside ordains as follows:
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9 Section 1. Section 1. of Ordinance 913.1 is amended to read as follows:
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11 FINDINGS.

12 1. The Board of Supervisors finds that public access to campaign and lobbying
13 disclosure information is a vital and integral component of a fully informed electorate.
14 Transparency in campaign financing is critical in order to maintain public trust and support of the
15 political process.

16 2. Since the enactment of the Political Reform Act candidates and committees have
17 complied with filing requirements by filing paper copies of campaign statements and reports. The
18 Registrar of Voters has expended a significant amount of staff time to make such paper filings
19 readily available to the public.
20

21 3. In July 2012, the California Legislature approved Assembly Bill 2452 which
22 authorizes local jurisdictions to require the filing of campaign statements and reports solely in an
23 electronic format. The Governor approved the legislation on July 13, 2012 and it took effect on
24 January 1, 2013.

25 4. The Board of Supervisors finds that by eliminating manual processing of filings,
26 electronic filing requirements will conserve resources and ensure the public has access to
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1 information disclosed in campaign statements and reports in a more timely manner. The
2 electronic filing system will operate securely and effectively and will not unduly burden filers.

3 Section 2. Section 2. of Ordinance 913.1 is amended to read as follows:

4 PURPOSE. The purpose of this Ordinance is to require online electronic filing of
5 campaign statements and require online reporting of contributions and independent expenditures
6 regarding elections of Candidates to County offices and the qualification or passage of local ballot
7 measures within the County of Riverside as currently required under the Political Reform Act,
8 (commencing with California Government Code Section 84200 et seq.) in order to facilitate
9 review and maximize the availability of this information to the public.

10 Section 3. Subsection b. of Section 5. of Ordinance 913.1 is amended to read as
11 follows:

12 Committee. Any Person or combination of Persons who, directly or indirectly, does any
13 of the following:

- 14 (1) Receives Contributions totaling one thousand dollars (\$1,000) or more in any
15 calendar year; or
16 (2) Makes Independent Expenditures totaling one thousand dollars (\$1,000) or more in
17 any calendar year; or

18 A Person or combination of Persons that becomes a Committee shall retain its status as a
19 Committee until such time as that status is terminated pursuant to California Government Code
20 Section 84214. A Committee includes but is not limited to "Controlled Committee", "Independent
21 Committee", and "County General Purpose Committee".

22 Section 4. Subsection a. of Section 7. of Ordinance 913.1 is amended to read as
23 follows:

24 Each Candidate, Candidate Controlled Committee and Independent Committee that is
25 required to file a semi-annual campaign statement, a pre-election campaign statement, or an
26 amended campaign statement with the Registrar of Voters County Elections pursuant to the
27 Political Reform Act, and that receives a total of one thousand dollars (\$1,000) or more in
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Contributions or makes a total of one thousand dollars (\$1,000) or more in Independent Expenditures, shall file the statement with the Registrar of Voters in an electronic format.

Section 5. Existing subsection (b)(2) of Section 7. is amended to read as follows:

A report disclosing a Contribution received by or made to a Candidate or a local ballot measure, or an Independent Expenditure made for or against a Candidate or local ballot measure, of one-thousand dollars (\$1,000) or more at any time other than during an Election Cycle. The report shall be filed within ten (10) business days of the Independent Expenditure or receipt of the Contribution.

Section 6. Existing subsection c. of Section 7. of Ordinance 913.1 is relettered subsection d.

Section 7. A new subsection c. of Section 7. of Ordinance 913.1 is added to read as follows:

A Candidate or Committee that has filed an electronic statement or report is not required to file a paper copy.

Section 8. Existing subsection d. of Section 7. of Ordinance 913.1 is relettered subsection e. and amended to read as follows:

Any Candidate or Committee not required to file an electronic statement or report by this Section may voluntarily opt to file an electronic statement or report by submitting written notice to the Registrar of Voters. A Candidate or Committee that opts to file an electronic statement or report is not required to file a paper copy.

Section 9. Section 11 is amended to read as follows:

EFFECTIVE DATE. This Ordinance shall take effect January 1, 2014.

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BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman, Board of Supervisors

ATTEST:
CLERK OF THE BOARD

By: _____
Deputy
(SEAL)

APPROVED AS TO FORM
October 3rd, 2013

By: 
Sunshine Sykes
Deputy County Counsel