

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



ITEM: 3.37
(ID # 28774)

MEETING DATE:
Tuesday, September 09, 2025

FROM : EXECUTIVE OFFICE AND COUNTY COUNSEL

SUBJECT: EXECUTIVE OFFICE and COUNTY COUNSEL: Introduction of Ordinance No. 963.1, an Amendment to Riverside County Ordinance No. 963, Relating to Campaign Contribution Limits for County Elective Offices, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of Ordinance No. 963.1, an Ordinance of the County of Riverside amending Ordinance No. 963 relating to campaign contribution limits for elective County offices.

ACTION: Policy


Minh C. Tran, County Counsel

9/5/2025



Jeff Van Wageningen, County Executive Officer

9/5/2025

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Gutierrez and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Medina, Spiegel, Perez and Gutierrez
Nays: None
Absent: Washington
Date: September 09, 2025
xc: EO, CO.CO.

Kimberly A. Rector
Clerk of the Board
By: 

Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 26/26	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Ordinance No. 963, establishing campaign contribution limits for county elective offices, was adopted by the Board of Supervisors on November 17, 2020 (Agenda Item 3.1), and became effective January 1, 2021. This recommended Board action seeks to amend Ordinance No. 963 in two ways.

The first proposed amendment would specifically include the County Superintendent of Schools as a County Elective Office subject to the listed campaign contribution limits. It was, and remains, the intent of the Board of Supervisors to have included the County Superintendent of Schools in the original version of this ordinance. This amendment is correcting an oversight, with the specific intent of making it retroactive to the original date of the passage of the ordinance.

The second proposed amendment would establish requirements for the moving of funds from the campaign of one candidate in a local, state, or federal election to the campaign of the same candidate for a County Elective Office. This is described in the amendment as an intra-candidate transfer. The law is clear: when a donor gives money, they express support for a candidate for a specific office, and that expression is protected by the free speech clauses of the state and federal constitutions. But when a candidate then chooses to run for a different office, what becomes of the donor's speech? The government cannot assume that the intended speech of the donor is extinguished, or that the donor necessarily supports the candidate running for that different office. The government cannot assume to know more than the donor who exercised their own free speech. It is fair to conclude that the intrinsic value of the donor's speech does not stop after a campaign contribution is deposited. To the contrary, free speech continues, regardless of form, regardless of politics, regardless of wealth, and regardless of status. Not abridging the speech, or the original intended message of a donor, is a compelling interest. In an effort to respect the intent of the donor, the proposed amendment would prohibit the intra-candidate transfer from a campaign for one office to a campaign for a County Elective Office without the consent of the original donors. Obtaining donor consent before making intra-candidate transfers is a minimal time, place, and manner restriction that balances a candidate's right to expend contributions, which is protected as core political speech, with the equally compelling right of donors in not having their speech, in the form of their initial donation, diluted or destroyed by that transfer. Simply: if the donor agrees, in writing, then the candidate can complete the transfer of the donation. If donors do not agree to the transfer, then such transfer

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

cannot be made. In this manner, the compelling government interest of protecting speech is met through the least restrictive means.

Impact on Residents and Businesses

The proposed amendments provide greater transparency and allow everyone the right to participate and support the candidates of their choice. The purpose of this ordinance is to ensure that individuals and interest groups continue to have a fair and equal opportunity to participate in electing candidates for County Elective Office, and to maintain public trust and confidence in governmental institutions.

Attachments:

Ordinance No. 963.1 Redline

Ordinance No. 963.1

1 and is now being included in this ordinance, which does not affect prior application of the ordinance to that
2 office.

3 It is the intent of the Board of Supervisors that this ordinance complies with the free speech clauses
4 of the United States and California Constitutions, and applicable decisional authority by the federal and
5 state courts. To this end, the Board of Supervisors cites the findings of Pew Research Center, a well-
6 established, national, non-partisan polling and analysis organization on the impact of money in politics and
7 elections. In an October 23, 2023 article on research it has conducted, the Pew Research Center noted
8 "widespread dissatisfaction with the role of money in American politics." Pew Research Center further
9 noted that, "[l]arge shares of the public see political campaigns as too costly, elected officials as too
10 responsive to donors and special interests," and federal representatives as "unable or unwilling to separate
11 their financial interests from their work as public servants." Pew Research Center then noted seven facts--
12 drawn from its own polling and analysis--about the influence of money on the political system and elected
13 officials, of which five are highlighted as particularly applicable to Riverside County:

14 (1) Most Americans (72%) favor spending limits for political campaigns. Limits should be
15 placed on the amount of money individuals and organizations can spend on political campaigns. This
16 support "crosses ideological and demographic lines," garnering bipartisan support.

17 (2) Approximately (60%) of Americans say it is possible to have laws that would effectively
18 reduce the role of money in politics. This includes a majority of Democrats and Republicans.

19 (3) The top three responses—comprising 36% of all responses—to an open-ended question on
20 the biggest problem with elected officials were: too much influence by money (11%); corrupt elected
21 officials (9%); and politicians do not work for the people they represent (16%). Thus, unprompted, more
22 than a third of Americans expressed a compelling concern about the influence of money on elections and
23 the quality of representation by elected officials.

24 (4) An overwhelming majority of Americans (86%) say the cost of political campaigns makes
25 it hard for "good people" to run for office, with identical shares of Republicans and Democrats.

26 (5) A staggering majority of Americans (80%) say the people who donated a lot of money to a
27 candidate's campaign have too much influence on the candidate. "By contrast, 70% of Americans say the
28

1 people who live in [candidate] districts have *too little* influence over the decisions their representatives
2 make.”

3 Source: <https://pewrsr.ch/3QsrldF>

4 While state and federal court decisions prohibit campaign finance laws intended to “level the playing
5 field” between everyday voters and the wealthy, corporations, Political Action Committees (PACs), and
6 Super PACS, state and federal court decisions have upheld laws intended to prohibit actual and perceived
7 corruption through *quid pro quo* exchanges. Research like the above from the Pew Research Center shows
8 unified concern across the political spectrum for the integrity of elections, which necessarily includes
9 elections for County Elective Office and, at a minimum, the perceived creation of *quid pro quo* corruption
10 in favor of high value donors. The analysis is simple: people and organizations who give more, appear to
11 get more from candidates after those candidates take office, and at the expense of everyone else. This
12 ordinance seeks to empower Riverside County voters and strengthen the integrity of elections for County
13 Elected Office by eliminating the perception of *quid pro quo* corruption.

14 Not only have Americans expressed a strong desire to see and feel candidates acting in their best
15 interests once elected to office, but a supermajority of voters want their voices to be heard when making a
16 donation to a candidate for a specific office, regardless of the size of that donation or the identity of the
17 donor. The law is clear: when a donor gives money, they express support for a candidate for a specific
18 office, and that expression is protected by the free speech clauses of the state and federal constitutions. But
19 when a candidate then chooses to run for a different office, what becomes of the donor’s speech? The
20 government cannot assume that the intended speech of the donor is extinguished, or that the donor
21 necessarily supports the candidate running for that different office. The government cannot assume to know
22 more than the donor who spoke before. The Board of Supervisors, as the people’s representatives, must
23 conclude that the intrinsic value of the donor’s speech does not stop after the money is deposited. To the
24 contrary, the Board of Supervisors recognizes and supports free speech by all people, regardless of form,
25 made through their donations, regardless of politics, regardless of wealth, and regardless of status. Not
26 abridging the speech or the original intended message of the people—all people—is a compelling interest
27 underlying the very existence of government. If candidates do not respect the voice of the people who
28 support them monetarily—regardless of the office those candidates seek—then the government ceases to

1 be responsive to the people, in violation of the state and federal constitutions. This ordinance prohibits Intra-
2 candidate transfers without the consent of donors to the first campaign. Further, all Intra-candidate transfers
3 must be transparent and accounted for via prescribed methods.

4 Obtaining donor consent before making Intra-candidate transfers is a minimal time, place, and
5 manner measure that balances a candidate’s right to expend contributions—which is protected as core
6 political speech—with the equally compelling right of donors in not having their speech, in the form of
7 their initial donation, diluted or destroyed by that transfer. Simply: if the donor agrees, in writing, then the
8 candidate can complete the transfer of the donation, and anyone with an interest in the candidate’s finances
9 will be able to account for the transfer via a widely accepted method of “Last in, First out.” This way, the
10 integrity of a donor’s speech is maintained. Moreover, the appearance of any *quid pro quo* is diminished
11 by requiring candidates to engage with the donor to continue earning the support originally obtained. Thus,
12 the compelling government interest of protecting speech is met through the least restrictive means of
13 additional paperwork.

14 Section 2. AUTHORITY. This ordinance is adopted pursuant to the provisions of
15 Government Code sections 85301, 85305, 85306, 85307, 85315, 85316, 85317, 85318, and 85702.5, as
16 amended.

17 Section 3. DEFINITIONS. As used in this ordinance, the following terms shall have
18 the following meanings:

- 19 a. Candidate. As defined in the Political Reform Act provided that that the term
20 shall be limited to candidates for County Elective Office for the purpose of this
21 ordinance.
- 22 b. Committee. As defined in Government Code section 82013 of the Political
23 Reform Act, as amended. A committee includes but is not limited to “controlled
24 committee” and “independent committee”.
- 25 c. Contribution. As defined in Government Code section 82015 of the Political
26 Reform Act, as amended.
- 27 d. Controlled Committee. Any committee which is controlled directly or indirectly
28 by a candidate or which acts jointly with a candidate or controlled committee in

1 connection with the making of expenditures. A candidate controls a committee if
2 he or she, his or her agent, or any other committee such candidate controls has a
3 significant influence on the actions or decisions of the committee.

4 e. County Elective Office. The offices of: Assessor-County Clerk-Recorder;
5 Auditor-Controller; Board Supervisor; District Attorney; Sheriff-Coroner and
6 Public Administrator; Superintendent of Schools; and Treasurer-Tax Collector.

7 f. Election. Unless otherwise specified in this ordinance, any primary, general,
8 special, or recall election held in this state. The primary, general, special, or
9 recall elections are all separate elections for the purpose of this ordinance.

10 g. Independent Committee. All committees other than controlled committees.

11 h. Independent Expenditure. An expenditure made by any person, including a
12 payment of public monies by a state or local governmental agency, in connection
13 with a communication that expressly advocates the election or defeat of a clearly
14 identified candidate; or the qualification, passage, or defeat of a clearly identified
15 measure; or taken as a whole and in context, unambiguously urges a particular
16 result in an election but otherwise is not made to, or at the behest of, the affected
17 candidate or committee.

18 i. Intra-candidate Transfers. The moving of funds from the campaign of one
19 candidate in a local, state, or federal election to the campaign of the same
20 candidate in a County election.

21 j. Last in, First out. Campaign funds being transferred are attributed to the
22 transferring committee's contributors in reverse chronological order beginning
23 with the most recent of its contributors or, if there has been a prior transfer,
24 beginning with the most recent contributor for which unattributed contributions
25 remain.

26 k. Person. An individual, proprietorship, firm, partnership, joint venture, syndicate,
27 business trust, company, corporation, limited liability company, association,
28 committee, and any other organization or group of persons acting in concert.

- 1 1. Political Reform Act. The California Political Reform Act of 1974 (Government
2 Code Sections 81000 et seq., as amended).

3 Section 4. CAMPAIGN CONTRIBUTION LIMITS.

- 4 a. No person shall make to a candidate for County Elective Office, or to a controlled
5 committee of that candidate, a contribution totaling more than twenty thousand
6 dollars (\$20,000) per election.
- 7 b. No candidate for County Elective Office, nor a controlled committee of that
8 candidate, shall accept from a person a contribution totaling more than twenty
9 thousand dollars (\$20,000) per election.
- 10 c. Any candidate for County Elective Office who seeks to do an Intra-candidate
11 transfer, shall first obtain the written consent of all donors comprising the amount
12 to be transferred, and shall do so use a Last in, First out accounting method for
13 such transfer. No Intra-candidate transfer shall be made without compliance with
14 this subsection.
- 15 d. The limitations of this section do not apply to a candidate's contributions of the
16 candidate's personal funds to the candidate's own campaign.
- 17 e. The limitations of this section do not apply to independent expenditures.
- 18 f. In the event that a candidate for County Elective Office contributes more than
19 twenty thousand dollars (\$20,000) of the candidate's personal funds to the
20 candidate's own campaign, or is the beneficiary of an independent expenditure
21 of more than twenty thousand dollars (\$20,000), or conduct an Intra-candidate
22 transfer of campaign funds totaling more than twenty thousand dollars (\$20,000)
23 from one controlled committee or campaign fund account to another controlled
24 committee or campaign fund account, all other candidates running in the election
25 for that same County Elective Office are exempted from the campaign
26 contribution limits of this Section 4 for the same election.
- 27 g. Beginning in January 2023, the campaign contribution limits in subsections a.,
28 b., and f. of this section shall be increased by three percent (3%) on January 1st

1 of every odd-numbered year. The Registrar of Voters shall maintain a record of
2 any increased contribution limits pursuant to this subsection and shall make such
3 record available to the public and all candidates for County Elective Office.

4 h. Unless otherwise stated herein, the limits provided in the Political Reform Act,
5 or as otherwise provided by federal law, apply.

6 Section 5. CONTRIBUTION LIMITS TO OTHER CANDIDATES. A candidate for
7 County Elective Office or a controlled committee of that candidate shall not make a campaign contribution
8 to any other candidate for County Elective Office in excess of the limits set forth in section 4. of this
9 ordinance.

10 Section 6. LOANS. A candidate for County Elective Office shall not personally loan to
11 the candidate's campaign, including the proceeds of a loan obtained by the candidate from a commercial
12 lending institution, an amount, the outstanding balance of which exceeds one hundred thousand dollars
13 (\$100,000). A candidate for County Elective Office shall not charge interest on any loan the candidate
14 made to the candidate's campaign.

15 Section 7. RECALL CAMPAIGNS. An elected officer of a County Elective Office may
16 establish a committee to oppose the qualification of a recall measure, and the recall election. This
17 committee may be established when the elected officer receives a notice of intent to recall pursuant to
18 Elections Code section 11021. An elected officer of a County Elective Office may accept campaign
19 contributions to oppose the qualification of a recall measure, and if qualification is successful, the recall
20 election, without regard to the campaign contribution limits set forth in this ordinance. After the failure of
21 a recall petition or after the recall election, the committee formed by the elected officer of a County Elective
22 Office shall wind down its activities and dissolve. Any remaining funds shall be treated as surplus funds
23 and shall be expended within thirty (30) days after the failure of the recall petition or after the recall election
24 for a purpose specified in Government Code section 89519, subdivision (b).

25 Section 8. CONTRIBUTIONS AFTER ELECTION. A contribution for an election
26 may be accepted by a candidate for County Elective Office after the date of the election only to the extent
27 that the contribution does not exceed net debts outstanding from the election, and the contribution does not
28

1 otherwise exceed the applicable contribution limits for that election as set forth in section 4. of this
2 ordinance.

3 Section 9. CARRY OVER CONTRIBUTIONS. Notwithstanding section 4. subsection
4 c. of this ordinance, a candidate for County Elective Office may carry over contributions raised in
5 connection with one election for County Elective Office to pay campaign expenditures incurred in
6 connection with a subsequent election for the same County Elective Office.

7 Section 10. CONTRIBUTIONS BEFORE ELECTION. A candidate for County Elective
8 Office may raise contributions for a general election before the primary election, and for a special general
9 election before a special primary election, for the same County Elective Office if the candidate sets aside
10 these contributions for the general election or special general election. If the candidate for County Elective
11 Office is defeated in the primary election or special primary election, or otherwise withdraws from the
12 general election or special general election, the general election or special general election funds shall be
13 refunded to the contributors on a pro rata basis less any expenses associated with the raising and
14 administration of general election or special election contributions. Notwithstanding Government Code
15 section 85201, candidates for County Elective Office may establish separate campaign contribution
16 accounts for the primary and general elections or special primary and special general elections.

17 Section 11. VIOLATIONS AND PENALTIES.

- 18 a. Except for elections in which section 4, subsection f, has been triggered to exempt
19 campaign contribution limits for a particular County Elective Office, any person
20 who knowingly and willfully makes or causes to make a campaign contribution
21 to a candidate for a County Elective Office, or to a controlled committee of that
22 candidate, in excess of the campaign contribution limits in this ordinance shall
23 be guilty of a misdemeanor punishable by a fine of up to one thousand dollars
24 (\$1,000) or imprisonment for up to six months, or both.
- 25 b. Except for elections in which section 4, subsection f, has been triggered to exempt
26 campaign contribution limits for a particular County Elective Office, any
27 candidate for County Elective Office, or any controlled committee of that
28 candidate, who knowingly and willfully obtains or receives a campaign

1 contribution in excess of the campaign contribution limits in this ordinance and
2 fails to return the excess amount of the contribution over the limits in this
3 ordinance to the contributor within a reasonable period of time shall be guilty of
4 a misdemeanor punishable by a fine of up to one thousand dollars (\$1,000) or
5 imprisonment for up to six months, or both.

6 c. Knowingly and willfully violating any provision of this ordinance shall be
7 deemed a misdemeanor punishable by a fine or up to one thousand dollars
8 (\$1,000) or imprisonment for up to six months, or both.

9 Section 12. ENFORCEMENT. The District Attorney shall enforce the provisions of this
10 ordinance. In the event there is a complaint alleging a violation of this ordinance by the District Attorney,
11 the District Attorney shall declare a conflict and request that another District Attorney’s office or the State
12 Attorney General conduct the investigation and enforcement.

13 Section 13. ELECTRONIC CAMPAIGN FINANCE DISCLOSURE. Nothing in this
14 ordinance alters the requirements for electronic filing of campaign statements and the required online
15 reporting of contributions and independent expenditures in Ordinance No. 913 which shall continue to be
16 complied with by all candidates for County Elective Office.

17 Section 14. SEVERABILITY. If any provision, clause, sentence or paragraph of this
18 ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity
19 shall not affect the other provisions of this ordinance which can be given effect without the invalid provision
20 or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

21
22 Section 15. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
23 its adoption.”

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

26 By: _____
27 Chairman

27 ATTEST:

28 CLERK OF THE BOARD:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:

By: _____
Minh C. Tran
County Counsel

1 ORDINANCE NO. 963.1

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 963

4 AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGARDING CAMPAIGN CONTRIBUTION

5 LIMITS FOR ELECTIVE COUNTY OFFICES

6 The Board of Supervisors of the County of Riverside does ordain as follows:

7 Section 1. This ordinance amends and replaces Ordinance No. 963 and any prior version
8 of Ordinance No. 963 in their entirety with the following:

9
10 ORDINANCE NO. 963

11
12 AN ORDINANCE OF THE COUNTY OF RIVERSIDE REGARDING
13 CAMPAIGN CONTRIBUTION LIMITS FOR ELECTIVE COUNTY OFFICES

14
15 ~~The Board of Supervisors of the County of Riverside ordains as follows:~~

16 “Section 1. FINDINGS AND PURPOSE. The Board of Supervisors finds that Assembly
17 Bill No. 571 was approved by the Governor on October 8, 2019. Absent a local resolution or ordinance,
18 Assembly Bill No. 571 amends the Political Reform Act ~~so as~~ to impose identical campaign contribution
19 limits for candidates to county or city offices as those limits imposed on certain elective state office
20 candidates, effective January 1, 2021. Like the vast majority of cities and counties throughout the state, the
21 County of Riverside did not have campaign contribution limits prior to the passage of Assembly Bill No.
22 571 or this ordinance. The Board of Supervisors finds it necessary to ~~adopt~~ revise campaign contribution
23 limits for County Elective Offices ~~so as~~ to provide greater transparency for County Elective Offices and to
24 allow everyone the right to participate and support the candidates of their choice ~~without any one person or~~
25 ~~entity having undue influence in a county election.~~ The purpose of this ordinance is to ~~reduce the influence~~
26 ~~of large contributions, or the appearance of influence of large contributions, to~~ ensure that individuals and
27 interest groups continue to have a fair and equal opportunity to participate in electing candidates for County
28 Elective Office, and to maintain public trust and confidence in governmental institutions and the electoral

Formatted: Left

1 process through transparency. It was and remains the intent of the Board of Supervisors to have included
2 the County Superintendent of Schools in the original version of this ordinance and is now being included
3 in this ordinance, which does not affect prior application of the ordinance to that office.

4 It is the intent of the Board of Supervisors that this ordinance ~~limiting campaign contributions~~
5 complies with the free speech clauses of the United States and California Constitutions, and ~~the applicable~~
6 ~~decisional law authority~~ by the federal and state courts. To this end, the Board of Supervisors cites the
7 findings of Pew Research Center, a well-established, national, non-partisan polling and analysis
8 organization on the impact of money in politics and elections. In an October 23, 2023 article on research it
9 has conducted, the Pew Research Center noted "widespread dissatisfaction with the role of money in
10 American politics." Pew Research Center further noted that, "[l]arge shares of the public see political
11 campaigns as too costly, elected officials as too responsive to donors and special interests," and federal
12 representatives as "unable or unwilling to separate their financial interests from their work as public
13 servants." Pew Research Center then noted seven facts--drawn from its own polling and analysis--about
14 the influence of money on the political system and elected officials, of which five are highlighted as
15 particularly applicable to Riverside County:

16 (1) Most Americans (72%) favor spending limits for political campaigns. Limits should be
17 placed on the amount of money individuals and organizations can spend on political campaigns. This
18 support "crosses ideological and demographic lines," garnering bipartisan support.

19 (2) Approximately (60%) of Americans say it is possible to have laws that would effectively
20 reduce the role of money in politics. This includes a majority of Democrats and Republicans.

21 (3) The top three responses—comprising 36% of all responses—to an open-ended question on
22 the biggest problem with elected officials were: -too much influence by money (11%); corrupt elected
23 officials (9%); and politicians do not work for the people they represent (16%). Thus, unprompted, more
24 than a third of Americans expressed a compelling concern about the influence of money on elections and
25 the quality of representation by elected officials.

26 (4) An overwhelming majority of Americans (86%) say the cost of political campaigns makes
27 it hard for "good people" to run for office, with identical shares of Republicans and Democrats.

1 (5) A staggering majority of Americans (80%) say the people who donated a lot of money to a
2 candidate’s campaign have too much influence on the candidate. “By contrast, 70% of Americans say the
3 people who live in [candidate] districts have *too little* influence over the decisions their representatives
4 make.”

5 Source: <https://pewrsr.ch/3QsrldF>

6 While state and federal court decisions prohibit campaign finance laws intended to “level the playing
7 field” between everyday voters and the wealthy, corporations, Political Action Committees (PACs), and
8 Super PACs, state and federal court decisions have upheld laws intended to prohibit actual and perceived
9 corruption through *quid pro quo* exchanges. Research like the above from the Pew Research Center shows
10 unified concern across the political spectrum for the integrity of elections, which necessarily includes
11 elections for County Elective Office and, at a minimum, the perceived creation of *quid pro quo* corruption
12 in favor of high value donors. The analysis is simple: people and organizations who give more, appear to
13 get more from candidates after those candidates take office, and at the expense of everyone else. This
14 ordinance seeks to empower Riverside County voters and strengthen the integrity of elections for County
15 Elected Office by eliminating the perception of *quid pro quo* corruption.

16 Note only have Americans expressed a strong desire to see and feel candidates acting in their best
17 interests once elected to office, but a supermajority of voters want their voices to be heard when making a
18 donation to a candidate for a specific office, regardless of the size of that donation or the identity of the
19 donor. The law is clear: -when a donor gives money, they express support for a candidate for a specific
20 office, and that expression is protected by the free speech clauses of the state and federal constitutions. But
21 when a candidate then chooses to run for a different office, what becomes of the donor’s speech? The
22 government cannot assume that the intended speech of the donor is extinguished, or that the donor
23 necessarily supports the candidate running for that different office. The government cannot assume to know
24 more than the donor who spoke before. The Board of Supervisors, as the people’s representatives, must
25 conclude that the intrinsic value of the donor’s speech does not stop after the money is deposited. To the
26 contrary, the Board of Supervisors recognizes and supports free speech by all people, regardless of form,
27 made through their donations, regardless of politics, regardless of wealth, and regardless of status. Not
28 abridging the speech or the original intended message of the people—all people—is a compelling interest

Formatted: Justified, Indent: First line: 0.5", Line spacing: Exactly 24 pt, Tab stops: 1", Left + 1.5", Left + 2", Left

1 underlying the very existence of government. If candidates do not respect the voice of the people who
2 support them monetarily—regardless of the office those candidates seek—then the government ceases to
3 be responsive to the people, in violation of the state and federal constitutions. This ordinance prohibits
4 intra-candidate transfers without the consent of donors to the first campaign. Further, all intra-candidate
5 transfers must be transparent and accounted for via prescribed methods.

6 Obtaining donor consent before making intra-candidate transfers is a minimal time, place, and
7 manner measure that balances a candidate’s right to expend contributions—which is protected as core
8 political speech—with the equally compelling right of donors in not having their speech, in the form of
9 their initial donation, diluted or destroyed by that transfer. Simply: if the donor agrees, in writing, then the
10 candidate can complete the transfer of the donation, and anyone with an interest in the candidate’s finances
11 will be able to account for the transfer via a widely accepted method of “Last in, First out.” ~~Either~~This
12 way, the integrity of a donor’s speech is maintained. Moreover, the appearance of any *quid pro quo* is
13 diminished by requiring candidates to engage with the donor to continue earning the support originally
14 obtained. Thus, the compelling government interest of protecting speech is met through the least restrictive
15 means of additional paperwork.

16 Section 2. AUTHORITY. This ordinance is adopted pursuant to the provisions of
17 Government Code sections 85301, 85305, 85306, 85307, 85315, 85316, 85317, 85318, and 85702.5, as
18 amended.

19 Section 3. DEFINITIONS. As used in this ordinance, the following terms shall have
20 the following meanings:

- 21 a. Candidate. As defined in the Political Reform Act provided that that the term
22 shall be limited to candidates for County Elective Office for the purpose of this
23 ordinance.
- 24 b. Committee. As defined in Government Code section 82013 of the Political
25 Reform Act, as amended. A committee includes but is not limited to “controlled
26 committee” and “independent committee”.
- 27 c. Contribution. As defined in Government Code section 82015 of the Political
28 Reform Act, as amended.

- 1 d. Controlled Committee. Any committee which is controlled directly or indirectly
2 by a candidate or which acts jointly with a candidate or controlled committee in
3 connection with the making of expenditures. A candidate controls a committee if
4 he or she, his or her agent, or any other committee such candidate controls has a
5 significant influence on the actions or decisions of the committee.
- 6 e. County Elective Office. The offices of: ~~_Assessor-County Clerk-Recorder-;~~
7 Auditor-Controller-; Board Supervisor-; District Attorney-; Sheriff-Coroner and
8 Public Administrator-; Superintendent of Schools-; and Treasurer-Tax Collector.
- 9 f. Election. Unless otherwise specified in this ordinance, any primary, general,
10 special, or recall election held in this state. The primary, general, special, or
11 recall elections are all separate elections for the purpose of this ordinance.
- 12 g. Independent Committee. All committees other than controlled committees.
- 13 h. Independent Expenditure. An expenditure made by any person, including a
14 payment of public ~~moneys-~~ monies by a state or local governmental agency, in
15 connection with a communication ~~which-that~~ expressly advocates the election or
16 defeat of a clearly identified candidate; or the qualification, passage, or defeat of
17 a clearly identified measure; or taken as a whole and in context, unambiguously
18 urges a particular result in an election but ~~which-otherwise~~ is not made to, or at
19 the behest of, the affected candidate or committee.
- 20 i. Intra-candidate Transfers. ~~The moving of funds from the campaign of one~~
21 candidate in a local, state, or federal election to the campaign of the same
22 candidate in a County election.
- 23 ~~h.i.~~ Last in, First out. Campaign funds being transferred are attributed to the
24 transferring committee's contributors in reverse chronological order beginning
25 with the most recent of its contributors or, if there has been a prior transfer,
26 beginning with the most recent contributor for which unattributed contributions
27 remain.

1 i.k. Person. An individual, proprietorship, firm, partnership, joint venture, syndicate,
2 business trust, company, corporation, limited liability company, association,
3 committee, and any other organization or group of persons acting in concert.

4 j.l. Political Reform Act. The California Political Reform Act of 1974 (Government
5 Code Sections 81000 et seq., as amended).

6 Section 4. CAMPAIGN CONTRIBUTION LIMITS.

7 a. No person shall make to a candidate for County Elective Office, or to a controlled
8 committee of that candidate, a ~~campaign~~ contribution totaling more than twenty
9 thousand dollars (\$20,000) per election.

10 b. No candidate for County Elective Office, nor a controlled committee of that
11 candidate, shall accept from a person a ~~campaign~~ contribution totaling more than
12 twenty thousand dollars (\$20,000) per election.

13 ~~b.c. Any candidate for County Elective Office who seeks to do an Intra-candidate~~
14 ~~transferecampaign notherecampaign or, shall first obtain the written~~
15 ~~permissionconsent of all donors comprising the amount to be transferred, and~~
16 ~~shall be attributedo so to a specific contributors using a Last in, First out~~
17 ~~accounting method for such transfer. No Intra-candidate transfer shall be made~~
18 ~~without compliance with this subsection.~~

19 ~~e. A candidate for County Elective Office may transfer campaign funds totaling no~~
20 ~~more than twenty thousand dollars (\$20,000) per election from one controlled~~
21 ~~committee or campaign fund account to another controlled committee or~~
22 ~~campaign fund account for elective state, county or city office of the same~~
23 ~~candidate.~~

24 d. The limitations of this section do not apply to a candidate's contributions of the
25 candidate's personal funds to the candidate's own campaign.

26 e. The limitations of this section do not apply to independent expenditures.

27 f. In the event that a candidate for County Elective Office contributes more than
28 twenty thousand dollars (\$20,000) of the candidate's personal funds to the

1 candidate's own campaign, or is the beneficiary of an independent expenditure
2 of more than twenty thousand dollars (\$20,000), or conduct an Intra-candidate
3 transfers of campaign funds totaling more than twenty thousand dollars (\$20,000)
4 from one controlled committee or campaign fund account to another controlled
5 committee or campaign fund account, all other candidates running in the election
6 for that same County Elective Office are exempted from the campaign
7 contribution limits of this ~~section~~ Section 4 for ~~that the same~~ election as well.

8 g. Beginning in January 2023, the campaign contribution limits in subsections a.,
9 b., ~~e.~~ and f. of this section shall be increased by three percent (3%) on January
10 1st of every odd-numbered year. The Registrar of Voters shall maintain a record
11 of any increased contribution limits pursuant to this subsection and shall make
12 such record available to the public and all candidates for County Elective Office.

13 ~~g-h.~~ Unless otherwise stated herein, the limits provided in the Political Reform Act,
14 or as otherwise provided by federal law, apply.

15 Section 5. CONTRIBUTION LIMITS TO OTHER CANDIDATES. A candidate for
16 County Elective Office or a controlled committee of that candidate shall not make a campaign contribution
17 to any other candidate for County Elective Office in excess of the limits set forth in section 4. of this
18 ordinance.

19 Section 6. LOANS. A candidate for County Elective Office shall not personally loan to
20 the candidate's campaign, including the proceeds of a loan obtained by the candidate from a commercial
21 lending institution, an amount, the outstanding balance of which exceeds one hundred thousand dollars
22 (\$100,000). A candidate for County Elective Office shall not charge interest on any loan the candidate
23 made to the candidate's campaign.

24 Section 7. RECALL CAMPAIGNS. An elected officer of a County Elective Office may
25 establish a committee to oppose the qualification of a recall measure, and the recall election. This
26 committee may be established when the elected officer receives a notice of intent to recall pursuant to
27 Elections Code section 11021. An elected officer of a County Elective Office may accept campaign
28 contributions to oppose the qualification of a recall measure, and if qualification is successful, the recall

1 election, without regard to the campaign contribution limits set forth in this ordinance. After the failure of
2 a recall petition or after the recall election, the committee formed by the elected officer of a County Elective
3 Office shall wind down its activities and dissolve. Any remaining funds shall be treated as surplus funds
4 and shall be expended within thirty (30) days after the failure of the recall petition or after the recall election
5 for a purpose specified in Government Code section 89519, subdivision (b).

6 Section 8. CONTRIBUTIONS AFTER ELECTION. A contribution for an election
7 may be accepted by a candidate for County Elective Office after the date of the election only to the extent
8 that the contribution does not exceed net debts outstanding from the election, and the contribution does not
9 otherwise exceed the applicable contribution limits for that election as set forth in section 4. of this
10 ordinance.

11 Section 9. CARRY OVER CONTRIBUTIONS. Notwithstanding section 4. subsection
12 c. of this ordinance, a candidate for County Elective Office may carry over contributions raised in
13 connection with one election for County Elective Office to pay campaign expenditures incurred in
14 connection with a subsequent election for the same County Elective Office.

15 Section 10. CONTRIBUTIONS BEFORE ELECTION. A candidate for County Elective
16 Office may raise contributions for a general election before the primary election, and for a special general
17 election before a special primary election, for the same County Elective Office if the candidate sets aside
18 these contributions for the general election or special general election. If the candidate for County Elective
19 Office is defeated in the primary election or special primary election, or otherwise withdraws from the
20 general election or special general election, the general election or special general election funds shall be
21 refunded to the contributors on a pro rata basis less any expenses associated with the raising and
22 administration of general election or special election contributions. Notwithstanding Government Code
23 section 85201, candidates for County Elective Office may establish separate campaign contribution
24 accounts for the primary and general elections or special primary and special general elections.

25 Section 11. VIOLATIONS AND PENALTIES.

- 26 a. Except for elections in which section 4-subsection f-has been triggered to
27 exempt campaign contribution limits for a particular County Elective Office, any
28 person who knowingly and willfully makes or causes to make a campaign

1 contribution to a candidate for a County Elective Office, or to a controlled
2 committee of that candidate, in excess of the campaign contribution limits in this
3 ordinance shall be guilty of a misdemeanor punishable by a fine of up to one
4 thousand dollars (\$1,000) or imprisonment for up to six months, or both.

5 b. Except for elections in which section 4.5, subsection f- has been triggered to
6 exempt campaign contribution limits for a particular County Elective Office, any
7 candidate for County Elective Office, or any controlled committee of that
8 candidate, who knowingly and willfully obtains or receives a campaign
9 contribution in excess of the campaign contribution limits in this ordinance and
10 fails to return the excess amount of the contribution over the limits in this
11 ordinance to the contributor within a reasonable period of time shall be guilty of
12 a misdemeanor punishable by a fine of up to one thousand dollars (\$1,000) or
13 imprisonment for up to six months, or both.

14 c. Knowingly and willfully violating any provision of this ordinance shall be
15 deemed a misdemeanor punishable by a fine or up to one thousand dollars
16 (\$1,000) or imprisonment for up to six months, or both.

17 Section 12. ENFORCEMENT. The District Attorney shall enforce the provisions of this
18 ordinance. In the event there is a complaint alleging a violation of this ordinance by the District Attorney,
19 the District Attorney shall declare a conflict and request that another District Attorney's office or the State
20 Attorney General conduct the investigation and enforcement.

21 Section 13. ELECTRONIC CAMPAIGN FINANCE DISCLOSURE. Nothing in this
22 ordinance alters the requirements for electronic filing of campaign statements and the required online
23 reporting of contributions and independent expenditures in Ordinance No. 913 which shall continue to be
24 complied with by all candidates for County Elective Office.

25 Section 14. SEVERABILITY. If any provision, clause, sentence or paragraph of this
26 ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity
27 shall not affect the other provisions of this ordinance which can be given effect without the invalid provision
28 or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~///~~

Section 1516. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
its adoption January 1, 2021."

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

By: _____
Chairman

ATTEST:

CLERK OF THE BOARD:

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:

By: _____
Minh C. Tran
County Counsel