

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



FROM: Supervisor John J. Benoit

SUBMITTAL DATE: May 15, 2012

SUBJECT: Ordinance No. 913.1 Amending Ordinance No. 913 Requiring Electronic Campaign Finance Disclosure.

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Introduce and adopt in successive meetings Ordinance No. 913.1, an ordinance amending Ordinance No. 913;
- 2) Find that the adoption of Ordinance No. 913.1 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 No. 913 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.

(continued on Page 2)


JOHN J. BENOIT, Vice-Chairman of the Board

Prev. Agn. Ref.

District: ALL

Agenda Number:

3.28

The Honorable Board of Supervisors

Re: Ordinance No. 913.1 Amending Ordinance No. 913 Requiring Electronic Campaign Finance Disclosure.

May 15, 2012

Following the adoption of Ordinance 913, it was discovered that language in Ordinance No. 913 exceeded state electronic reporting requirements. Ordinance No. 913 sets reporting thresholds for expenditures where the state does not set such thresholds. Additionally, Ordinance No. 913 requires individual donors or companies to become a committee and file semi-annual reports electronically once they give \$5,000 or more in a calendar year. These individuals and businesses would then have to continue filing even if they never gave another contribution.

Ordinance 913.1 amends Ordinance 913 to mirror the state electronic filing requirements by making the following changes:

1. Elimination of "Expenditure" to remove thresholds not required by the state.
2. Elimination of requiring individuals and businesses to form committees and file semi-annual reports once they make contributions exceeding \$5,000 as these contributions are already reported by the recipients.

Where Ordinance No. 913.1 amends a section by deleting, adding, or replacing language, only the specific section referenced in Ordinance No. 913.1 is being amended. Those sections not specifically referenced remain in effect.

Ordinance No. 913.1 is exempt from the California Environmental Quality Act (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.

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The Board of Supervisors of the County of Riverside ordains as follows:

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

“Makes Independent Expenditures totaling five thousand dollars (\$5,000) or more in any calendar year.”

Section 4. Subsection h. of Section 5. of Ordinance 913 is repealed in its entirety.

“Independent Expenditure means an expenditure made by any Person including a payment of public moneys by a state or local governmental agency, in connection with a communication which expressly advocates the election or defeat of a clearly identified Candidate or the qualification, passage or defeat of a clearly identified measure, or taken as a whole and in context, unambiguously urges a particular

1 result in an Election but which is not made to or at the behest of the affected
2 Candidate or Committee.

3 Section 6. Existing subsections i., j., k., and l. of Section 5. of Ordinance 913 are
4 relettered subsections h., i., j., and k. respectively.

5 Section 7. Subsection a. of Section 7. Of Ordinance 913 is amended to read as follows:

6 “Each Candidate, Candidate Controlled Committee and Independent Committee
7 that is required to file a semi-annual campaign statement, a pre-election campaign
8 statement, or an amended campaign statement with the Registrar of Voters County
9 Elections pursuant to the Political Reform Act, and that receives a total of five
10 thousand dollars (\$5,000) or more in Contributions or makes a total of five
11 thousand dollars (\$5,000) or more in Independent Expenditures, shall additionally
12 and simultaneously file the same information with the Registrar of Voters in an
13 electronic format.”

14 Section 8. Subsection b.1. of Section 7. of Ordinance 913 is amended to read as
15 follows:

16 “A report disclosing a Contribution received by or made to a Candidate or local
17 ballot measure or an Independent Expenditure made for or against a Candidate or
18 local ballot measure, of one-thousand dollars (\$1,000) or more during an Election
19 Cycle. The report shall be filed within twenty-four (24) hours of the Independent
20 Expenditure or receipt of the Contribution.”

21 Section 9. Subsection b.2. of Section 7. Of Ordinance 913 is amended to read as
22 follows:

23 “A report disclosing a Contribution received by or made to a Candidate or local
24 ballot measure, or an Independent Expenditure made for or against a Candidate or
25 local ballot measure, of five-thousand dollars (\$5,000) or more at any time other
26 than during an Election Cycle. The report shall be filed within ten (10) business
27 days of the Independent Expenditure or receipt of the Contribution.”
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1 Section 10. This ordinance shall take effect thirty (30) days after its adoption.

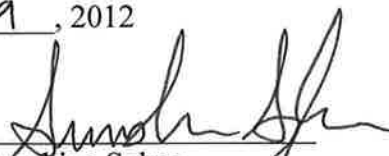
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3 BOARD OF SUPERVISORS OF THE COUNTY
4 OF RIVERSIDE, STATE OF CALIFORNIA

5 By: _____
6 Vice-Chairman, Board of Supervisors

7 ATTEST:
8 CLERK OF THE BOARD

9 By: _____
10 Deputy
11 (SEAL)

12 APPROVED AS TO FORM
13 May 9, 2012

14 By: 
15 Sunshine Sykes
16 Deputy County Counsel

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