



CITY OF SANTA ANA

CAMPAIGN CONTRIBUTION LIMITS & DISQUALIFICATION PROVISIONS

QUICK REFERENCE

MAXIMUM CAMPAIGN CONTRIBUTION = \$1,000 in an Election Cycle (election date to the following election date = 2 years for Mayor; 4 years for Councilmembers).

MUST ABSTAIN if receive \$250 or more in the 12-months immediately preceding date of a decision.

CANNOT ACCEPT \$250 or more from any person for a period of 3-months following the date of a final decision regarding a license, permit or other entitlement if person had a financial interest in the proceeding.

Charter Provisions

Sec. 425. - Disqualification due to campaign contributions.

A councilmember shall not participate in, nor use his or her official position to influence, a decision of the City Council if it is reasonably foreseeable that the decision will have a material financial effect, apart from its effect on the public generally or a significant portion thereof, on a recent major campaign contributor. As used herein, "recent major campaign contributor" means a person who has made campaign contributions totaling two hundred fifty dollars (\$250.00) or more to the councilmember or to any campaign committee controlled by the councilmember in the twelve-month period immediately preceding the date of the decision. The mayor is a councilmember for purposes of this section.

(Ord. No. NS-2170, § 1, 7-20-92, approved at election 11-3-92)

Sec. 1206. - Campaign contribution limitation.

No person shall make, and no candidate for mayor or City Council or campaign treasurer shall solicit or accept, any contribution or loan which would cause the total amount contributed or loaned by that person to that candidate, including contributions or loans to all committees controlled by that candidate, to exceed one thousand dollars (\$1,000.00) in any election cycle; provided, however, that the City Council may, by ordinance, adjust such limit to reflect changes in the consumer price index; and provided further that nothing herein shall apply to a candidate's contribution of his or her personal funds to his or her own campaign contribution

account. As used herein, "election cycle" means the period of time between the date of an election to the office of mayor or councilmember and the date of the next election to the same office.

Sec. 1207. - Campaign committees and bank accounts.

A candidate for the office of mayor or City Council shall have no more than one campaign committee and one campaign contribution account out of which all expenditures for the purpose of seeking such office shall be made. The campaign contribution account shall be established and maintained as set forth in Section 85201 of the Government Code.

(Ord. No. NS-2170, § 3, 7-20-92, approved at election 11-3-92)

Sec. 1208. - Enforcement.

(a) Any person who knowingly or willfully violates sections 1206 or 1207 of this charter is guilty of a misdemeanor.

(b) Any resident of the City may bring an action, at a time during an election period or thereafter, in a court of competent jurisdiction to enjoin actual or threatened violations of, or to compel compliance with, or to obtain a judicial declaration regarding compliance with, section 1206 or 1207

(c) The City Attorney may maintain, in the name of the City, or a resident of the City may maintain, in his or her own name, a civil action to recover from a candidate or a committee controlled by a candidate any contributions received by such candidate or committee in excess of the contribution limitations established by section 1206. Any money recovered in any such action shall be deposited in the City's general fund.

(Ord. No. NS-2170, § 3, 7-20-92, approved at election 11-3-92)

Municipal Code Section

Sec. 2-107. - Prohibited campaign contributions.

No councilmember or any campaign committee controlled by the councilmember shall solicit or accept any campaign contribution or loan of two hundred fifty dollars (\$250.00) or more from any person for a period of three (3) months following the date a final decision is rendered in any proceeding before the council involving a license, permit, or other entitlement, if the councilmember knows or has reason to know that the person had a financial interest in the proceeding. Financial interest, for purposes of this section, shall have the meaning it is defined to have in Title 9 of the California Government Code (the Political Reform Act). The mayor is a councilmember for purposes of this section. (Ord. No. NS-2304, § 1, 11-18-96)