

## DIVISION III. - CONTRIBUTION LIMITATIONS

## 2.01.310 - Limitations on contributions from persons.

- A. For primary and general elections, no person shall make to any candidate for office or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from any such person, a contribution or contributions totaling more than two hundred fifty dollars (\$250.00) for the primary election and two hundred fifty dollars (\$250.00) for the runoff election if the candidate is on the runoff ballot or is a write-in candidate for the office of City Councilmember, three hundred fifty dollars (\$350.00) for the primary election and three hundred fifty dollars (\$350.00) for the runoff election if the candidate is on the runoff ballot or is a write-in candidate for City Attorney, City Auditor or City Prosecutor or five hundred dollars (\$500.00) for the primary election and five hundred dollars (\$500.00) for the runoff election if the candidate is on the runoff ballot or is a write-in candidate for Mayor.
- B. For primary and general elections, no person shall make to any committee which supports or opposes any candidate and no such committee shall accept from each such person a contribution or contributions totaling more than two hundred fifty dollars (\$250.00) for the primary election and two hundred fifty dollars (\$250.00) for the runoff election for City Councilmembers, three hundred fifty dollars (\$350.00) for the primary election and three hundred fifty dollars (\$350.00) for the runoff election for City Attorney, City Auditor or City Prosecutor, or five hundred dollars (\$500.00) for the primary election and five hundred dollars (\$500.00) for the runoff election for Mayor.
- C. For special elections, no person shall make to any candidate for office or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from any such person, a contribution or contributions totaling more than one thousand dollars (\$1,000.00); and no political committee (as defined in California Government Code Section 82013) shall make to any candidate for office or the controlled committee of such a candidate, and no such candidate or the candidate's controlled committee shall accept from any such political committee, a contribution or contributions totaling more than two thousand five hundred dollars (\$2,500.00).

(Ord. C-7720 § 1, 2001; Ord. C-7661 § 2, 1999; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

## 2.01.320 - Prohibition on nonelection cycle contributions.

No candidate or officeholder or the controlled committee of such a person shall accept any contribution except during an election cycle in which the candidate or officeholder intends to run for or be a write-in candidate for the office for which the contribution is made.

(Ord. C-7283 § 2, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

## 2.01.330 - Reserved.

**Editor's note—** ORD-14-0020, § 12, adopted Nov. 18, 2014, repealed § 2.01.330 entitled "Return of contributions", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

#### 2.01.340 - Loans.

- A. A loan shall be considered a contribution from the maker and the guarantor of the loan and shall be subject to the contribution limitations of this Chapter.
- B. Every loan to a candidate's controlled committee shall be by written agreement.
- C. The proceeds of a loan made to a candidate by a commercial lending institution in the regular course of business and on the same terms available to members of the public and which is secured or guaranteed shall not be subject to the contribution limitations of this Chapter.
- D. Extensions of credit, other than loans pursuant to Subsection 2.01.340.C, for a period of more than thirty (30) days are subject to the contribution limitations of this Chapter.
- E. Notwithstanding any other provision of this Section 2.01.340: (1) a candidate for City Council shall not loan or otherwise transfer to his or her campaign, funds, or other thing of value, in excess of ten thousand dollars (\$10,000.00) in a primary election and ten thousand dollars (\$10,000.00) in a runoff election; (2) a candidate for City Attorney, City Auditor or City Prosecutor shall not loan or otherwise transfer to his or her campaign, funds, or other thing of value, in excess of fifteen thousand dollars (\$15,000.00) in a primary election and fifteen thousand dollars (\$15,000.00) in a runoff election; and, (3) a candidate for Mayor shall not loan or otherwise transfer to his or her campaign, funds, or other thing of value, in excess of twenty-five thousand dollars (\$25,000.00) in a primary election and twenty-five thousand dollars (\$25,000.00) in a runoff election. Nothing herein shall be construed to restrict a candidate from contributing his or her own funds or assets to his or her campaign.

( ORD-14-0020, § 2, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

#### 2.01.350 - Reserved.

**Editor's note—** ORD-14-0020, § 12, adopted Nov. 18, 2014, repealed § 2.01.350 entitled "Family contributions", which derived from: Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. June 24, 1994.

#### 2.01.360 - Treatment of money received as contributions, income or gifts.

Any funds received by any elected official or candidate running in the jurisdiction or any committee controlled by such an official or candidate shall be considered either a campaign contribution, income or a gift. All campaign contributions received by such persons shall be subject to the provisions of this act unless such campaign contributions are used exclusively for elections held outside the jurisdiction. All income and gifts shall be subject to the disqualification provisions of the Political Reform Act, Government Code, Section 87100 et seq.

(Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

#### 2.01.370 - One campaign committee and one checking account per candidate.

Except as may be otherwise provided by State law, a candidate shall have no more than one (1) campaign committee and one (1) checking account per election out of which all expenditures shall be made. This Section shall not prohibit the establishment of savings accounts, but no qualified campaign expenditures shall be made out of these savings accounts. This Section shall not prohibit the transfer of funds or "carry over" in excess of net debt from the primary election for use in the general election for the same candidate.

( ORD-14-0020, § 3, 2014; Ord. C-7283 § 1, 1994; Prop. M, 6-7-94, eff. 6-24-1994)

#### 2.01.380 - Contributions for officeholder expense fund.

- A. Notwithstanding any other provisions of this Chapter, upon taking office each elected City officeholder may establish an officeholder expense fund and may solicit and accept contributions for said officeholder expense fund not to exceed a total amount of thirty thousand dollars (\$30,000.00) per calendar year for City Councilmembers and seventy-five thousand dollars (\$75,000.00) per calendar year for the City Attorney, City Auditor, City Prosecutor and Mayor. No person shall make and no elected City officeholder or officeholder expense fund shall solicit or accept from any person, a contribution or contributions to the officeholder expense fund totaling more than seven hundred fifty dollars (\$750.00) per calendar year for City Councilmembers and one thousand dollars (\$1,000.00) per calendar year for City Attorney, City Auditor, City Prosecutor and Mayor. The money in such fund shall be expended and used only for the purpose of officeholder expenses associated with holding office, in accordance with and authorized by the applicable provisions of Sections 89510 through 89522 of the California Government Code, as amended. None of such officeholder expense funds may be used or expended for any expenditures that would violate the provisions of Government Code Sections 89506 or 89512 through 89519.
- B. Each such officeholder expense fund shall be considered a subaccount of the officeholder's controlled committee. All solicitations made and contributions received for an officeholder expense fund shall be clearly designated as being made or received for such uses and purposes.
- C. The officeholder or his or her treasurer shall retain all receipts, invoices, written agreements and other documents relating to expenditures from such officeholder expense fund.

( ORD-17-0007, § 1, 2017; ORD-15-0004 § 1, 2015; ORD-10-0028, § 1, 2010; ORD-07-0037 § 1, 2007; Ord. C-7314 § 1, 1995)

#### 2.01.390 - Reserved.

**Editor's note**— ORD-17-0007, § 2, adopted Apr. 18, 2017, repealed § 2.01.390 entitled "Transfer of funds," which derived from: ORD-14-0020, § 4, 2014; and Ord. C-7661 § 8, 1999.

#### 2.01.395 - IntraCandidate transfers

A candidate for local elective office in Long Beach shall not transfer campaign funds from a controlled non-City campaign account into a local Long Beach campaign account except as specified below:

Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, last out" accounting method, and their attributed contributions when aggregated with all other contributions from the same contributor may not exceed the limits set forth in Section 2.01.310.

( ORD-14-0020, § 11, 2014)