

ORDINANCE NUMBER 2382 (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA MONICA AMENDING SECTION 11.04.050 OF THE SANTA MONICA
MUNICIPAL CODE RELATING TO CONTRIBUTIONS TO CANDIDATES FOR OFFICE

WHEREAS, the City of Santa Monica is known for its highly participatory local democracy; and

WHEREAS, the City Council has adopted various laws and policies intended to encourage broad participation in the local political process; and

WHEREAS, among these laws is a contribution limit established in 1992 in the amount of \$250; and

WHEREAS, the law adopted in 1992 applies this limit to individuals, committees controlled by candidates, and uncontrolled committees; and

WHEREAS, this limit has not been changed since 1992; and

WHEREAS, the City Council has preserved the 1992 limit in order to curtail the influence of money and special interests upon the democratic process in Santa Monica; and

WHEREAS, in recent years decisions of the United States Supreme Court and lower courts have invalidated campaign finance restrictions like Santa Monica's on First Amendment grounds; and

WHEREAS, based on this development in the case law, the City Council has determined that Santa Monica's contribution limit must be revised, in order to maintain its constitutionality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 11.04.050 is hereby amended to read as follows:

11.04.050 Limitations on contributions from persons.

(a) No person shall make to any candidate for office or to the controlled committee of such a candidate, a contribution or contributions totaling more than three hundred twenty five dollars for each election in which the candidate was on, is on, or is likely to be on the ballot or in which the candidate sought or seeks write-in votes.

(b) No candidate for office or the controlled committee of such a candidate shall accept from any person a contribution or contributions totaling more than three hundred twenty five dollars for each election.

(c) The limitations imposed by this section shall be adjusted every five years, commencing on July 1, 2016, by an amount equal to the percentage change in the CPI-W Index for the Los Angeles/Riverside/Orange County area, as published by the United States Department of Labor, Bureau of Labor Statistics rounded to the nearest five dollars.

(d) This section shall not be interpreted or applied to violate the right of association or the right to express views through expenditures. Rather, it is intended to be and shall be applied solely as a limit on campaign contributions to individuals and committees. (Prior code § 11203; added by Ord. No. 1630CCS § 1, adopted 6/9/92, amended by Ord. No. 2270CCS § 2, adopted 9/16/08)

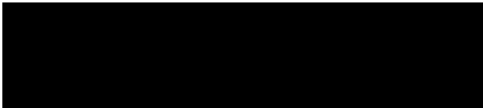
SECTION 2. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause,

or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:



MARSHA JONES MOUTRIE
City Attorney

