



TO: Mayor and Town Council

February 1, 2022

SUBJECT: Ordinance No. 2022-01, adding a new Chapter 2-26 to the Danville Municipal Code establishing no campaign contribution limits for Town Council candidates

BACKGROUND

In 2019, the State adopted AB 571, which for the first time established campaign contribution limits for all cities and counties that did not already have their own local limits. The limits established by AB 571 are the same as those for state offices-in 2022 that limit is \$4,900. The law went into effect on January 1, 2021. AB 571 still allows local jurisdictions to adopt their own ordinances.

The Town, which has not had any limits on campaign contributions, did not initially take any action on AB 571 because of a provision in the law requiring that any jurisdiction adopting their own contribution limits must also take over enforcement of their ordinance, rather than the Fair Political Practices Commission ("FPPC"). This is not a task that the Town has the resources to carry out.

In late 2021, the Town became aware of new regulations adopted by the FPPC which will apply to jurisdictions which do not adopt a local ordinance and thus are subject to the provisions of AB 571. In short, these provisions would substantially increase paperwork and filing requirements for council candidates and, by default, the City Clerk. Based on this new information, the Town Council reviewed options to address the issue at their January 11 study session.

DISCUSSION

Guidance provided by the FPPC does provide one way to work between the competing demands of either having the Town attempt to take over enforcement of campaign contributions or increasing paperwork and filing requirements for both candidates and the City Clerk. That option is to adopt a local ordinance which "explicitly state[s]...that there are no limits on contributions." The draft ordinance presented for consideration would do exactly that.

Adoption of the ordinance would have the effect of continuing the status quo in Danville. The Town has not previously had any limits on campaign contributions to council candidates and would not in the future. All paperwork requirements would remain as they have been in the past both for candidates and the Town. All existing transparency requirements would remain in place, meaning that all residents would still be able to fully review contributions and expenditures by all candidates for Town Council.

PUBLIC CONTACT

Notice of this hearing was published in a newspaper of general circulation. Posting of the meeting agenda serves as notice to the general public.

FISCAL IMPACT

None.

RECOMMENDATION

Introduce and read by title only Ordinance No. 2022-01, adding a new Chapter 2-26 to the Danville Municipal Code establishing no campaign contribution limits for Town Council candidates and return for second reading on February 15, 2022.

Prepared by:



Robert B. Ewing
City Attorney

Attachment: Ordinance No. 2022-01

ORDINANCE NO. 2022-01

**ADDING A NEW CHAPTER 2-26 TO THE DANVILLE MUNICIPAL CODE
ESTABLISHING NO CAMPAIGN CONTRIBUTION LIMITS FOR TOWN
COUNCIL CANDIDATES**

The Danville Town Council does ordain as follows:

SECTION 1. ADDING CHAPTER 2-26 TO THE DANVILLE MUNICIPAL CODE.

Chapter 2-26 is hereby added to the Danville Municipal Code to read as follows:

2-26 CAMPAIGN CONTRIBUTION LIMITS

2-26.1 No Campaign Contribution Limits for Town Council Candidates.

There shall be no limit on monetary contributions from a person or campaign committee to a candidate for Town Council.

SECTION 2. CODIFICATION. Section 1 of this ordinance shall be codified in the Danville Municipal Code.

SECTION 3. PUBLICATION AND EFFECTIVE DATE. The City Clerk shall have this ordinance published once in a newspaper of general circulation within 15 (fifteen) days after adoption. This ordinance shall become effective 30 days after adoption.

The foregoing Ordinance was introduced on February 1, 2022, and approved and adopted by the Danville Town Council at a regular meeting held on February 15, 2022, by the following vote:

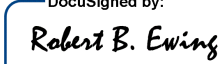
- AYES:**
- NOES:**
- ABSTAINED:**
- ABSENT:**

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

DocuSigned by:

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CITY ATTORNEY

CLERK'S CERTIFICATE

I, Marie Sunseri, City Clerk of the Town of Danville, hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2022-01 of said Town and that said ordinance was published according to law.

Dated: _____

City Clerk of the
Town of Danville