

## Chapter 2.05

### CAMPAIGN CONTRIBUTION LIMIT

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#### **2.05.010 Purpose and intent.**

High costs and large campaign contributions associated with campaigns for local elective office can undermine the public's trust and confidence in the electoral process. It is the intent of this chapter to promote the small town atmosphere of local elections consistent with community values by implementing campaign finance reforms including mandatory contribution limits and an effective enforcement mechanism.

In furtherance of those goals, a reasonable campaign contribution limitation is hereby enacted that are similar to those enacted by other comparable communities. In those communities, such limitations have not inhibited city council candidates' ability to conduct meaningful and effective campaigns or members of the public to meaningfully participate in campaigns as expressed in the form of campaign contributions, but they have limited the appearance and incidents of corruption that have been experienced.

The council finds that the city may enact an ordinance limiting campaign contributions in municipal elections as provided by Section 10202 of the Elections Code of the state. Further, pursuant to Section 81013 of the Government Code of the state, it is determined that the additional requirements imposed by this chapter do not preclude any person from complying with the

Political Reform Act of 1974, being California Government Code Sections 81000 - 81016. (Ord. 502 § 2, 2014; Ord. 231 § 1 (part), 2001)

#### **2.05.020 Relation to Political Reform Act of 1974.**

This chapter is intended to be a supplement to and in no way to conflict with the Political Reform Act of 1974, being California Government Code Sections 81000 - 81016, which is codified in Title 9 of the California Government Code and its implementing regulations. Unless otherwise defined in this chapter, words and phrases have the same meanings here as those given to them by Title 9 of the California Government Code, and as the same may be amended from time to time, and its implementing regulations, and with the interpretations of these provisions by the California Fair Political Practices Commission. (Ord. 231 § 1 (part), 2001)

#### **2.05.030 Definitions.**

As used in this chapter:

"City council candidate" means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to the Murrieta city council, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to the Murrieta city council, whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any city council member who is the subject of a recall election. An individual who becomes a candidate for the Murrieta city council shall retain his or her status as a candidate until such time as that status is terminated pursuant to Section 84214 of the Government Code.

"Contribution" means any payment made for political purposes for which full and adequate consideration is not made to the donor.

1. A "contribution" includes:

a. Any goods or services received by or requested by a city council candidate at no charge or at a discount from the fair market value, unless the discount is given in the regular course of business to members of the public;

b. Cash;

c. A loan or an extension of credit for more than thirty (30) days, other than loans from financial institutions given in the normal course of business.

2. A "payment made for political purposes" is a payment made:

a. For the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a city council candidate; or

b. Received by or made at the request of a city council candidate. (Ord. 231 § 1 (part), 2001)

**2.05.040 Limitations on campaign contributions.**

A. Declaration of Candidacy. No person may make, and no candidate for city of Murrieta elective office and the controlled committee of that candidate may solicit, accept or receive, any campaign contribution until a FPPC Form 501, Candidate Intention Statement, has been filed. However, Form 501 is not required if no contributions are received and the only expenditure is from personal funds for the candidates statement in the sample ballot.

B. Contribution Limit.

1. Candidates or controlled committees may accept contributions of up to one thousand dollars (\$1,000.00) from any single source in any single election. This contribution will be adjusted annually following the November, 2006 election in accordance with Section 2.05.040B.2.

2. The contribution limit established in this subsection shall be automatically adjusted annually, following the November, 2001 election, based on the Consumer Price Index for "all urban consumers" from April to April among U.S. West and/or Los Angeles, Long Beach, Anaheim metropolitan area. Such adjustments shall be rounded to the nearest ten and no/100ths dollar (\$10.00) amount.

C. Return of Contributions. A contribution will not be considered to be received or accepted if it is not cashed, negotiated, or deposited, and is returned to the donor before the closing date of the campaign statement on which the contribution would otherwise be reported.

D. Family Contributions. Contributions by a husband and wife shall be treated as contributions by separate persons and shall not be aggregated. Contributions by children under eighteen (18) years of age are presumed to be a contribution from the parent or guardian of the child.

E. Personal Funds. The limitations of this subsection shall not apply to contributions of a candidate's personal funds to his or her controlled campaign committee on behalf of his or her own candidacy, but shall apply to contributions from the candidate's spouse. (Ord. 502 § 3, 2015; Ord. 301 § 1-3, 2004; Ord. 231 § 1 (part), 2001)

**2.05.050 (Reserved).**

**2.05.060 Violation and penalty.**

In accordance with the provisions of Section 1.32.010 et seq. of the Murrieta Municipal Code, violations of this chapter shall be prosecuted as misdemeanors. (Ord. 231 § 1 (part), 2001)