

Chapter 2.65 - CAMPAIGN FINANCE REGULATIONS

2.65.010 - Purpose.

The city council seeks to reduce the actual and perceived influence of contributions on elected officials by limiting the amount of campaign contributions for candidates and to further the goal of an informed electorate by supplementing the campaign disclosure requirements and related regulations set forth in the Political Reform Act of 1974.

(Ord. 750 § 1 (part), 2005)

2.65.020 - Definitions.

"Candidate" means any individual who is a candidate for an elected city office in a city election.

"City election" means any general election, special election or recall election.

"Election cycle" means the applicable period as set forth in Section 2.65.060 of this chapter.

"Person" means an individual, committee, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association and any other organization or group of persons acting in concert.

"Political Reform Act of 1974" means California Government Code section 81000 et seq., as amended from time to time.

"Recall election cycle" means the applicable period as set forth in Section 2.65.060.

Unless expressly defined in this chapter, or the contrary is stated or clearly appears from the context, words and phrases in this chapter shall have the same definition and meaning as when they are used in the Political Reform Act of 1974, as that Act may be amended from time to time.

(Ord. 750 § 1 (part), 2005)

2.65.030 - Contribution limitations—General.

- A. No person shall make to any candidate or candidate-controlled committee, and no such candidate or candidate-controlled committee shall accept from any person, a contribution or contributions totaling more than five hundred dollars in an elective city office election cycle.
- B. The contribution limitations set forth in subsection (A) of this section shall also apply to any committee that collects contributions for the purpose of making expenditures in support of or opposition to the recall of an elective city officer, and to contributions received by such elective city officer, during a recall election cycle.
- C. The provisions of this section shall not apply to a candidate's contribution of his or her personal funds, community property funds, or domestic partnership funds to his or her own campaign committee.

- D. A contribution shall not be considered to be received if it is not negotiated, deposited or utilized and, in add returned to the donor within fourteen days of receipt.
- E. The five hundred dollar limitation established by this section shall be reviewed by the city council in January of every fourth year commencing in 2010 to determine whether such limitation shall remain the same or be increased or decreased. Any amendment of the limitation must be done by ordinance and shall be preceded by at least one public hearing.

(Ord. 750 § 1 (part), 2005)

2.65.040 - Contribution limitations—Aggregation of contributions.

The contributions of any person whose contributions are directed and controlled by another person shall be aggregated with those of the controlling person for purposes of the contribution limits. With respect to family contributions, contributions by a husband and wife or by domestic partners shall be treated as separate contributions and shall not be aggregated. Contributions by children under eighteen years of age shall be treated as contributions by their parent(s), custodian(s), or guardian(s) and shall be attributed proportionately to each parent, custodian or guardian.

(Ord. 750 § 1 (part), 2005)

2.65.050 - Multiple campaign committees.

- A. A candidate in a city election shall have no more than one candidate-controlled committee and such controlled committee shall have only one bank account out of which all qualified campaign and officeholder expenses related to that office shall be made.
- B. This section does not prevent a candidate in a city election from establishing another candidate-controlled committee solely for the purpose of running for a state, federal, county or other elective office, or for opposing his or her recall.

(Ord. 750 § 1 (part), 2005)

2.65.060 - Election cycles.

- A. General and Special Election Cycles. For the purposes of this chapter and with regards to campaigns for elective city offices, contributions to a candidate shall be deemed election contributions if such contributions are made at any time between the date that the candidate assumed office following the previous election and extending to the close of the third business day prior to the subsequent election date for that office seat.
- B. Recall Election Cycle. For the purposes of this chapter and with regards to recall elections, contributions shall be deemed to have been made during a recall election cycle if they are made at any time after a committee has been formed pursuant to the provisions of the Political Reform Act of 1974 in support of a recall election, or after the clerk of the city of Rohnert Park has approved a recall petition for circulation and gathering of signatures, whichever occurs first. A recall election cycle shall end whenever any of the following events occur:

1. The recall proponent fails to return signed petitions to the clerk of the city of Rohnert Park within the time limits prescribed by the California Elections Code;
2. All committees formed in support of the recall have been terminated pursuant to the provisions of the Political Reform Act of 1974; or
3. Ten days after a recall election has been held.

(Ord. 750 § 1 (part), 2005)

2.65.070 - Use of surplus funds for future city elections.

Campaign funds acquired in one city election may not be used in any other future city election.

(Ord. 750 § 1 (part), 2005)

2.65.080 - Disclosure requirement.

- A. Each candidate or candidate-controlled committee in a city election shall provide detailed itemization, as defined in the California Political Reform Act of 1974, for all contributions received in a cumulative amount of one hundred dollars or more.
- B. Each candidate or candidate-controlled committee in a city election shall file a third pre-election Campaign Disclosure Statement (Government Form 460 or any successor form thereto), as provided by the California Fair Political Practices Commission, for the period from the end of the period covered by the second pre-election statement to 11:59 p.m. on the third business day immediately preceding election day (normally Thursday). Such statement shall be filed with the clerk of the city of Rohnert Park by 5:00 p.m. on the second business day immediately preceding election day (normally Friday).

(Ord. 750 § 1 (part), 2005)

2.65.090 - Disclosure of occupation and employer.

No campaign contribution required to be reported by the Political Reform Act of 1974 (cumulative or otherwise) shall be deposited into a campaign bank account of a candidate or of a candidate-controlled committee, unless the disclosure information required by the Political Reform Act of 1974, including the name, address, occupation and employer of the contributor, or, if self-employed, name of business, is on file in the records of the recipient of the contribution. This information is to be reported on each campaign statement required to be filed by the Political Reform Act of 1974.

(Ord. 750 § 1 (part), 2005)

2.65.100 - Disclosure of cumulative contributions.

Cumulative contributions for each contributor of one hundred dollars or more in an election cycle shall be itemized and reported on each campaign statement required to be filed by the Political Reform Act of 1974.

(Ord. 750 § 1 (part), 2005)

2.65.110 - Penalties.

- A. Criminal Penalties. Any person who knowingly or willfully violates any provision of this chapter shall be guilty of a misdemeanor. In addition to other penalties provided by law, the penalty upon conviction of such person shall be by a fine in accordance with Government Code Section 91000.
- B. Civil Penalties. Any person who intentionally or negligently violates any of the reporting requirements of this chapter may be sued in a civil action in accordance with Government Code Sections 91004 and following.
- C. Cumulative Remedies. The foregoing remedies shall be deemed non-exclusive, cumulative and in addition to any other remedy the city of Rohnert Park may have at law or in equity. (Ord. 750 § 1 (part), 2005)

(Ord. No. 820, § 1, 3-24-2010)