

ARTICLE 3. - CONTRIBUTION LIMITATIONS

Sec. 2.215.310. - Limitations on contributions to candidates.

- A. During an election cycle, no person shall make to any candidate for election to the city council, 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 \$100.00 for the election for city council except as otherwise provided for by this section.
- B. For candidates who adopt the expenditure ceilings as defined in article 4. of this act, no person shall make to any candidate for election to the city council 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 \$200.00 for any person for each election for city council.

(Code 1971, § 9.110.010; Ord. No. 2004-023, § 2, 12-13-04)

Sec. 2.215.312. - Transfers of funds, carryover of contributions.

- A. *Transfers generally.* A candidate may transfer campaign funds from one controlled committee to a controlled committee for elective city office of the same candidate. Contributions transferred shall be attributed to specific contributors using a "last in, first out" or "first in, first out" accounting method and subject to the limitations on contributions by any contributor to any candidate or controlled committee in section 2.215.310 hereof.
- B. *Carryover of contributions.* Notwithstanding subsection A. of this section, a candidate for elective city office may carry over contributions raised in connection with one election for elective city office to pay campaign expenditures incurred in connection with a subsequent election for the same elective city office and subject to the limitations on contributions by any contributor to any candidate or controlled committee in section 2.215.310 hereof.
- C. *Consistency with state regulations.* It is the intent of this section that transfers and carryovers of a candidate's campaign funds be consistent with the provisions of law set forth in Title 2, Section 18536 and 18537.1 of the California Code of Regulations.

(Ord. No. 2015-013, § 2, 9-28-15)

Sec. 2.215.315. - Limitations on independent expenditure committees.

- A. During an election cycle, no person shall make to any committee which supports or opposes a candidate for city council, and no such committee shall accept from any person a contribution or

contributions totaling more than \$100.00 for the election for city council except as otherwise provided by this section.

- B. During an election cycle, a committee making or intending to make expenditures in support of or in opposition to a council candidate may receive contributions or other funds from any committee member or other person totaling more than \$100.00, and may use up to \$100.00 of all such contributions or other funds received from the committee member or other person for independent expenditures in support of or in opposition to a city council candidate, provided that:
- (1) The committee member or other person consents in writing to the use of a portion of his or her contributions or other funds to support or oppose political candidates or for other political purposes;
 - (2) A portion of such committee member or other person's contributions or other funds not exceeding a total of \$100.00 is deposited in a separate campaign banking account maintained by the committee, and thereafter used during the election cycle for expenditures in support of or in opposition to candidates seeking election to the office of city council or for other political purposes; and
 - (3) If such committee member or other person's contributing or other funds are commingled in the committee's campaign banking account with funds that are to be used for political purposes other than supporting or opposing candidates seeking election to the office of city council:
 - (a) The committee maintains a continuous written accounting of that portion of the funds maintained in the committee's banking account that are deposited and expended for the purpose of supporting or opposing a city council candidate; and
 - (b) The committee files a current copy of the written accounting with any campaign disclosure statement that is required to be filed with the City Clerk either pursuant to the State Political Reform Act or this Chapter.

(Ord. No. 2004-023, § 3, 12-13-04)

Sec. 2.215.320. - Prohibition on nonelection cycle contributions.

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

(Code 1971, § 9.110.020)

Sec. 2.215.330. - Return of contributions.

A contribution shall not be considered to be received if it is not negotiated, deposited, or utilized and is returned to the donor within 30 days of receipt.

(Code 1971, § 9.110.040)

Sec. 2.215.340. - 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 act.
- B. Every loan to a candidate or the candidate's controlled committee shall be by written agreement which shall be filed with the candidate's or committee's campaign statement on which the loan is first reported.
- 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 contributions limitations of this chapter.
- D. Extensions of credit, other than loans pursuant to subsection C of this section, for a period of more than 30 days are subject to the contribution limitations of this chapter.
- E. Notwithstanding any other provision of this act, a candidate for city council shall not loan or otherwise transfer to the candidate's campaign, funds, or other thing of value, in excess of \$10,000.00. Nothing shall be construed to restrict a candidate from contributing the candidate's own funds or assets to the candidate's campaign.

(Code 1971, § 9.110.050)

Sec. 2.215.350. - Family contributions.

- A. Contributions by a husband and wife shall be treated as separate contributions and shall not be aggregated.
- B. Contributions by children under 18 years of age shall be treated as contributions by their parents and attributed proportionately to each parent, one-half to each parent or the total amount to a single custodial parent.

(Code 1971, § 9.110.060)

Sec. 2.215.360. - Treatment of money received as contributions, income or gifts.

Any funds received by any candidate running for election to the city council, or any committee controlled by such candidate, shall be considered 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 other than city council elections. All income and gifts shall be subject to the reporting and disqualification provisions of the Political Reform Act, Government Code Sections 87100 et seq.

(Code 1971, § 9.110.070; Ord. No. 2004-023, § 4, 12-13-04)

Sec. 2.215.370. - One campaign committee and one campaign banking account per candidate.

Except as may be otherwise provided by state law, a candidate shall have no more than one campaign committee and one campaign banking account in which all campaign contributions shall be deposited and from which all campaign expenditures shall be made.

(Code 1971, § 9.110.080; Ord. No. 2004-023, § 5, 12-13-04)