

ORDINANCE NO. 2013-04

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING THE ESCONDIDO MUNICIPAL
ELECTION CAMPAIGN CONTROL ORDINANCE,
CHAPTER 2, ARTICLE 7 REGARDING
CAMPAIGN CONTRIBUTIONS FOR LOCAL
ELECTIONS

WHEREAS, pursuant to the authority granted by Government Code Section 81013, the Escondido City Council enacted Article 7 of Chapter 2 of the Escondido Municipal Code in 1983 to supplement the Political Reform Act of 1974, as amended; and

WHEREAS, further amendments were made to Article 7 of Chapter 2 of the Escondido Municipal Code in 1986, 1997, 2002 and 2007; and

WHEREAS, the Escondido City Council now desires to increase local campaign contribution limits and allow small cash contributions as permitted by State law.

The City Council of the City of Escondido, California, DOES HEREBY ORDAIN as follows:

SECTION 1. That Article 7 of Chapter 2, Sections 2-103 and 2-110 of the Escondido Municipal Code are amended to read as follows:

Article 7. Controls on Campaign Contributions

Sec. 2-103. Campaign contributions; limitations.

(a) No person other than a candidate shall make, and no campaign treasurer shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to a single election in support of or opposition to such candidate, including contributions to all committees supporting or opposing such candidate, to exceed four thousand and one hundred dollars (\$4,100).

(b) Extensions of credit for a period of more than thirty (30) days are prohibited. Extensions of credit of more than five hundred dollars (\$500) are prohibited. A candidate shall not lend his or her own campaign more than one hundred thousand dollars (\$100,000) per election. A candidate may not charge interest on any loan he or she made to his or her campaign.

(c) The terms of this section are applicable to any contributions made to a candidate or committee, whether used by such candidate or committee to finance a current campaign, to pay deficits incurred in prior campaigns, or otherwise.

(d) If any person is found guilty of violating the terms of this section, the amount of funds received constituting such violation shall be paid by the candidate or committee treasurer who received such funds to the city treasurer for deposit in the general fund of the city.

Sec. 2-110. Cash and anonymous contributions.

(a) No contribution over twenty-five dollars (\$25) shall be made or received in cash. Any cash contributions above twenty-five dollars (\$25) shall be paid promptly from available campaign funds, if any, to the city treasurer for deposit in the general fund of the city.

(b) No anonymous contributions shall be accepted by any candidate or committee. Any anonymous contributions received shall be paid promptly from available campaign funds, if any, to the city treasurer for deposit in the general fund of the city.

SECTION 2. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding will not affect the validity of the remaining portions hereof.

SECTION 3. That all ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. That the City Clerk is hereby directed to certify the passage of this ordinance and to cause the same or a summary to be published one time, within 15 days of its passage, in a newspaper of general circulation, printed and published in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 1st day of May, 2013 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MASSON, MORASCO, ABED

NOES : Councilmembers:

ABSENT: : Councilmembers:

APPROVED:



SAM ABED, Mayor of the
City of Escondido, California

ATTEST:



DIANE HALVERSON, City Clerk of the
City of Escondido, California

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO : ss.
CITY OF ESCONDIDO)

I, DIANE HALVERSON, City Clerk of the City of Escondido, hereby certify that the foregoing ORDINANCE NO. 2013-04 passed at a regular meeting of the City Council of the City of Escondido held on the 1st day of May, 2013, after having been read at the regular meeting of said City Council held on the 17th day of January, 2013.



DIANE HALVERSON, City Clerk of the
City of Escondido, California

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