

## **Chapter 2.62 - ELECTION CAMPAIGN CONTRIBUTIONS**

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### **2.62.010 - Title.**

The ordinance codified in this chapter shall be known and cited as the "Fresno County election campaign contributions ordinance."

(Ord. 0-81-010, § 1; Ord. 557-A-1, § 2 (part), 1976)

### **2.62.015 - Application.**

This chapter applies to county elected officers, candidates for county officers, their controlled committees and committees formed or existing primarily to support or oppose candidates for county offices.

(Ord. 0-81-010, § 3)

### **2.62.025 - Definitions.**

Unless otherwise defined in this chapter, the definitions set forth in the Political Reform Act of 1974 (Title 9, commencing with Section 81000 of the Government Code) shall govern the interpretation of terms used in this chapter.

(Ord. 0-81-010, § 4)

### **2.62.035 - Reporting of monetary contributions of twenty-five dollars or more.**

Except where the Political Reform Act of 1974 requires the reporting of more detail, campaign statements shall include the full name of each person from whom a monetary contribution of twenty-five dollars or more has been received, together with the contributor's street address, the amount contributed, the date on which each contribution was received during the period covered by the campaign statement,

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and the cumulative amount such person has contributed. For purposes of this section, the term "monetary contributions" includes all contributions other than in-kind contributions.

(Ord. 0-81-010, § 5)

#### **2.62.037 - Electronic filing of campaign disclosure statements.**

- A. Findings. The board of supervisors finds that the county clerk/registrar of voters' ("registrar of voters") online filing system will operate securely and effectively and will not unduly burden filers. The board of supervisors further finds the registrar of voters' online filing system complies with the requirements of California Government Code section 84615.
- B. Elected officers, candidates, committees and controlled committees and all other persons or committees as defined in the Political Reform Act required to file campaign statements with the county pursuant to state law (hereinafter "required filers") and have received contributions or made expenditures of five thousand dollars or more in a calendar year, shall electronically file campaign statements using the registrar of voters' online filing system. Required filers shall not be charged a fee to file campaign finance disclosure statements online.
- C. Once a required filer is subject to the electronic filing requirements imposed by subsection B herein, the required filer shall remain subject to the electronic filing requirement until the required filer files a termination statement pursuant to the Political Reform Act.
- D. A required filer who has electronically filed a campaign statement using the registrar of voters' online filing system is not required to file a paper copy of that statement with the registrar of voters.
- E. Notwithstanding subsection B. herein, a required filer required by the Political Reform Act to file an original campaign statement with the secretary of state and a copy of that statement with the registrar of voters pursuant to state law, may elect to file the copy with the registrar of voters in either paper format or by using the registrar of voters' online filing system.
- F. If the registrar of voters' online filing system is not capable of accepting a particular type of campaign statement, candidates and committees and all other persons, pursuant to state law, shall file that campaign statement in paper format with the registrar of voters.

(Ord. No. 17-002, § 1, 1-31-2017)

#### **2.62.040 - Campaign contribution limits.**

- A. This section is adopted pursuant to the authority granted the County in California Elections Code § 10003 and California Government Code § 85702.5 to set campaign contribution limits for county elective offices.
- B. "Person" as used in this section shall mean an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, labor union or organization, and any other organization or group of persons acting in concert.
- C. "Election" means any primary, general, special or recall election held in this state. The primary and general or special elections are separate elections for purposes of this section.
- D. No person shall contribute an amount greater than thirty thousand dollars to any candidate for any county of Fresno elective office per election.

(Ord. No. 20-014, § 1, 8-18-2020)

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**2.62.045 - Personal use of campaign contributions prohibited.**

Contributions solicited or accepted under this chapter may be used for any legal political purpose, but may not be converted to a nonpolitical personal use.

(Ord. 0-81-010, § 6)

**2.62.055 - Penalty for violation.**

- A. Knowingly and willfully violating any provision of this chapter regarding the reporting of campaign contributions constitutes an infraction.
- B. Knowingly and willfully converting campaign contributions to a nonpolitical personal use constitutes a misdemeanor which in addition to other penalties provided by law is punishable by a fine of up to the greater of five hundred dollars or three times the amount converted to personal use.
- C. A person who knowingly and willfully makes or causes to be made a campaign contribution to a candidate for a county of Fresno elective office in excess of the limit provided in Section 2.62.040 of this chapter is guilty of a misdemeanor punishable by a fine of up to one thousand dollars or imprisonment for up to six months, or both.
- D. A candidate for a county of Fresno elective office who knowingly and willfully obtains or receives a campaign contribution in excess of the limit provided in Section 2.62.040 of this chapter and fails to return the excess amount of the contribution over the limit provided in Section 2.62.040 to the contributor within a reasonable time is guilty of a misdemeanor punishable by a fine of up to one thousand dollars or imprisonment for up to six months, or both.

(Ord. No. 20-014, § 2, 8-18-2020; Ord. 0-81-010, § 7)