

ORDINANCE NO. 2018-09

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AMENDING THE ESCONDIDO MUNICIPAL
ELECTION CAMPAIGN CONTROL
ORDINANCE, CHAPTER 2, ARTICLE 7

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, 2007; and 2013; and

WHEREAS, the Escondido City Council now desires to simplify and modernize the Campaign Control Ordinance, eliminate duplication with the Political Reform Act, and increase local campaign contribution limits.

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

SECTION 1. That the definitions of "Committee" and "Contribution" in Article 7 of Chapter 2, Section 2-102 of the Escondido Municipal Code are amended to read as follows:

Committee shall be defined as the definition found in Government Code Section 82013, contained within the Political Reform Act, and any related provisions in the California Code of Regulations.

Contribution shall be defined as the definition found in Government Code Section 82015, contained within the Political Reform Act, and any related provisions in the California Code of Regulations.

SECTION 2. That Article 7 of Chapter 2, Section 2-103 of the Escondido Municipal Code is amended to read as follows:

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 three hundred dollars (\$4,300.00).

(b) A candidate shall not lend his or her own campaign more than one hundred thousand dollars (\$100,000.00) 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.

SECTION 3. That Article 7 of Chapter 2, Section 2-104 of the Escondido Municipal Code is repealed in its entirety.

SECTION 4. That Article 7 of Chapter 2, Section 2-105 of the Escondido Municipal Code is repealed in its entirety.

SECTION 5. That Article 7 of Chapter 2, Section 2-106 of the Escondido Municipal Code is repealed in its entirety.

SECTION 6. That Article 7 of Chapter 2, Section 2-110 of the Escondido Municipal Code is amended to read as follows:

Sec. 2-110. Cash and anonymous contributions.

(a) No contribution of one hundred dollars (\$100.00) or more shall be made or received in cash. Any cash contributions of one hundred dollars (\$100.00) or more 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 7. SEPARABILITY. If any section, subsection sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and

independent provision and such holding shall not affect the validity of the remaining portions.

SECTION 8. That as of the effective date of this ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. That the City Clerk is hereby directed to certify to 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 County and circulated in the City of Escondido.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 25th day of April, 2018 by the following vote to wit:

AYES : Councilmembers: DIAZ, GALLO, MASSON, MORASCO, ABED
NOES : Councilmembers: NONE
ABSENT : Councilmembers: NONE

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. 2018-09 passed at a regular meeting of the City Council of the City of Escondido held on the 25th day of April, 2018, after having been read at the regular meeting of said City Council held on the 18th day of April, 2018.



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

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