



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

Board of Supervisors

DATE: October 27, 2004

BOARD MEETING DATE: November 9, 2004

TO: Honorable Board of Supervisors
FROM: Supervisor Mark Church and Supervisor Mike Nevin
SUBJECT: Amendments to the Campaign Contribution Ordinance

Recommendation

ADOPT AN ORDINANCE AMENDING SECTIONS 2.205.010 AND 2.205.020 AND REPEALING SECTIONS 2.205.030 AND 2.205.040 OF CHAPTER 2.205 OF TITLE 2 OF THE SAN MATEO COUNTY ORDINANCE CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS.

Background

Currently, the County's Campaign Contribution ordinance regulates three areas in regards to candidates in county elections: (1) the amount of campaign contributions; (2) disclosure of independent expenditures and (3) use of surplus campaign funds. Starting in 1999, state law relating to campaign contributions, as contained in the Political Reform Act, was in a state of flux due to competing initiatives and court challenges. However, during the last year and a half, the law in this area has become relatively stable and as a consequence, we believe it is time to make changes to our ordinance to be consistent with state law.

Discussion

The majority of the proposed changes to the ordinance are in the form of repealing sections that are no longer needed because there is now state law governing these areas. These sections consist of (1) disclosing independent expenditures; (2) use of surplus campaign funds and (3) definitions for terms used in the ordinance which are now defined in state law.

The proposed changes also include (1) increasing the per election contribution limit

to \$2,500 for each person or entity; (2) including "entities" as well as persons, in regards to contribution limits; and (3) exempting from that limit a candidate's contributions of his or her personal funds. The inclusion of entities in the contribution limits and the exemption for personal contributions both mirror state law.

As for the amount of the contribution limit, there is no state law governing contributions to county offices. We have attached a chart depicting the contribution limits to candidates for state office. It should be noted that candidates to the state legislature have a limit of \$3,200 per election regardless of the population of their district. Supervisors in San Mateo County are elected at large and the population of the county at approximately 707,161 is significantly larger than that of Assembly districts.

Vision Alignment

Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

Fiscal Impact

There is no fiscal impact.


SUPERVISOR MARK CHURCH


SUPERVISOR MIKE NEVIN

**Per election Limits on Contributions to State Candidates
For Elections Occurring Jan. 1, 2003—Dec. 31, 2004***

Contributor	Legislature	Statewide Elected Officers	Governor
Person	\$3,200	\$5,300	\$21,200
Small Contributor Committee	\$6,400	\$10,600	\$21,200
Political Party	No Limit	No Limit	No Limit

**Calendar Year Limits on Contributions to Other Committees
For Elections Occurring Jan. 1, 2003—Dec. 31, 2004***

Contributor	Committee (Not Political Party) that Contributes to State Candidates	Political Party for State Candidates	Committee/Political Party Not for State Candidates
Person	\$5,300	\$26,600	No Limit

**Proposition 34 Voluntary Expenditure Limits for Candidates for Elective State Offices
for Elections Occurring Jan. 1, 2003—Dec. 31, 2004***

Office	Primary/Special Election	General/Special Runoff Election
Assembly	\$425,000	\$744,000
Senate	\$637,000	\$956,000
Governor	\$6,374,000	\$10,624,000
Lt. Governor, Attorney General, Insurance Commissioner, Controller, Secretary of State, Supt. Of Public Instruction, Treasurer	\$4,249,000	\$6,374,000
Board of Equalization	\$1,062,000	\$1,594,000

*These limits apply also to later elections until they are adjusted again by the Commission.

ORDINANCE NO. _____
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,
STATE OF CALIFORNIA

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**AN ORDINANCE AMENDING SECTIONS 2.205.010 AND 2.205.020 AND
REPEALING SECTIONS 2.205.030 AND 2.205.040 OF CHAPTER 2.205 OF
TITLE 2 OF THE SAN MATEO COUNTY ORDINANCE CODE**

The Board of Supervisors of the County of San Mateo, State of California,
ORDAINS as follows:

SECTION 1. Section 2.205.010 of Chapter 2.205 of Title 2 of the San Mateo County Ordinance Code is hereby amended to read as follows:

Section 2.205.010 Definitions.

(a) The definitions and other provisions of the applicable provisions of the California Political Reform Act of 1974, and any amendments thereto (Government Code sections 81000 et seq.) and the regulations of the Fair Political Practices Commission shall govern the interpretation and application of this section to the extent practicable.

(b) "County office" means the office of member of the Board of Supervisors, Assessor-County Clerk-Recorder, Controller, District Attorney, Sheriff, Coroner, Treasurer-Tax Collector.

SECTION 2. Section 2.205.020 of Chapter 2.205 of Title 2 of the San Mateo County Ordinance Code is hereby amended to read as follows:

Section 2.205.020 Limitation of Campaign Contributions to Candidates In County Elections

(a) No person or entity shall make to any candidate for County office or the candidate's controlled committee and no candidate or the candidate's controlled committee shall accept from any person or entity a contribution or contributions totaling more than two thousand five hundred dollars (\$2,500) for each election in which the candidate is attempting to be on the ballot or is a write in candidate.

(b) The provisions of this section do not apply to a candidate's contributions of his or her personal funds to his or her own campaign.

SECTION 3. Sections 2.205.030 and 2.205.040 of Chapter 2.205 of Title 2 of the San Mateo County Ordinance Code are hereby repealed.

SECTION 4. This Ordinance shall be effective thirty (30) days from the passage date thereof.

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