



Sonoma County Campaign Contribution Limits

Proposed Revisions to Chapter 2, Article XX

Sonoma County Board of Supervisors, August 9, 2022



1. Recommended Action
2. Background
3. Need for Update
4. Proposed Ordinance Revisions
5. Questions

- Right to participate in democracy through political contributions
- Campaign financing regulations permissible to avoid corruption in the political process
- Sonoma County: Campaign Finance Ordinance – Chapter 2, Article XX of the Sonoma County Code (Sections 2-300 through 2-314)
 - 1984: first campaign contribution limit adopted, set at \$1,000 for supervisorial candidates
 - 2000: extended to other elected officials
 - 2008: disclosure requirements were added, and contribution limits were increased to \$2,500



- Legal Developments since 2008
- Law regarding campaign finance limitations and disclosure requirements has changed
- Sonoma County's current ordinance needs to be updated to align with current law



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- Sec. 2-300. Intent and purpose
 - Sec. 2-302. Definitions
 - Sec. 2-303. Contribution Limitations
 - Sec. 2-304. Outstanding debt retirement and reporting
 - Sec. 2-307. Multiple Campaign committees
 - Sec. 2-308. Loans to county candidates and their
controlled committees
 - Sec. 2-309. Funds, property, goods or services received
by officials treated as contributions
 - Sec. 2-310. Disclosure requirements
 - Sec. 2-311. Reporting of cumulative contributions
 - Sec. 2-312. Reporting of late contributions
 - Sec. 2-313. Notice of independent expenditures
 - Sec. 2-314. Enforcement of chapter
 - Sec. 2-315. Effective date

**Proposed
Revisions to
Sonoma
County Code
Chapter 2,
Article XX**

- Supreme Court: only legitimate interest justifying contribution limits is the need to avoid corruption or the appearance of corruption.

“The purpose of this article is to place realistic and enforceable limits on the amounts of money that may be contributed to political campaigns in County elections, while preserving an orderly political forum in which individuals may express themselves effectively. The provisions of this Chapter are necessary and proper to prevent corruption or the appearance of corruption, to ensure adequate disclosure of the true sources of financial support in County elections, to provide for full and fair enforcement of laws governing campaign contributions, and to maintain public trust in governmental institutions and the electoral process.”

- Campaign finance limitations in Sonoma County’s ordinance are effective and continue to be necessary

**Sec. 2-300.
Intent and
purpose.**

Definitions will be updated to

- accurately reflect titles of County offices
- clarify that “county candidate” includes any person running to replace an incumbent in a recall election.
- add a definition for controlled candidate committees and independent expenditures

Sec. 2-302. Definitions

Contribution limits

- 2008: \$2,500 with biannual escalator of 5%.
- 2022: \$3,517.75
- 2023: new proposed limit adjusted to \$3,500 with a biannual escalator using the California Consumer Price Index (CPI) for all Urban Consumers in the Bay Area, rounded up to the nearest \$100, The first escalator takes place on January 1, 2025.

Double contribution limits will be increased to match the new contribution limit.

**Sec. 2-303.
Contribution
limitations.**

Independent expenditures

Limit for recall election committees only applies if the committee is controlled by a candidate

**Sec. 2-303(c).
Contribution
limitations.**

Outstanding debt retirement and reporting

- References to form numbers and particular FPPC schedules are eliminated
- Timing to expend contributions to retire outstanding debt is clarified and extended

**Sec. 2-304.
Outstanding debt
retirement and
reporting**

Multiple Campaign Committees

Candidate-controlled ballot measure committees are added to list of campaign committees that may be established by candidate

**Sec. 2-307.
Multiple
Campaign
Committees**

Loans to county candidates and their controlled committees.

- Unlimited personal loans from candidates are allowed
- Prohibition to charge interest on any loan the candidate made to the candidate's own campaign.

**Sec. 2-308.
Loans to county
candidates and
their controlled
committees.**

Funds, property, goods or services received by officials treated as contributions.

Limitations and disclosure obligations placed on travel payments under the Political Reform Act and other state laws remain applicable

Sec. 2-309.
Funds, property,
goods or services
received by
officials treated as
contributions.

Disclosure requirements.

- Disclosure requirements are aligned with existing state law under the Political Reform Act
- Disclosure of top contributors is required on the outside envelope of independent expenditure advertisements, regardless of whether the cumulative contributions reach or exceed \$50,000.

Sec. 2-310. Disclosure requirements

Reporting of cumulative contributions.

Reporting requirement applies to candidate-controlled committees

**Sec. 2-311.
Reporting of
cumulative
contributions**

Reporting of late contributions.

The late reporting requirement only applies to the contribution recipient.

**Sec. 2-312.
Reporting of late
contributions**

Notice of independent expenditures.

Persons making independent expenditures in excess of \$1,000 in support of or in opposition to a county candidate must report such expenditures in compliance with state law.

**Sec. 2-313.
Notice of
independent
expenditures**

Enforcement.

- District Attorney or County Counsel are responsible for enforcing the ordinance, and
- may delegate authority to retain independent counsel to file and prosecute a civil action for campaign finance violations

Sec. 2-314. Enforcement

Effective date.

The changes are effective January 1, 2023.

Sec. 2-315.
Effective date

