Legislation Text

File #: 2026-0691, **Version:** 1

To: The Board of Supervisors
Department or Agency Name(s): County Counsel
Staff Name and Phone Number: Petra Bruggisser, Alexandra Apodaca (707) 565-2421
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:
Ordinance Amending Section 2-303, of Article XX, Chapter 2 of the Sonoma County Code Regarding Campaign Contribution Limits

Recommended Action:
Adopt a Resolution introducing, reading the title of, and waiving full reading of an ordinance to amend Chapter 2, Article XX, Section 2-303 of the Sonoma County Code, amending Campaign Contribution Limitations.

Executive Summary:
This Board item requests the Board to adopt a resolution introducing, reading the title of, and waiving full reading of the proposed ordinance amendments to Chapter 2, Article XX, Section 2-303 of the Sonoma County Code, amending Campaign Contribution Limitations. The proposed amendments to Sonoma County's Campaign Contribution Limitations are needed because legal developments and changes to current law have extended the election cycle for the District Attorney and Sheriff from four-year (4) terms to six-year (6) terms for those elected in 2022. The proposed amendments will increase the Campaign Contribution Limitations on a pro rata basis for each additional year beyond four (4) years.

Discussion:
The right to participate in democracy through political contributions is an important right and cornerstone that is cemented into constitutional law and applied by federal, state and local rules. Constituents can exercise that right in a variety of ways: they can run for office themselves, vote, urge others to vote for, or recall, a particular candidate, volunteer to work on a campaign, and financially contribute to a candidate's campaign. Political speech may not be limited simply to reduce the amount of money in politics, or to restrict the political participation of some in order to enhance the relative influence of others. Government may, however, regulate campaign financing to avoid corruption in the political process, that is, to prevent political favors as quid pro quo for financial contributions. Rules and regulations governing campaign contributions can be found in the California Political Reform Act (Cal. Gov't Code Sections 81000-91014), Regulations of the Fair Political Practices Commission (FPPC) (Cal. Code of Regulations Title 2, Division 6), and local ordinances. In addition, courts at the state and federal level provide guidance on the interpretation and application of these laws.

In Sonoma County, the Board first adopted a campaign contribution limit, set at $1,000 per election, in 1984 to

ensure that the financial strength of a few individuals or organizations did not permit them to exercise a disproportionate or controlling influence on the election of Sonoma County supervisorial candidates.

Campaign finance limitations were extended to other elected officials in 2000, disclosure requirements were added in 2008, and individual contribution limits were increased to $2,500 per election to address higher campaign costs and spending by independent expenditure committees.

In August 2022, Sonoma County's campaign finance ordinance was repealed and replaced by Ordinance 6389. The August 2022 amendments included an amendment to Section 2-303, and individual contribution limits were increased from $2,500 per election to $3,500 per election cycle.

On September 29, 2022, AB759 was enacted which extended the current term for the Sonoma County District Attorney and Sonoma County Sheriff from four (4) years to six (6) years on a one-time basis. The County's current individual contribution limit of $3,500 may be insufficient for a 6-year term, and the expanded election cycle is a special circumstance that would permit increased contribution limits under SCC Sections 2-303(e).

To align Sonoma County's Campaign Contribution Limits ordinance, Special Circumstances Permitting Increased Contribution Limits (SCC Sections 2-303(e)) with the changes to current law, the following revisions are proposed:

Proposed Ordinance Revisions

Sec. 2-303. Contribution limitations.

In 2022, individual contribution limits were increased to $3,500 with a biennial escalator using the California Consumer Price Index (CPI) for all Urban Consumers in the Bay Area, rounded up to the nearest $100, to make the limit easier to understand and enforce. The first escalator took place on January 1, 2025. The current contribution limit is $3,800.00.

The Special Circumstances Permitting Increased Contribution Limits identified in Section 2-303(e) will be amended to include a provision that in the event an election cycle is greater than 4 years, the contribution limit will be increased on a pro rata basis for each additional year added to the election cycle beyond four (4) years.

The proposed contribution limit for election cycles greater than four (4) years is determined to be reasonable and sufficient to allow candidates to raise funds for an effective campaign. Campaign contribution limits are generally permissible if they are focused narrowly on the stated interest to avoid corruption and the appearance of corruption, if they leave the contributor free to affiliate with a candidate, and if they allow the candidate to amass sufficient resources to wage an effective campaign. The current contribution limit with a biennial CPI escalator meets those requirements. The proposed amendments to Section 2-303(e) would allow candidates whose election cycle is greater than four (4) years to raise funds proportionally to their term.

The amendment proposed to the Escalator provision in Section 2-303(f) will rectify a scrivener's error to reflect that escalations will take place every two years (biennially).

Strategic Plan:
N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?
No

Prior Board Actions:
Ordinance No. 6389 <https://library.municode.com/ca/sonoma_county/ordinances/code_of_ordinances?nodeId=1169963>, § I, 8-30-2022

FISCAL SUMMARY
Narrative Explanation of Fiscal Impacts:
Adoption of the amended campaign contribution limits does not have any fiscal impact.

Narrative Explanation of Staffing Impacts (If Required):
N/A

Attachments:
1. Resolution introducing, reading the title of, and waiving full reading of a proposed ordinance to amend Chapter 2, Article XX, Section 2-303 of the Sonoma County Code, amending Campaign Contribution Limitations.
2. Proposed ordinance to amend Chapter 2, Article XX, Section 2-303 of the Sonoma County Code, amending Campaign Contribution Limitations.
3. Redline of proposed changes to existing Chapter 2, Article XX, Section 2-303 of the Sonoma Code, amending Campaign Contribution Limitations.
4. Pre-adoption summary
5. PowerPoint presentation

Related Items "On File" with the Clerk of the Board:
Ordinance No. 3355, adopted October 23, 1984
Ordinance No. 5231, adopted April 18, 2000
Ordinance No. 5798, adopted September 16, 2008
Ordinance No. 6389, adopted August 30, 2022