

ORDINANCE NO. NS-300.857

AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CLARA
AMENDING SECTIONS 8, 10, AND 11 OF DIVISION A11 OF THE SANTA
CLARA COUNTY ORDINANCE CODE
RELATING TO ELECTRONIC FILING OF CAMPAIGN STATEMENTS

Summary:

This ordinance amends existing provisions regarding
electronic filing of campaign finance statements.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA
ORDAINS AS FOLLOWS:

SECTION 1. Section 8 of Division A11 of the Ordinance Code of the County of Santa Clara is amended to read as follows:

Sec. A11-8. Electronic filing; findings and purpose.

- (a) State law requires candidates, persons supporting or opposing ballot measures and certain other types of committees to file campaign finance statements with the Registrar of Voters detailing the sources of contributions and manner of expenditure of contributions. The purpose of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contributions laws.
- (b) Frequently, these disclosure reports are extremely lengthy. Moreover, literally hundreds of such reports are filed with the Registrar of Voters office each reporting period. It is extremely difficult for members of the public, the media and election officials efficiently to review and compare these statements.
- (c) The Board makes the following findings in support of requiring that political committees and candidates that meet certain financial thresholds file their campaign statements electronically:
 - (i) An electronic system reduces paper waste and time spent processing and storing paper filings, so that efforts can be focused on helping filers comply with filing requirements.

- (ii) The system used by the County contains multiple safeguards to protect the integrity and security of the data.
- (iii) An electronic system streamlines the filing process, by storing information previously entered, calculating numbers, and helping catch errors before filings are submitted.
- (iv) Once the statements are placed online, they are easily accessible for public viewing.

SECTION 2. Section 10 of Division A11 of the Ordinance Code of the County of Santa Clara is amended to read as follows:

Sec. A11-10. Filing of campaign statements.

- (a) Whenever any elected County officer, candidate or committee is required by the California Political Reform Act to file a semi-annual campaign statement, a pre-election campaign statement, an amended campaign statement or a supplemental pre-election campaign statement with the Registrar of Voters, the elected officer, candidate or committee shall file the statement using the electronic filing system available on the Registrar of Voters' website. The street or address or building number of the persons or entity representatives, or any bank account number, shall not be displayed online.
- (b) Statements or reports that are filed electronically with the Registrar of Voters pursuant to this section need not also be filed in a paper format.
- (c) This requirement does not apply to any elected officer or candidate who receives contributions totaling less than \$1,000.00, and makes expenditures totaling less than \$1,000.00, in a calendar year.

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SECTION 3. Section 11 of Division A11 of the Ordinance Code of the County of Santa Clara is amended to read as follows:

Sec. A11-11. Penalties for late filing.

- (a) Any person who files an electronic copy of a statement or report required by this article after the deadline imposed by the California Political Reform Act for filing the written copy of the statement or report shall be liable in the same amount and on the same terms as set forth in the Act for late filing of the written copy of the campaign statement or report, except that no fines shall be waived by the Registrar of Voters.
- (b) Any person required to file an electronic copy of a statement or a report required by this article, who does not do so by the deadline imposed under the California Political Reform Act, shall be notified by the Registrar of Voters of that failure prior to the expiration of the five days following the deadline to file the statement or report. The Registrar of Voters shall notify such persons that the matter will be referred to the Santa Clara County District Attorney and the Fair Political Practices Commission if the required electronic statement is not filed by the end of the 10th day following the deadline to file the electronic statement or report. The

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notification shall be made at the telephone number, fax line or electronic mail address listed by the person on the "Campaign Statement Reporting Notification" form provided by the Registrar of Voters.

- (c) Any person required by this article to file the electronic statement or report set forth in subsection (a) who fails to do so by the 10th day following the deadline, shall be immediately referred to the District Attorney and Fair Political Practices Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on AUG 13 2013 by the following vote:

AYES: **CHAVEZ, CORTESE, SIMITIAN, WASSERMAN, YEAGER**

NOES: **NONE**

ABSENT: **NONE**



KEN YEAGER, President
Board of Supervisors


Signed and certified that a copy of this document has been delivered by electronic or other means to the Chair, Board of Supervisors.

ATTEST:



LYNN REGADANZ
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



ORRY P. KORB
County Counsel

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