

ATTACHMENT A

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA ADDING CHAPTER 11C TO THE COUNTY CODE REQUIRING ELECTRONIC CAMPAIGN DISCLOSURE

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1. Chapter 11C, entitled ELECTRONIC CAMPAIGN DISCLOSURE, is hereby added to the Santa Barbara County Code as follows:

Section 11C-1. Findings.

- a) Public access to campaign disclosure information is a vital and integral component of a fully informed electorate. Transparency in campaign financing is critical in order to maintain public trust and support of the political process.
- b) State law requires candidates, persons supporting or opposing ballot measures and certain other types of committees to file campaign statements, reports and other documents with the Clerk-Recorder-Assessor's Elections Division detailing the sources of contributions and manner of expenditure of contributions. The intent of these laws is to assist voters in making informed electoral decisions and to assist in ensuring compliance with campaign contribution laws.
- c) The Clerk-Recorder-Assessor's Elections Division has expended a significant amount of staff time to make such paper filings readily available to the public.
- d) The Board of Supervisors makes the following findings in support of requiring all political committees and candidates that file with the Clerk-Recorder-Assessor's Elections Division and meet certain financial thresholds to file their campaign statements and reports electronically:
 - 1) 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.
 - 2) An electronic system is not unduly burdensome on candidates in that it reduces the need for candidates to print out and physically mail or hand deliver statements to the Clerk-Recorder-Assessor's Elections Division.
 - 3) The system used by the County contains multiple safeguards to protect the integrity and security of the data.
 - 4) An electronic system streamlines the filing process, by storing information previously entered, calculating numbers, and helping catch errors before filings are submitted, thereby reducing the need to file amendments.

- 5) The electronic filing system will operate securely and effectively, would not unduly burden filers, and would be free of charge to filers who are required to file campaign statements and reports with the Clerk-Recorder-Assessor's Elections Division.
- 6) Once the electronic statements and reports are posted online, they are available for public viewing free of charge and allow the public to search reports by field, including, but not limited to, election, candidate, date, contributor and expenditure.

Section 11C-2. Purpose, Authority.

- a) Purpose. The purpose of this Ordinance is to permit the online electronic filing of campaign statements and reports in lieu of paper statements requiring wet signatures by candidates and committees currently required under the California Political Reform Act, (commencing with California Government Code Section 84100 et seq.) in order to facilitate review and maximize the availability of this information to the public.
- b) Authority. This Ordinance is adopted pursuant to California Government Code Section 84615, which authorizes local jurisdictions to require the filing of campaign statements and reports solely in an electronic form, with a specified exemption.

Section 11C-3. Electronic Filing of Campaign Statements.

- a) This Section applies to any elected officer, candidate, committee, or other person required by the California Political Reform Act to file statements, reports, or other documents with the Clerk-Recorder-Assessor's Elections Division. This Section is not limited to filings pertaining to elective County office.
- b) Effective March 1, 2022, any elected officer, candidate, committee, or other person required by the Political Reform Act to file statements, reports, or other documents required by Chapter 4 (commencing with Section 84100) of the California Government Code, has the option to file those statements, reports, or other documents electronically with the Clerk-Recorder-Assessor's Elections Division.
- c) Effective January 1, 2023, any elected officer, candidate, committee, or other person required by the Political Reform Act to file statements, reports, or other documents required by Chapter 4 (commencing with Section 84100) of the California Government Code, will be required to file those statements or reports electronically with the Clerk-Recorder-Assessor's Elections Division.
- d) Any statement or report filed electronically pursuant to this Section is not required to be filed with the Clerk-Recorder-Assessor's Elections Division in paper format.

- e) Any candidate or committee, elected officer, or other person, pursuant to state law, who voluntarily files electronically shall continue to file electronically until the person or known committee files a termination statement pursuant to the California Political Reform Act.
- f) The County shall comply with all applicable provisions of California Government Code Section 84615, and any further amendments to it or its successor.

Section 11C-4. Exemptions.

- a) In any instance in which the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report, or other document is required to be filed with the Clerk-Recorder-Assessor's Elections Division, the filer may, but is not required to, file the copy electronically with the Clerk-Recorder-Assessor's Elections Division, as provided by California Government Code Section 84615 and any further amendments to it or its successor.
- b) This requirement to file electronically does not apply to any candidate who receives contributions or makes expenditures in a calendar year totaling less than the amount defined by California Government Code Section 84615 and any further amendments to it or its successor. However, the filer has the option to file electronically with the Clerk-Recorder-Assessor's Elections Division.
- c) Elected officers whose salaries exceed the amount defined by California Government Code Section 84200, and any further amendments to it or its successor, who do not have a controlled committee shall be allowed to file in a paper format. However, the filer has the option of filing an electronic copy with the Clerk-Recorder-Assessor's Elections Division.
- d) Any elected officer, candidate, committee, or other person supporting or opposing ballot measures and certain other types of committees required to file campaign statements and reports with the Clerk-Recorder-Assessor's Elections Division, who are unable to file electronically, shall provide a written explanation for not filing electronically and file their campaign statement or report in a paper format at the discretion of the Clerk-Recorder-Assessor's Elections Division.

Section 11C-5. Severability.

If any section, subsection, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 11C-6. Operative Date.

This Ordinance shall become operative on March 1, 2022.

SECTION 2. This Ordinance shall take effect and be in force thirty days from the date of its final passage. Notice shall be published in accordance with Government Code Section 25124.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ___ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By: *Anne Kierson*

Deputy County Counsel