Proposition B

CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS FOR LOS ANGELES COUNTY OFFICES (Assessor, District Attorney, Sheriff, and the Board of Supervisors)

Proposition B Unit

(562) 462-3000

County Code 2.190 – Political Campaigns for County Offices

Dean C. Logan
Los Angeles County
Registrar-Recorder/County Clerk

LAvote.net

Updated July 2019

Message from the Registrar of Voters

Dear Candidates and Other Interested Parties,

Proposition B, the Los Angeles County Campaign Finance Ordinance, was passed by voters in 1996. It is applicable to officeholders and candidates for the County offices of Assessor, District Attorney, Sheriff and the Board of Supervisors.

This manual is intended for use as general information only. Specific legal questions and requests for interpretations of individual situations should be referred to your legal counsel.

For more information regarding Los Angeles County elections, please consult our website at www.lavote.net.

Sincerely,

Dean C. Logan

Dean C. Logan
Registrar-Recorder/County Clerk

Table of Contents

Highlights of Proposition B	1
Frequently Asked Questions (FAQs)	2
Getting Started	3
Forms and Filing	4
Contributions	5
Voluntary Expenditure Limits (VEL)	6
Personal Funds	7
Fundraising Periods/Timing	7
Violations and Enforcement	7
Summary of Proposition B	8-12
Complete Text of Chapter 2.190 (Proposition B)	13-25
Complete Text of Chapter 2.195	26-27
Title 1 General Provisions (Chapter 1.25 Administrative Fines and Noncompliance Fees for Code Violations)	28
Government Code Sections Referenced in Proposition B	29-32

Highlights of Proposition B

CONTRIBUTION LIMITS

- Basic limit of $300 per contributor until the voluntary expenditure limit is accepted
- Higher limit of $1,500 per contributor if candidate agrees to the voluntary expenditure limit
- Limit of $6,500 per political party
- Other higher limits may apply, depending on candidate selections

VOLUNTARY EXPENDITURE LIMITS (VEL)

Expenditure limits for each primary and general election are:

- Countywide Offices: $0.25 per County resident = $2,454,651.25
- Board of Supervisors: $0.75 per resident of supervisorial district

  Supervisorial District 1 = $1,419,750.75
  Supervisorial District 2 = $1,458,711.00
  Supervisorial District 3 = $1,478,940.75
  Supervisorial District 4 = $1,439,961.75
  Supervisorial District 5 = $1,566,589.50

Each candidate must declare under penalty of perjury whether he or she will be bound by the VEL.

CANDIDATE'S PERSONAL FUNDS

No mandatory limit on contribution of candidate's personal funds, except for personal loan limit ($20,000).

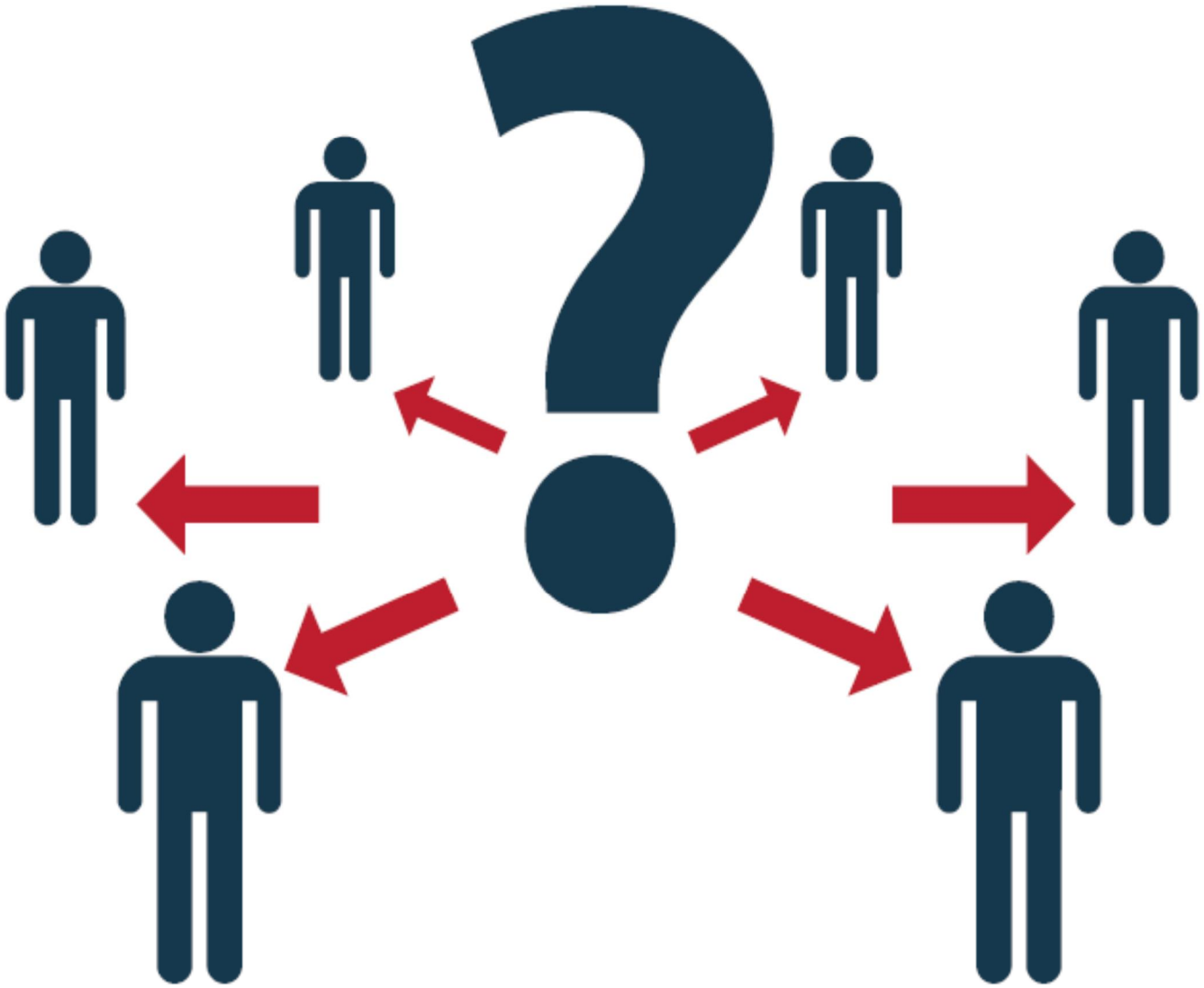
Voluntary personal funds limit options:

- Not more than $50,000
- Not more than $100,000
- Not more than $300,000
- Candidate does not agree to any limit on personal funds

Each candidate must declare under penalty of perjury which of the above voluntary limits (or no limit) that he or she will be bound by.

All candidates for County office **must file both declarations** and **must simultaneously file them** with the Los Angeles County Registrar-Recorder/County Clerk. They may be filed at any time, but no later than the close of nomination document filing for the primary election and 30 days after the primary for the general election. The Form 800 may be amended no more than twice prior to the end of nomination period for each election respectively to reflect changes.

FAQs



ANSWERS TO THE MOST FREQUENTLY ASKED QUESTIONS ABOUT PROPOSITION B

GETTING STARTED

Q: I am thinking of running for office in Los Angeles County. Where do I start?

A: Contact Election Information Section at (562) 466-1310 to determine your district and nomination period. Contact the Proposition B Unit at (562) 462-3000 for campaign finance information forms.

Q: What is Proposition B? How did it come about?

A: The County campaign contribution limitations ordinance was passed by the voters in November, 1996.

Q: Are campaign statements public record?

A: Yes.

Q: What is the count of residents in my district which determines the applicable voluntary expenditure limit for my office?

A: Countywide: 9,818,605

Supervisorial District 1: 1,893,001
Supervisorial District 2: 1,944,948
Supervisorial District 3: 1,971,921
Supervisorial District 4: 1,919,949
Supervisorial District 5: 2,088,786

Q: What are the definitions of committee, contribution, campaign expenditure, etc?

A: See Proposition B, Section 2.190.030 Definitions, which is included in this handbook.

Q: If I agree to Proposition B voluntary expenditure limits, am I entitled to a Candidate Statement printed in the Sample Ballot at no charge?

A: No, Proposition B has no such provision.

FORMS AND FILING

Q: What forms do I use for Proposition B reporting? When are they due?

A: ▸ **Form 800: Election Campaign Declarations.** Must both be filed by close of nomination period for a Primary Election and 30 days after the Primary Election for a General Election. Contributions are limited to $300 per contributor at least until the form is filed.

CC 2.190.050 (B); CC 2.190.060 (D) and CC 2.190.040.

▸ **Form 808: Deposit of Personal Funds Declaration (if applicable).** Must be filed within 24 hours after actual deposit of minimum level of funds.

CC 2.190.060(E).

Q: Where do I file Form 800 and Form 808?

A: Originals are filed with the Registrar-Recorder/County Clerk (RR/CC) Campaign Finance/Proposition B Unit, Room 2003.

Q: How can I terminate my committee?

A: Complete and file a Form 410: Statement of Organization to terminate your committee.

Q: What other forms should I know about? When are they due?

A: Required State campaign finance forms include:

▸ **700: Statement of Economic Interests.**
File by close of nomination period.

▸ **501: Candidate Intention.**
File together with nomination document filing OR before accepting money.

▸ **497: Late Contribution Report.**
File within 24 hours of receipt of contribution or loan.

▸ **470: Expenditures less than $2,000 (no committee).**
Forms 460 and 470 have established filing deadlines. Contact RR/CC Campaign Finance/Proposition B Unit.

▸ **460: Recipient Committee Campaign Statement.**

▸ **410: Statement of Organization. (Or Termination of Committee Form)**
When $2,000 in contributions or expenditures is reached, file the original with Secretary of State and a copy with L.A. County. This form is also used to terminate non-active committees.

CONTRIBUTIONS

Q: How much money can I receive from each contributor?

A: The RR/CC notifies each candidate of the contribution limits applicable to his/her race. For an explanation of how the limits are calculated, see "Summary of Proposition B," pages 8-12.

Q: When may I start raising funds?

A: Proposition B establishes the following time frames:

- Board of Supervisors: 15 months before election.
- Assessor, Sheriff and District Attorney: 18 months before election.

More information on fundraising time limits are detailed on page 11.

CC 2.190.090

Q: May my family members (spouse, sister, cousins, uncles, etc.) make contributions?

A: Yes, but they are subject to contribution limits.

CC 2.190.040

Q: May my relatives loan money to my campaign? Does that count toward the $20,000 limit on personal loan funds?

A: Yes, relatives may loan money to your campaign. However, contribution limits apply to such loans. Further, loans from the community property of a spouse count toward the $20,000 limit.

Q: Do non-monetary contributions count toward loan or contribution limits?

A: As this is a complex issue, please call the California Fair Political Practices Commission at (866) 275-3772 if clarification is needed about non-monetary contributions.

Q: May I accept contributions from a political action committee or political party?

A: Yes, but they are subject to contribution limits.

CC 2.190.040

Q: How will I know if contribution limits are adjusted?

A: Information is available by calling the Proposition B Unit. The RR/CC will also notify each candidate in writing if contribution limits are adjusted.

VOLUNTARY EXPENDITURE LIMITS (VEL)

Q: What is the Voluntary Expenditure Limit (VEL)?

A: On the Form 800, each candidate may elect to voluntarily limit the total expenditures by his or her campaign to an amount calculated by the RR/CC.

CC 2.190.050

Q: What are my benefits of accepting an expenditure limit?

A: The contribution limit increases for you.

CC 2.190.040; CC 2.190.050 and CC 2.190.070

Q: What if I DO NOT accept a VEL?

A: The contribution limit for you will not increase. CC 2.190.040. Also, you will not qualify for the possible additional contribution limits set forth in CC 2.190.070.

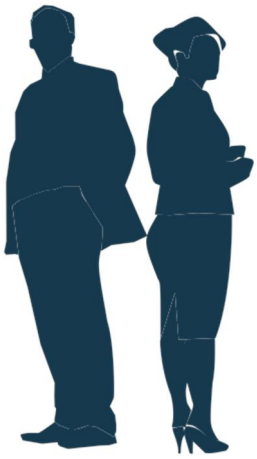
Q: Do VEL's apply to each election?

A: Yes, separate limits apply to primary and general elections. Amounts depend on the office being sought.

CC 2.190.050

Q: How will I know if my opponents exceed the limit?

A: The RR/CC will notify each candidate in writing if contribution limits are adjusted.



PERSONAL FUNDS

Q: May I loan money to my campaign?

A: Yes, but the outstanding balance cannot exceed $20,000 at any one point in time.

CC 2.190.060

Q: I'm running for County office. What are the limits on personal contributions to my campaign?

A: Your limit is based on whether you commit to a VEL and the extent to which you and the other candidates agree to a Voluntary Personal Funds Option.

CC 2.190.040; CC 2.190. 070 (See "Summary of Proposition B," pages 8-12).

FUNDRAISING PERIODS / TIMING

Q: For how long after an election may I continue to accept contributions to my campaign account?

A: Six months after the election.

Q: Must I file "Late Contribution Reports" as State candidates do?

A: Yes, Proposition B does not change any campaign disclosure requirements found in State law.

VIOLATIONS AND ENFORCEMENT

Q: What are the possible consequences of violating this County ordinance?

A: Any person who knowingly violates any provision of Proposition B is guilty of a misdemeanor which may be punished by imprisonment in County jail up to six months or a fine up to $1,000, or both.

In addition, violators shall be subject to a civil penalty and/or administrative fine of up to three times the amount by which the applicable expenditure or contribution limit has been exceeded, or $5,000, whichever is greater.

CC 2.190.140

SUMMARY OF PROPOSITION B

Prepared by Los Angeles County Counsel

The County of Los Angeles has adopted an ordinance (commonly referred to as "Proposition B") which regulates campaign contributions to candidates for elective County offices. Proposition B applies to candidates running for the offices of Assessor, District Attorney, Sheriff, and members of the Board of Supervisors. The following pages contain a summary of the major provisions of Proposition B. A copy of the ordinance, including the most recent amendments, is included. Please refer to the ordinance for complete information.

General Rules Regarding Contributions

"Contribution" is defined as including a payment, a forgiveness of a loan, a payment of a loan by a third party, an enforceable promise to make a payment, and a loan or an extension of credit for a period of more than 30 days (other than loans or extensions of credit from financial institutions given in the regular course of business upon terms and conditions generally available to other customers of that financial institution).

Contributions to a candidate through intermediaries are prohibited.

Contributions from political parties and political action committees are permitted subject to contribution limits. Contributions from political action committees are subject to an aggregate cap of $150,000.

Contribution Limits

Candidates are prohibited from soliciting or accepting a contribution which exceeds $300.

However, this $300 limit may be increased, depending on options selected by a candidate and his/her opponents. For example, if a candidate agrees to, and does not exceed, the voluntary expenditure limit, the contribution limit is increased to $1,500.

This limit may be further increased to $7,500 or $15,000 or removed entirely, depending upon which "personal funds option" is selected by a candidate and his/her opponents. (See Contribution (Including Loans) of Candidates' Personal Funds, below.)

The applicable contribution limit is effective in both the primary and general elections.

Voluntary Expenditure Limits

At least 60 days prior to the time for filing for a primary election, the Registrar-Recorder/County Clerk calculates the applicable voluntary expenditure limit for County elective offices. For Assessor, District Attorney, and Sheriff, the limit is $0.25/resident of the County, as indicated in the most recent census. For Supervisor, the voluntary expenditure limit is $0.75/resident of the applicable Supervisorial district, as indicated by the most recent census. If there is a need for a general election, there shall be a separate voluntary expenditure limit for that election which shall be the same as the limit for the primary election.

Each candidate must file a declaration (Form 800), under the penalty of perjury, by the filing deadline for the primary election, and no later than 30 days after the primary election for the general election (Form 800), indicating whether he/she elects to be bound by the voluntary expenditure limits. This declaration may be amended no more than twice prior to the end of nomination period for each election respectively to reflect changes.

If a candidate agrees to be bound by the voluntary expenditure limit, the total expenditures by the candidate or his/her controlled committee shall not exceed that limit.

Contributions (Including Loans) of Candidates' Personal Funds

For the primary and/or the general election, whichever is applicable, a candidate may voluntarily agree to limit his/her contribution of personal funds. Each candidate must indicate one of the following options regarding limiting his/her contributions of personal funds (Form 800):

- He/she will not contribute more than $50,000 (the "$50,000 personal funds option").

- He/she will not contribute more than $100,000 (the "$100,000 personal funds option").

- He/she will not contribute more than $300,000 (the "$300,000 personal funds option").

- He/she does not agree to any limitations on contributions of personal funds (the "unlimited personal funds option").

If a candidate agrees to a limit on contributions of his/her personal funds, the total of personal funds contributed by the candidate, including the outstanding balance of unpaid loans, shall not exceed that limit.

The contribution limits do not apply to personal funds of the candidate, but they do apply to personal funds of the separate property of the spouse of the candidate. Contributions from the community property of the candidate and his/her spouse are considered a contribution from the personal funds of the candidate.

A candidate is prohibited from personally making loans to his/her campaign or to the candidate's controlled committee which have a total outstanding balance at any one point in time of more than $20,000.

A loan is considered a contribution; therefore, the amount of unpaid loans is included when calculating the total amount of personal funds a candidate has contributed to his/her campaign.

Interrelationship of Contributions and Expenditure Limits

A candidate who commits to the $50,000 personal funds option and agrees to the voluntary expenditure limit will have his/her contribution limit adjusted as follows:

- $7,500, if any of his/her opponents committed to the $100,000 personal funds option;

- $15,000, if any of his/her opponents committed to the $300,000 personal funds option;

- No limit, if any of his/her opponents committed to the unlimited personal funds option.

A candidate who commits to the $100,000 personal funds option and agrees to the voluntary expenditure limit will have his/her contribution limit adjusted as follows:

- $7,500, if any of his/her opponents committed to the $300,000 personal funds option;

- $15,000, if any of his/her opponents committed to the unlimited personal funds option.

When the expenditures of a candidate (or his/her controlled committee) who has chosen the $50,000 or $100,000 personal funds option but who has not agreed to be bound by the voluntary expenditure limit reach more than 75% of the voluntary expenditure limit, the voluntary expenditure limit is doubled for each other candidate who has agreed to be bound by it.

When a candidate chooses either the $300,000 personal funds option or the unlimited personal funds option, and does not agree to be bound by the voluntary expenditure limit, each other candidate for that office is not bound by the voluntary expenditure limit to which they have agreed, but will continue to be bound by the applicable contribution limit.

Fundraising Time Limits

Candidates for **Assessor, District Attorney,** and **Sheriff,** and their controlled committees, may not accept contributions earlier than eighteen months prior to the applicable primary or general election nor later than six months after that primary or general election.

Candidates for **Supervisor,** and their controlled committees, may not accept contributions earlier than fifteen months prior to the applicable primary or general election nor later than six months after that primary or general election.

Distribution of Excess Funds

Unspent and/or excess funds in a campaign account, officeholder account, or attorney's fees fund may, in addition to any other method allowed by law, be disposed of by contribution to a bonafide charitable, educational, civic, religious or similar tax exempt nonprofit organization, so long as no substantial part of the proceeds will have a material financial effect on the candidate, the County officeholder, his/her campaign treasurer, any individual with authority to approve the expenditure of the unspent funds, or a member of his/her immediate family.

Unspent funds from a primary election may be carried over for use in the general election. Expenditure and contribution limits will apply as if no funds were carried over.

Officeholder Accounts

Each person holding a County office is allowed one officeholder account, subject to the following restrictions:

- No County officeholder may make more than $75,000 in expenditures or accept more than $75,000 in contributions in any calendar year. However, in calculating each of these limits, expenditures made in connection with the receipt of contributions should be deducted.

- No County officeholder who is running for County office may make any expenditures from his/her officeholder account during the period beginning six months prior to the primary election, and ending on the day after the primary election, or if the candidate is in a general election, ending the day after the general election.

- No person may contribute more than $1,500 in a calendar year to an officeholder account. This amount is in addition to any applicable campaign contribution limit.

- A maximum of $10,000 of unspent campaign funds from each primary and each general election may be transferred by a candidate to his/her officeholder account. Such transferred funds do not count toward the maximum contribution limit of $75,000.

- Officeholder account funds may only be expended or disbursed for matters reasonably related to a legislative or governmental purpose and may only be used for expenses related to assisting, serving, or communicating with constituents, or carrying out the official duties of the County officeholder. They may not be used to pay expenses related to a campaign for County office.

- Contributions to, expenditures from, and all other activity regarding officeholder accounts must be reported according to the campaign account reporting requirements of the Political Reform Act.

Attorney's Fees Fund

County officeholders and candidates for County offices may maintain a fund separate from campaign funds and officeholder accounts to pay attorney's fees to defend actions related to holding County office, running for County office, or for the purpose of obtaining advice regarding the administration of this or other campaign laws. There is no expenditure limit on an attorney's fees fund, but there is a contribution limit of $1,500 per calendar year from any person.

Contributions to, expenditures from and all other activities regarding attorney's fees funds must be reported according to the campaign account reporting requirements of the Political Reform Act.

Termination of Committees

If you ceased to receive contributions, make expenditures, have no intention or ability to discharge all debts, loans received, and other obligations or have no funds in a committee account, then you should complete a form 410 Statement of Organization to terminate your committee.

Lobbyist Contributions

County officials and candidates for County office may not solicit or accept contributions to a campaign or officeholder account or to an attorney's fees fund from any person or firm registered under the County lobbying ordinance as a lobbyist or lobbying firm or who has been so registered during the previous twelve months.

Tax Agent Contributions

No Assessor or candidate for Assessor may solicit or accept any contribution to his or her campaign for the office of Assessor or to his or her officeholder account or attorney's fees fund from any person who is a tax agent, or otherwise performed the duties of a tax agent, at any time in the previous 12 months. No person who is a tax agent, or otherwise performed the duties of a tax agent at any time in the previous 12 months, shall make any contribution to the Assessor or candidate for Assessor. (Ordinance effective December 13, 2012)

Violations and Enforcement

Violations of any provisions of Proposition B may be punished by imprisonment in County jail up to six months or a fine up to $1,000, or both. In addition, violators may be subject to a civil penalty and/or administrative fine of up to three times the amount by which the applicable expenditure or contribution limit has been exceeded, or $5,000, whichever is greater. Both the Registrar-Recorder/County Clerk and the District Attorney may receive and investigate complaints regarding violations. Any person residing in the County may bring a civil action to enjoin violations of or compel compliance with the provisions. (84566-Ver.3)

Complete Text of Proposition B
Title 2 ADMINISTRATION
CHAPTER 2.190 POLITICAL CAMPAIGNS FOR COUNTY OFFICES

2.190.010 Findings.

A. The people of the County of Los Angeles find that as the cost of campaigning for County office increases, there is the need to raise larger and larger amounts of money, much of which may come from interest groups with a stake in matters pending before County officers. While citizens of the County should be allowed to make financial contributions to political campaigns for County offices as a legitimate form of participation in the political process, there is a need to reduce the opportunity for persons or organizations to use their financial strength to attempt to exercise control over candidates and the electoral process.

B. 1. The Board of Supervisors finds that events that came to light beginning in 2011, and more recently in 2012, in the County of Los Angeles have generated questions regarding the integrity of the Assessor's office. Felony indictments by the District Attorney of the County's elected Assessor, Assessor employees, one tax agent, and an ongoing criminal investigation of the Assessor's office and additional staff, have eroded the public's confidence in the elected Assessor. In addition, numerous investigative media reports have alleged significant "pay to play" activities within the Assessor's office.

2. The Assessor manages the County's property tax assessment roll, representing a value of approximately $14 billion per year. The Assessor, whose fundamental duty it is to fairly determine the value of property so that fair and accurate tax bills may be issued and collected, has a clear fiduciary obligation to the taxpayers of the County. It is crucial that there be public confidence in the elected Assessor and his or her staff, and that property taxes in the County are assessed legally, properly, without special-interest influence, and in a manner that is equitable to all property owners and the citizens of the County.

3. The District Attorney's investigation has resulted in the filing of two criminal complaints alleging that political contributions to the County's Assessor from at least one tax agent were made to ensure that properties represented by the tax agent were assigned values far below their fair market value, resulting in unwarranted property tax refunds paid by the County to property owners. The tax agent, in turn, received a percentage of the tax refunds as a fee for services. The criminal complaints demonstrate that the County's elected Assessor and at least two Assessor employees allegedly personally interceded on cases involving the tax agent in order to enroll the values requested by him. The investigation paints a disturbing picture of "pay to play" activities, which would result in lost revenue to the County, its taxing agencies, and every taxpayer in the County. Such allegations of unethical conduct undermine the credibility of the Assessor's office, compromise its ability to carry out its lawful functions, erode the public trust in the tax assessment process, and present an appearance of corruption.

4. According to the first indictment and arrest warrant filed on May 16, 2012, by the District Attorney, one Assessor office employee was charged with 60 felony counts, including keeping false records or making false entry or erasure of accounts of public moneys by reducing property values in exchange for contributions and/or favors to the County's Assessor. The indictment alleges that various reductions in property values were made without supervisor approval or documentation or evidence in support of the change, on properties represented by known campaign donors to the County's Assessor, and

include conduct such as: (a) reducing a newly appraised property value of $4 million to $2.8 million while that parcel was scheduled for assessment appeal hearing; (b) changing the base value of a parcel with a new purchase price of $2.15 million to $1.5 million; (c) reducing the value of a parcel from $3.11 million to $2.1 million after denying a decline in value request submitted one year after a parcel was purchased and without the applicant submitting comparables or evidence; (d) attempting to reduce the value of a parcel from $15.8 million to $10 million, without any pending application submitted to the Assessor's office for review; (e) reducing a parcel value from $9.1 million to $6 million after another appraiser had denied reduction because market value was in excess of the assessment; (f) reducing a parcel value from $3.4 million to $2.3 million, and another from $1.76 million to $950,000, without any pending applications submitted to the Assessor's office for review; and (g) reducing a value found by the Assessment Appeals Board of $2.7 million to $1.7 million although having no authority to override a Board found value.

5. On October 16, 2012, the District Attorney filed a second indictment containing 31 felony counts against the County's elected Assessor, one Assessor employee, and one tax agent, charging them each with multiple counts including bribery, misappropriation of funds, perjury, embezzlement and conspiracy.

6. While the Board recognizes that the Assessor's office has many honest and hardworking employees, the criminal complaint alleges a pattern and practice of corruption or the appearance of corruption within the office, assigning requested value changes for political supporters or on property represented by political supporters.

7. The criminal complaint alleges that the County's Assessor accepted at least four payments totaling $185,000 from a tax agent with appeals pending before the Assessment Appeals Board and failed to report the payments on his Statement of Economic Interest. The criminal complaint further alleges that the same tax agent made payments of approximately $100,000 to another Assessor employee. Additionally, multiple witnesses interviewed by the District Attorney's office stated that tax agents who contributed to the County Assessor's campaign had extraordinary access to him, as well as priority with regard to matters relating to properties they represented.

8. For example, four parcels of property which comprised the site of a landmark Hollywood eatery were purchased for $14 million. Following payments to the County's Assessor from a tax agent who represented the owners of the parcels, the values of the four parcels were reduced to $7.6 million, $6.3 million and $4.8 million for tax years 2008, 2009, and 2010 respectively. One month after receiving tax refunds, the parcels sold for $21 million.

9. The Board of Supervisors has a substantial interest in maintaining the integrity of the tax rolls and ensuring that revenues due to the public are properly and legally assessed and collected without undue influence. Such interest includes protecting the rights of taxpayers, holding tax agents to the highest ethical standards, and reducing the opportunity to influence the County's Assessor and his or her employees through contributions in order to receive tax reductions or special treatment.

10. The Board of Supervisors therefore finds that an amendment to this chapter is necessary and proper to prevent actual corruption or the appearance of corruption and to further its purposes by strengthening the laws governing contributions to the County's Assessor or candidates for Assessor by limiting the ability for the Assessor to use his or her official position to influence decisions on assessment matters where tax agents have contributed to Assessor campaigns, officeholder accounts, or attorney's fees funds.

(Ord. 2012-0046 § 1, 2012: Ord. 96-0041 § 1 (part), 1996.)

2.190.020 Purpose and declaration of intent.

The purpose of the ordinance codified in this chapter is to reduce the opportunity for corruption of the political process by establishing rules for the conduct of political campaigns for County offices. In recognition that the courts have limited the ability of the government to place mandatory ceilings on either overall campaign expenditures or the expenditure by a candidate of his or her personal funds, it is the intent of the ordinance codified in this chapter to establish voluntary limits on such expenditures. This chapter also establishes mandatory limits on the amount any one person can contribute to a campaign, the level of which varies based upon the extent to which the candidates for a particular office have agreed to be bound by the voluntary expenditure limits. It is not the intent of the ordinance codified in this chapter that it have any impact, or place any limits, on recall election campaigns.
(Ord. 96-0041 § 1 (part), 1996.)

2.190.030 Definitions.

The following phrases, whenever used in this chapter, shall be construed as defined in this section:

A. "Bundling of contributions" means the making of contributions to a candidate through another person or entity who acts as an intermediary or conduit.

B. "Campaign expenditure" means any "expenditure" as that term is defined in Government Code Section 82025 which is made by a candidate or his or her controlled committee in furtherance of that candidate's effort to be elected to a County office. Campaign expenditures occurring at any time up to and including the date of the primary election, even if prior to the filing for office, shall be considered campaign expenditures related to the primary election. If the candidate is a candidate in the general election, campaign expenditures occurring after the date of the primary election shall be considered campaign expenditures related to the general election, except to the extent any expenditure is to repay a debt incurred for the primary election prior to the primary election, in which case the expenditure will be a campaign expenditure related to the primary election.

C. "Candidate" means an individual, with regard to any primary or general election for either a Countywide office or supervisor, who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials or who receives a contribution or makes any expenditure with a view to bringing about his or her nomination or election.

D. "Committee" shall have the meaning set forth in Government Code Section 82013.

E. "Contribution" shall have the meaning set forth in Government Code Section 82015, except that as used in this chapter, "contribution" shall also include a loan or an extension of credit for a period of more than 30 days, other than loans or extensions of credit from financial institutions which are given in the regular course of business upon terms and conditions generally available to other customers of that financial institution.

F. "Controlled committee" shall have the meaning set forth in Government Code Section 82016.

G. "Countywide office" means the Sheriff, the District Attorney and the Assessor of the County of Los Angeles.

H. "Registrar-Recorder" means the Registrar-Recorder/County Clerk for the County of Los Angeles.

I. "Personal funds of the candidate" means both the community and separate property of the candidate.

"Personal funds of the spouse of the candidate" means only the separate property of the spouse.

J. "Political action committee" means any "general purpose committee" or "County general purpose committee" as those terms are defined by Government Code Section 82027.5.

K. "Political party" means any "qualified party" as described in Elections Code Section 5100.

L. "Inter-Candidate Transfer" means the transfer of campaign funds from a candidate as defined by Government Code Section 82007 or Section 2.190.030 C to any other candidate.

M. "Intra-Candidate Transfer" means the transfer of campaign funds between controlled committees of a single candidate as defined by Government Code Section 82007 or Section 2.190.030 C.

N. "Primary election" shall also include a special election, and "general election" shall also include the runoff for a special election.

O. "Person" shall have the meaning set forth in Government Code Section 82047.

P. "Supervisor" means a member of the Board of Supervisors of the County of Los Angeles.

Q. "Tax agent" means any individual who is employed, is under contract, or otherwise receives compensation to communicate directly, or through agents, employees or subcontractors, with the Assessor, an Assessment Appeals Board member, an Assessment Hearing Officer, or any other County employee within the Office of the Assessor whose duties are not primarily clerical or manual, for the purpose of influencing by any means, including promoting, supporting, influencing, seeking modification of, opposing or seeking delay of any official action which shall include locating all taxable property in the County, identifying ownership, establishing a taxable value for all property subject to property taxation, including the initial value, declines in value, corrections to values and any other changes in the taxable value set, completing an assessment roll showing the assessed values of all property, applying all legal exemptions to assessments, and deciding all property assessment disputes between taxpayers and the Assessor, if a substantial or regular portion of the activities for which he or she receives such compensation is for the purpose of influencing official action.

A tax agent shall not include:

1. An elected or appointed public official or public employees when acting in his or her official capacity;
2. An enrolled agent pursuant to Part 10 of Title 31 of the Code of Federal Regulations; or
3. A person representing any of the following:
   a. Himself or herself;
   b. An immediate family member; or
   c. An entity of which the person is a partner, officer, or owner of ten percent or more of the value of the entity.

(Ord. 2012-0046 § 2, 2012: Ord. 2011-0040 § 1, 2011: Ord. 96-0041 § 1 (part), 1996.)

2.190.035 Maintenance of accounts and records.

It shall be the duty of each candidate to maintain such detailed accounts, records, bills and receipts as are necessary to prepare campaign statements and to comply with the provisions of this chapter. The detailed accounts, records, bills and receipts that are maintained shall be retained by the filer for a period of four (4) years. Each candidate shall provide the detailed accounts, records, bills and receipts upon request by the Registrar-Recorder. (Ord. 2006-0001 § 4, 2006.)

2.190.040 Contribution limits.

A. Except as otherwise provided in subsection B of this section or Section 2.190.070, other than a political party, no person or committee, including political action committees and controlled committees, shall make to any candidate or any candidate's controlled committee, and no candidate or his or her controlled committee shall solicit or accept, any contribution from any person or committee, including political action committees and controlled committees, which exceeds $300.00 for each primary election campaign and $300.00 for each general election campaign.

B. Except as otherwise provided in Section 2.190.070, if either in a primary election campaign or in a general election campaign, a candidate commits to and does not exceed the voluntary expenditure limit set forth in Section 2.190.050, the contribution limits set forth in subsection A of this section shall be increased to $1,500.00 for that primary or that general election campaign.

C. No candidate or his or her controlled committee shall solicit or accept a total amount exceeding $150,000.00 for each primary election campaign and $150,000.00 for each general election campaign, from all political action committees, other than controlled committees or a political party, combined.

D. No political party shall make to any candidate or any candidate's controlled committee, and no candidate or his or her controlled committee shall solicit or accept, any contribution from any political party which exceeds $6,500.00 for each primary election campaign and $6,500.00 for each general election campaign. (Ord. 2011-0040 § 2, 2011: Ord. 96-0041 § 1 (part), 1996.)

2.190.050 Voluntary expenditure limit.

A. For each primary and for each general election for each County office, there shall be a voluntary expenditure limit on total campaign expenditures by each candidate. At least 60 days prior to the close of candidate filing for each primary election, the Registrar-Recorder shall calculate and make available to all interested persons the amount of the voluntary expenditure limit for each County office which will be on the primary election ballot. The amount so calculated shall be the amount of the voluntary expenditure limit for each candidate in the primary election. If there is a need for a general election, there shall be a separate voluntary expenditure limit for that election, but the dollar amount of the voluntary expenditure limit for the general election shall be the same as that applicable to the primary election. The amount of the voluntary expenditure limit which shall be applicable separately to each primary and each general election shall be calculated as follows:

1. For each Countywide office the voluntary expenditure limit shall be $.25 per resident of the County as shown in the most recent federal decennial census.

2. For supervisor the voluntary expenditure limit shall be $.75 per resident of the applicable supervisorial district as shown in the most recent federal decennial census.

B. No later than the close of filing for a primary election, and no later than thirty days after the primary election for a general election, each candidate shall file with the Registrar-Recorder a declaration signed under penalty of perjury stating whether the candidate agrees to be bound by the voluntary expenditure limit for the applicable primary or general election campaign of that candidate.

C. If a candidate agrees to be bound by the voluntary expenditure limit for a primary or for a general election campaign, the total expenditures by that candidate and his or her controlled committee for the applicable primary or general election campaign shall not exceed the voluntary expenditure limit. (Ord. 2001-0094 § 2, 2001: Ord. 96-0041 § 1 (part), 1996.)

2.190.060 Contribution of candidate's personal funds.

A. The contribution limits set forth in Section 2.190.040 shall not apply to the personal funds of the candidate, but shall apply to the personal funds of the spouse of the candidate. Any contribution made to a candidate or to his or her controlled committee from the community property of the candidate and his or her spouse shall be considered a contribution from the personal funds of the candidate.

B. No candidate shall personally make loans to his or her campaign for county office or to his or her controlled committee which have a total outstanding balance at any one point in time of more than $20,000.00.

C. While there is no mandatory limit under this chapter on the contribution of the personal funds of the candidate to his or her campaign for county office other than the loan limitation set forth in subsection B of this section, a candidate may voluntarily agree to limit his or her contribution of personal funds, as set forth in subsection D of this section.

D. No later than the close of filing for a primary election, and no later than thirty days after the primary election for a general election, each candidate shall file with the Registrar-Recorder a declaration signed under penalty of perjury committing to one of the following options relating to the contribution of the personal funds of the candidate to his or her campaign for County office:

1. That during the primary or the general election, whichever is applicable, the candidate will not make a total contribution of the personal funds of the candidate to his or her campaign for county office exceeding $50,000.00. This option shall be known as the "$50,000.00 personal funds limit option;"

2. That during the primary or the general election, whichever is applicable, the candidate will not make a total contribution of the personal funds of the candidate to his or her campaign for county office exceeding $100,000.00. This option shall be known as the "$100,000.00 personal funds limit option;"

3. That during the primary or the general election, whichever is applicable, the candidate will not make a total contribution of the personal funds of the candidate to his or her campaign for county office exceeding $300,000.00. This option shall be known as the "$300,000.00 personal funds limit option;"

4. That during the primary or the general election, whichever is applicable, the candidate will not agree to any limitation on the total contribution of the personal funds of the candidate to his or her campaign for county office. This option shall be known as the "unlimited personal funds option."

E. In each primary election and in each general election, each candidate for county office who has chosen the $100,000.00 personal funds limit option, within 10 days after filing his or her declaration with the Registrar-Recorder as set forth in subsection D of this section, shall contribute an amount which is in excess of $50,000.00 of the personal funds of that candidate to his or her campaign for county office by depositing such an amount in his or her campaign account. Within 24 hours after making such a deposit of the personal funds of the candidate in his or her campaign account, the candidate shall file with the Registrar-Recorder, under penalty of perjury, a declaration stating that he or she has made such a deposit of his or her personal funds.

F. In each primary election and in each general election, each candidate for county office who has chosen the $300,000.00 personal funds limit option, within 10 days after filing his or her declaration with the Registrar-Recorder as set forth in subsection D of this section, shall contribute an amount which is in excess of $100,000.00 of the personal funds of that candidate to his or her campaign for county office

by depositing such an amount in his or her campaign account. Within 24 hours after making such a deposit of the personal funds of the candidate in his or her campaign account, the candidate shall file with the Registrar-Recorder, under penalty of perjury, a declaration stating that he or she has made such a deposit of his or her personal funds.

G. In each primary election and in each general election, each candidate for county office who has chosen the unlimited personal funds option, within 10 days after filing his or her declaration with the Registrar-Recorder as set forth in subsection D of this section, shall contribute an amount which is in excess of $300,000.00 of the personal funds of that candidate to his or her campaign for county office by depositing such an amount in his or her campaign account. Within 24 hours after making such a deposit of the personal funds of the candidate in his or her campaign account, the candidate shall file with the Registrar-Recorder, under penalty of perjury, a declaration stating that he or she has made such a deposit of his or her personal funds.

H. If a candidate agrees to a personal funds limit pursuant to subsection D.1., D.2., or D.3. of this section for a primary or for a general election campaign, the total of personal funds contributed by the candidate to his campaign for the applicable primary or general election campaign, including the outstanding balance of unpaid loans, shall not exceed that personal funds limit.

I. Any candidate who, prior to the effective date of the amendment to this section enacting the $50,000.00 personal funds limit option set forth in subsection D.1., had filed the declaration required by subsection D, shall have the opportunity to submit a revised declaration committing to one of the options set forth in subsection D. Upon the effective date of that amendment, the Registrar-Recorder shall provide written notification by certified mail to each such candidate of the opportunity to file a revised declaration. Such revised declaration shall be signed under the penalty of perjury and shall be filed no later than the close of filing for the primary election in 2002.
(Ord. 2001-0094 § 3, 2001: Ord. 96-0041 § 1 (part), 1996.)

2.190.070 Interrelationship of contribution and expenditure limits.

A. If either in a primary or in a general election any candidate for a particular county office commits to the $100,000.00 personal funds limit option pursuant to Section 2.190.060 D.2. for that primary or that general election, for each other candidate for that office who has committed to the voluntary expenditure limit set forth in Section 2.190.050 and who has chosen the $50,000.00 personal funds limit option pursuant to Section 2.190.060 D.1., the contribution limit shall be increased to five times the amount in Section 2.190.040 B.

B. If either in a primary or in a general election any candidate for a particular county office commits to the $300,000.00 personal funds limit option pursuant to Section 2.190.060 D.3. for that primary or that general election, for each other candidate for that office who has committed to the voluntary expenditure limit set forth in Section 2.190.050 and who has chosen the $50,000.00 personal funds limit option pursuant to Section 2.190.060 D.1., the contribution limit shall be increased to ten times the amount in Section 2.190.040 B.

C. If either in a primary or in a general election any candidate for a particular county office commits to the $300,000.00 personal funds limit option pursuant to Section 2.190.060 D.3., for that primary or that general election, for each other candidate for that office who has committed to the voluntary expenditure limit set forth in Section 2.190.050 and who has chosen the $100,000.00 personal funds limit option pursuant to Section 2.190.060 D.2., the contribution limit shall be increased to five times the amount in Section 2.190.040 B.

D. Notwithstanding subsections A or B of this section, if either in a primary or in a general election any candidate for a particular county office commits to the unlimited personal funds option pursuant to Section 2.190.060 D.4. for that primary or that general election, for each other candidate for that office who has both committed to the voluntary expenditure limit set forth in Section 2.190.050 and chosen the $50,000.00 personal funds limit option pursuant to Section 2.190.060 D.1., the otherwise applicable contribution limit as set forth in Section 2.190.040 B shall be removed.

E. Notwithstanding subsections A or C of this section, if either in a primary or in a general election any candidate for a particular county office commits to the unlimited personal funds option pursuant to Section 2.190.060 D.4. for that primary or that general election, for each other candidate for that office who has both committed to the voluntary expenditure limit set forth in Section 2.190.050 and chosen the $100,000.00 personal funds limit option pursuant to Section 2.190.060 D.2., the contribution limit shall be increased to ten times the amount in Section 2.190.040 B.

F. If either in a primary or in a general election any candidate for a particular county office has chosen either the $50,000.00 personal funds limit option pursuant to Section 2.190.060 D.1. or the $100,000.00 personal funds limit option pursuant to Section 2.190.060 D.2. but has declined to be bound by the voluntary expenditure limit set forth in Section 2.190.050, at such point in time when the total expenditures of that candidate and his or her controlled committee exceed an amount equal to 75 percent of the voluntary expenditure limit set forth in Section 2.190.050 applicable to that office for that election, the voluntary expenditure limit for each other candidate running for that same office in that same election who has agreed to be bound by the voluntary expenditure limit shall be double the amount set forth in Section 2.190.050.

G. If either in a primary or in a general election any candidate for a particular county office has chosen either the $300,000.00 personal funds limit option pursuant to Section 2.190.060 D.3. or the unlimited personal funds option pursuant to Section 2.190.060 D.4., and that candidate has also declined to commit to the voluntary expenditure limit set forth in Section 2.190.050, no other candidate for that office in that same primary or general election shall be bound by any voluntary expenditure limit to which he or she has otherwise committed. When voluntary expenditure limits are removed under this subsection, any candidate who had agreed to a voluntary expenditure limit under Section 2.190.050 shall continue to be bound by the contribution limit set forth in Section 2.190.040 B, unless that limit is removed by some other provision of this chapter.

H. Within 5 business days of receiving the declarations required by Sections 2.190.050 B and 2.190.060 D for all candidates, the Registrar-Recorder shall provide written notification by certified mail to each candidate of the contribution limit applicable to that candidate as determined pursuant to this section.

I. If the Registrar-Recorder determines that there exists sufficient evidence that a candidate who filed a declaration pursuant to Section 2.190.050 B agreeing to be bound by the voluntary expenditure limit has made expenditures which exceed that limit, for each other candidate for that office, the voluntary expenditure limit shall be adjusted in accordance with subsections D or E of this section, whichever is applicable. Within 2 business days of making this determination, the Registrar-Recorder shall provide written notification by certified mail to each such affected candidate of the adjusted expenditure limit.

J. If the Registrar-Recorder determines that there exists sufficient evidence that a candidate who filed a declaration pursuant to Sections 2.190.060 D.1., D.2., or D.3., agreeing to be bound by a personal funds limit has contributed personal funds exceeding that limit, for each other candidate for that office, the contribution limit shall be adjusted in accordance with subsections A, B, or C of this section, whichever is applicable. Within 2 business days of making this determination, the Registrar-Recorder shall provide

written notification by certified mail to each such affected candidate of the adjusted contribution limit. (Ord. 2001-0094 § 4, 2001: Ord. 96-0041 § 1 (part), 1996.)

2.190.080 Bundling of contributions and contributions from committees.

A. The bundling of contributions to a candidate or to his or her controlled committee is prohibited.

B. Notwithstanding subdivision A of this section, a candidate as defined by Section 2.190.030 C or Government Code Section 82007, may make, and a candidate or his or her controlled committee may solicit or accept, inter-candidate transfers subject to the limits established by Section 2.190.040 A and B.

C. Notwithstanding subdivision A of this section, or the limits established by Section 2.190.040 A and B, a candidate as defined by Section 2.190.030 C or Government Code section 82007, may make, and a candidate or his or her controlled committee may accept, intra-candidate transfers. Contributions transferred shall be attributed to specific contributors using a "last in, first out" accounting method, and these attributed contributions when aggregated with all other contributions from the same contributor shall not exceed the limits set forth in Section 2.190.040 A and B.

D. Notwithstanding subdivision A of this section, a political action committee may contribute to any candidate or a candidate's controlled committee, and a candidate or his or her controlled committee may solicit or accept any contribution from any political action committee, subject to the limits set forth in Section 2.190.040 A, B and C.

E. Notwithstanding subdivision A of this section, a political party may contribute to any candidate or a candidate's controlled committee, and a candidate or his or her controlled committee may solicit or accept any contribution from any political party, subject to the limits set forth in Section 2.190.040 D. (Ord. 2011-0040 § 3, 2011: Ord. 96-0041 § 1 (part), 1996.)

2.190.090 Fundraising time limits.

A. Neither a candidate for a county-wide office nor his or her controlled committee may accept contributions for either his or her primary election campaign or his or her general election campaign earlier than 18 months prior to the applicable primary or general election or later than six months after that primary or general election.
(Quick tips: See page 4. Form 800 must be filed 30 days after the Primary Election for a General Election)

B. Neither a candidate for supervisor nor his or her controlled committee may accept contributions for either his or her primary election campaign or his or her general election campaign earlier than 15 months prior to the applicable primary or general election or later than six months after that primary or general election.
(Ord. 96-0041 § 1 (part), 1996.)

2.190.100 Officeholder accounts.

Each person holding a county office is allowed one segregated officeholder account which shall be subject to the following restrictions:

A. No county officeholder shall accept contributions to his or her officeholder account which total more than $75,000.00 in any calendar year, after deducting therefrom the amount of any expenditures made from this account in connection with the receipt of such contributions.

B. No county officeholder shall make expenditures from his or her officeholder account which total more than $75,000.00 in any calendar year. This $75,000.00 limit shall not include any expenditures made from this account in connection with the receipt of contributions to this account.

C. No county officeholder who is a candidate for county office in a primary election shall make any expenditures whatsoever from his or her officeholder account during the period beginning six months prior to that primary election and ending on the day after that primary election if the officeholder is not a candidate in the general election, or ending on the day after the general election if the officeholder is a candidate in the general election.

D. No person shall contribute to the officeholder account of any county officer in excess of $1,500.00 in any calendar year. Said amount shall be in addition to any applicable limits on campaign contributions set forth in this chapter.

E. Unspent campaign funds related to an election to county office which were accumulated prior to November 5, 1996, may be transferred by the candidate to his or her officeholder account. After November 5, 1996, a maximum of $10,000.00 of unspent campaign funds from each primary and each general election campaign may be transferred by the candidate to his or her officeholder account. Unspent campaign funds transferred to an officeholder account as allowed by this section shall not count toward the contribution limits in this section.

F. Officeholder account funds may be expended or disbursed for the purposes for which campaign funds may be expended or disbursed as set forth in Article 4 (beginning with Section 89510) of Chapter 9.5 of Title 9 of the Government Code, except that officeholder account funds shall only be used for expenses related to assisting, serving or communicating with constituents, or with carrying out the official duties of the elected county officer and may not be used to pay expenses related to a campaign for county office of an officeholder who is a candidate for county office.

G. Any county officeholder who maintains an officeholder account shall report contributions to, expenditures from, and all other activities of that account in accordance with the requirements for the filing of campaign statements as set forth in Government Code Section 84200 et seq., as it is currently written or as it may be amended.
(Ord. 2011-0040 § 4, 2011: Ord. 2001-0094 § 5, 2001: Ord. 96-0041§ 1 (part), 1996.)

2.190.110 Attorney's fees fund.

A. Any person who holds county office or who is or was a candidate for county office may maintain a fund, separate from campaign funds and any officeholder account, to pay attorney's fees to defend actions related to holding county office or running for county office, or for the purpose of obtaining advice regarding the administration of this or other campaign laws. There shall be no expenditure limit on any such fund, but no person maintaining such a fund may accept as a contribution to such fund more than $1,500.00 per calendar year from any person. Unspent campaign funds related to an election to county office which were accumulated prior to November 5, 1996, may be transferred by the candidate to his or her attorney's fees fund, and any such transfer will not count toward the contribution limits in this section.

B. Any person who holds county office or who is or was a candidate for county office who chooses to maintain an attorney's fees fund shall report contributions to, expenditures from, and other activities of that fund in accordance with the requirements for the filing of campaign statements as set forth in Government Code Section 84200 et seq., as it is currently written or as it may be amended.
(Ord. 2011-0040 § 5, 2011: Ord. 2001-0094 § 6, 2001: Ord. 96-0041 § 1 (part), 1996.)

2.190.120 Distribution of excess funds.

Unspent and/or excess funds in the campaign account of a candidate for county office, or in an officeholder account or an attorney's fees fund allowed by this chapter, may, in addition to any other method allowed by law, be disposed of by contribution to a bona fide charitable, educational, civic, religious, or similar tax-exempt, nonprofit organization, where no substantial part of the proceeds will have a material financial effect on the candidate for county office, county officeholder, his or her campaign treasurer, any individual or individuals with authority to approve the expenditure of campaign funds, officeholder account funds or attorney's fees funds, or a member of his or her immediate family. If a candidate in a primary election becomes a candidate in the general election for that office, unspent funds from the primary campaign may be carried over for use in that candidate's general election campaign and all expenditure and contribution limits will continue to apply as if no funds were carried over.
(Ord. 2011-0040 § 6, 2011: Ord. 96-0041 § 1 (part), 1996.)

2.190.130 Lobbyist contributions.

No county official or candidate for county office shall solicit or accept any contribution to his or her campaign for county office or to his or her officeholder account or attorney's fees fund from any person or firm who is registered under Chapter 2.160 as a county lobbyist or county lobbying firm or who has been so registered at any time in the previous 12 months. No person or firm who is registered under Chapter 2.160 as a county lobbyist or county lobbying firm or who has been so registered at any time in the previous 12 months shall make any contribution to any county official or candidate for county office.
(Ord. 2006-0001 § 5, 2006: Ord. 96-0041 § 1 (part), 1996.)

2.190.135 Tax agent contributions.

No Assessor or candidate for Assessor shall solicit or accept any contribution to his or her campaign for the office of Assessor or to his or her officeholder account or attorney's fees fund from any person who is a tax agent, or otherwise performed the duties of a tax agent, at any time in the previous 12 months. No person who is a tax agent, or otherwise performed the duties of a tax agent at any time in the previous 12 months, shall make any contribution to the Assessor or candidates for Assessor.
(Ord. 2012-0046 § 3, 2012)

2.190.140 Violations and enforcement.

A. Any person who knowingly violates any provision of this chapter, is guilty of a misdemeanor which may be punished by imprisonment in the county jail for not exceeding six months, or by a fine not exceeding $1,000.00, or by both.

B. In addition to the penalty set forth in subsection A and C of this section, any person who intentionally or negligently violates any section of this chapter shall be subject to a civil penalty of up to three times the amount by which any applicable expenditure or contribution limit has been exceeded or $5,000.00, whichever is greater.

C. (1) In addition to the penalties set forth in subsections A and B of this section, any person who intentionally or negligently violates any provision of this chapter which prohibits or limits contributions shall be subject to an administrative fine, issued pursuant to chapter 1.25 of this code, of up to three times the amount by which any applicable contribution limit has been exceeded or $5,000.00, whichever is greater. Notwithstanding the provisions of chapter 1.25 of this code, in imposing the administrative fine, the Registrar-Recorder shall issue a notification of violation setting forth the intent to issue a proposed administrative fine and set a hearing date. The purpose of the hearing would be to allow the

candidate the opportunity to challenge the fine and also to allow the hearing officer, if so requested by the Registrar-Recorder, to make recommendations as to the appropriateness of the proposed fine and its amount, through a process which may include taking evidence and testimony, and calling witnesses. Should the candidate choose not to challenge the fine, the Registrar-Recorder may, at his discretion, determine the amount of the fine without a hearing and without a recommendation from a hearing officer. Whether or not a violation is inadvertent, negligent or deliberate, and the presence or absence of good faith shall be considered by the Registrar-Recorder in determining the amount of the administrative fine to be imposed.

(2) Notwithstanding the provisions of subsection C (1) above, no administrative fine shall be issued if a contribution received in violation of this chapter is returned and the candidate submits an amended campaign statement reflecting that the contribution has been returned within thirty (30) days of the date in which the candidate has actual knowledge of the contribution or the date of the filing a campaign statement required by Government Code § 84200 et seq. or by this chapter on which such contribution is reported, whichever is earlier.

D. The Registrar-Recorder shall be responsible for the administration of this chapter, which shall include, but is not limited to, the receipt and review of mandatory candidate filings, investigation of any potential violations of this chapter reflected in those filings, and receipt and investigation of complaints that a person has violated any provision of this chapter. Additionally, the Registrar-Recorder shall be designated the enforcement officer responsible for final determination and imposition of administrative fines to be issued and for appearances before the administrative hearing officer as provided for in §§ 1.25.050 and 1.25.060 of this code, in addition to the provisions of this chapter. The Registrar-Recorder shall also recommend rules governing this chapter. Such rules shall be effective if approved by a majority vote of the Board of Supervisors.

E. The Registrar-Recorder and the District Attorney shall receive and investigate complaints that a person has violated a provision of this chapter. When the Registrar-Recorder has evidence of a violation of this chapter, he or she shall give initial notice of the violation to the District Attorney. In addition, the Registrar-Recorder shall provide notification of the final resolution of each violation to the District Attorney.

F. The District Attorney shall be the enforcement officer responsible for prosecution of the civil penalties and criminal charges. In addition, any person residing in the county may bring a civil action to enjoin violations of this chapter or to compel compliance with any provision of this chapter by following the procedures set forth in Government Code Sections 91003 et. seq., except that the civil prosecutor shall be the District Attorney.

G. Within 60 days after the enactment or any amendment of this chapter the Registrar-Recorder and the District Attorney shall each designate persons within their respective offices who will be responsible for the enforcement and administration of the duties assigned to them under this chapter. Nothing in this chapter shall preclude the County from contracting with a state agency to administer and/or enforce any provision of this chapter, including conducting administrative hearings pursuant to Government Code Section 27727.

(Ord. 2011-0040 § 7, 2011: Ord. 2006-0001 § 6, 2006: Ord. 96-0041 § 1 (part), 1996.)

2.190.150 Amendment.

This chapter may be amended only if the amendment is approved by at least a four-fifths vote of the Board of Supervisors and only as follows:

A. To increase the various contribution and expenditure limits to reflect equivalent increases in the cost of living;

B. The amendment is necessary to make this chapter consistent with state law or judicial actions interpreting this or similar laws; or

C. If the Board of Supervisors finds that the amendment otherwise furthers the purposes of this chapter.

(Ord. 96-0041 § 1 (part), 1996.)

2.190.160 Severability.

A. Notwithstanding Section 2.190.070 or any other provision of this chapter, if any provision of this chapter, or its application to any person or circumstance, is held invalid, the remainder of this chapter to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this chapter are severable.

B. If the voluntary expenditure limits set forth in Section 2.190.050 are held invalid, the contribution limit set forth in subsection B of Section 2.190.040 shall apply unless the Board of Supervisors by at least a four-fifths vote sets the amount at a higher level.
(Ord. 96-0041 § 1 (part), 1996.)

Title 2 ADMINISTRATION
CHAPTER 2.195 ELECTRONIC CAMPAIGN DISCLOSURE FILINGS

2.195.010 Purpose.

The purpose of this Ordinance is to require candidates for Countywide office or supervisor, committees supporting or opposing those candidates, and committees supporting or opposing County ballot measures, to file certain campaign statements and reports electronically when certain dollar thresholds are met in order to facilitate expeditious access to these documents by the public. (Ord. No. 2014-0025 § 1, 2014.)

2.195.020 Findings.

A. The Board of Supervisors finds that timely public access to campaign statements and reports regarding contributions and expenditures is vital to ensure the transparency and integrity of campaigns within Los Angeles County.

B. Effective January 1, 2013, Government Code section 84615 authorizes local governments to require the online or electronic filing of campaign statements and reports, or other documents required to be filed pursuant to Chapter 4 of Title 9 of the Government Code (commencing with section 84100).

C. The Board of Supervisors finds that reducing the filing of campaign statements and reports in paper format, and requiring online or electronic filing of the statements and reports required by this chapter will expedite the public's access to the information disclosed in campaign statements and reports, as well as conserve resources of County staff who must currently process the involved campaign statements and reports manually when filed in paper format.

D. The Board of Supervisors finds that the County's online or electronic filing system will operate securely and effectively for this purpose and would not unduly burden filers.
(Ord. No. 2014-0025 § 1, 2014.)

2.195.030 Definitions.

A. The words and terms contained in this Chapter shall have the same definitions as provided for such words and terms in the Political Reform Act of 1974, as amended (Government Code section 81000 et seq.), and as supplemented from time to time by the Regulations of the Fair Political Practices Commission (Title 2, Division 6 of the California Code of Regulations), unless a word or term is specifically defined in Chapter 2.190 of this Code, in which case such definition shall apply to any candidates or committees governed by Chapter 2.190 of this Code.

B. Any reference to "reports and statements" in this Chapter shall mean California Form 460 and all corresponding schedules.
(Ord. No. 2014-0025 § 1, 2014.)

2.195.040 Application.

This Chapter applies to any candidate or committee governed by Chapter 2.190 of this Code, and to any committee supporting or opposing any County ballot measure. (Ord. No. 2014-0025 § 1, 2014.)

2.195.050 Electronic Campaign Disclosures.

A. Each candidate or committee governed by Chapter 2.190 of this Code, and each committee supporting or opposing any County ballot measure, that receives a total of ten thousand dollars ($10,000) or more in contributions, or makes a total of ten thousand dollars ($10,000) or more in expenditures, within the applicable reporting period, shall electronically file campaign statements and reports with the Registrar-Recorder pursuant to the relevant deadlines and timeframes provided by the Political Reform Act of 1974, as amended (Government Code section 81000 et seq.), and as supplemented from time to time by the Regulations of the Fair Political Practices Commission (Title 2, Division 6 of the California Code of Regulations).

B. Once a candidate or committee is subject to this Chapter, electronic filing will continue to be required until the candidate or committee files a termination statement pursuant to Government Code section 84214.

C. All reports and statements filed electronically under this Chapter shall be signed under penalty of perjury and verified by the filer pursuant to Government Code section 81004, on the form provided by the Registrar-Recorder, within 5 business days of filing.

D. All electronic filings required pursuant to this Chapter shall be free of charge.

E. A candidate or committee that is not required to file statements and reports electronically, may do so voluntarily, and will not be required to also file in paper format if electronic reports are filed.

F. This Chapter shall be applicable to candidate and committee filings due on or after July 31, 2014.
(Ord. No. 2014-0025 § 1, 2014.)

2.195.060 Violations and Enforcement.

A. Violations of any provision of this Chapter shall be subject to the fines and penalties authorized under Government Code section 91013.

1. Nothing in this Chapter supersedes or otherwise modifies any deadline or duty to file statements or reports within the times prescribed by law.

2. No paper format submissions will be accepted by the Registrar-Recorder when electronic filing is required under this Chapter.

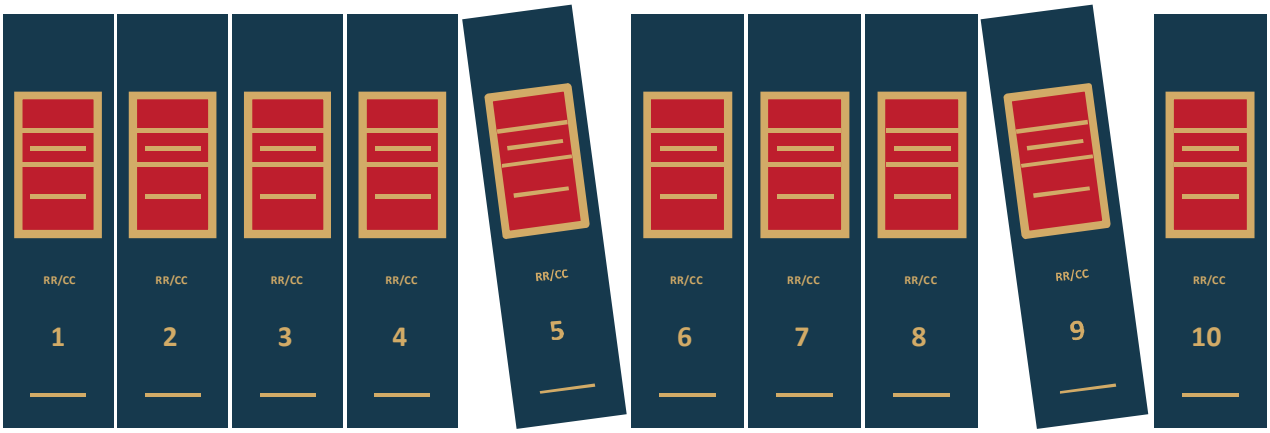
B. The Registrar-Recorder shall be responsible for administration of this Chapter, including investigating alleged violations and imposing fines and penalties, as set forth herein.
(Ord. No. 2014-0025 § 1, 2014.)

2.195.070 Severability.

If any provision of this Chapter, or its application to any person or circumstance, is held invalid, the remainder of this Chapter to the extent it can be given effect, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this Chapter are severable. (Ord. No. 2014-0025 § 1, 2014.)

Title 1 GENERAL PROVISIONS

CHAPTER 1.25 ADMINISTRATIVE FINES AND NONCOMPLIANCE FEES FOR CODE VIOLATIONS



1.25.040 Administrative fines.

A. Each violation of any provision of this code and each separate offense designated by this code shall be subject to an administrative fine, as provided for in this chapter.

B. The amount of the administrative fine shall be determined by the enforcement officer, based on the nature and extent of the violation and the particular circumstances of the responsible person(s), subject to the following limitations:

1. If this code designates the violation as an infraction, the amount of the administrative fine shall not exceed the maximum amount provided for in Section 25132 of the California Government Code, for fines applicable to infractions; and,

2. Unless otherwise specified in this code, for all other violations of this code, the amount of the administrative fine shall not exceed $1,000.
(Ord. 2006-0014 § 2, 2006; Ord. 2006-0001 § 1, 2006: Ord. 2005-0013 § 1 (part), 2005.)

California Government Code
Sections Referenced in Proposition B

82007.
"Candidate" means an individual who is listed on the ballot or who has qualified to have write-in votes on his or her behalf counted by election officials, for nomination for or election to any elective office, or who receives a contribution or makes an expenditure or gives his or her consent for any other person to receive a contribution or make an expenditure with a view to bringing about his or her nomination or election to any elective office, whether or not the specific elective office for which he or she will seek nomination or election is known at the time the contribution is received or the expenditure is made and whether or not he or she has announced his or her candidacy or filed a declaration of candidacy at such time. "Candidate" also includes any officeholder who is the subject of a recall election. An individual who becomes a candidate shall retain his or her status as a candidate until such time as that status is terminated pursuant to Section 84214. "Candidate" does not include any person within the meaning of Section 301(b) of the Federal Election Campaign Act of 1971.

82013.
"Committee" means any person or combination of persons who directly or indirectly does any of the following:

(a) Receives contributions totaling two thousand dollars ($2,000) or more in a calendar year;

(b) Makes independent expenditures totaling one thousand dollars ($1,000) or more in a calendar year; or

(c) Makes contributions totaling ten thousand dollars ($10,000) or more in a calendar year to or at the behest of candidates or committees.

A person or combination of persons that becomes a committee shall retain its status as a committee until such time as that status is terminated pursuant to Section 84214.

82015.
(a) "Contribution" means a payment, a forgiveness of a loan, a payment of a loan by a third party, or an enforceable promise to make a payment except to the extent that full and adequate consideration is received, unless it is clear from the surrounding circumstances that it is not made for political purposes.

(b) (1) A payment made at the behest of a committee as defined in subdivision (a) of Section 82013 is a contribution to the committee unless full and adequate consideration is received from the committee for making the payment.

(2) A payment made at the behest of a candidate is a contribution to the candidate unless the criteria in either subparagraph (A) or (B) are satisfied:

(A) Full and adequate consideration is received from the candidate.

(B) It is clear from the surrounding circumstances that the payment was made for purposes unrelated to his or her candidacy for elective office. The following types of payments are presumed to be for purposes unrelated to a candidate's candidacy for elective office:

(i) A payment made principally for personal purposes, in which case it may be considered a gift under the provisions of Section 82028. Payments that are otherwise subject to the limits of Section 86203 are presumed to be principally for personal purposes.

(ii) A payment made by a state, local, or federal governmental agency or by a nonprofit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(iii) A payment not covered by clause (i), made principally for legislative, governmental, or charitable purposes, in which case it is neither a gift nor a contribution. However, payments of this type that are made at the behest of a candidate who is an elected officer shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made.

The report shall be filed by the elected officer with the elected officer's agency and shall be a public record subject to inspection and copying pursuant to the provisions of subdivision (a) of Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar ($5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source must be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, state agencies shall forward a copy of these reports to the Fair Political Practices Commission, and local agencies shall forward a copy of these reports to the officer with whom elected officers of that agency file their campaign statements.

(C) For purposes of subparagraph (B), a payment is made for purposes related to a candidate's candidacy for elective office if all or a portion of the payment is used for election-related activities. For purposes of this subparagraph, "election-related activities" shall include, but are not limited to, the following:

(i) Communications that contain express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(ii) Communications that contain reference to the candidate's candidacy for elective office, the candidate's election campaign, or the candidate's or his or her opponent's qualifications for elective office.

(iii) Solicitation of contributions to the candidate or to third persons for use in support of the candidate or in opposition to his or her opponent.

(iv) Arranging, coordinating, developing, writing, distributing, preparing, or planning of any communication or activity described in clauses (i), (ii), or (iii), above.

(v) Recruiting or coordinating campaign activities of campaign volunteers on behalf of the candidate.

(vi) Preparing campaign budgets.

(vii) Preparing campaign finance disclosure statements.

(viii) Communications directed to voters or potential voters as part of activities encouraging or assisting persons to vote if the communication contains express advocacy of the nomination or election of the candidate or the defeat of his or her opponent.

(D) A contribution made at the behest of a candidate for a different candidate or to a committee not controlled by the behesting candidate is not a contribution to the behesting candidate.

(3) A payment made at the behest of a member of the Public Utilities Commission, made principally for legislative, governmental, or charitable purposes, is not a contribution. However, payments of this type shall be reported within 30 days following the date on which the payment or payments equal or exceed five thousand dollars ($5,000) in the aggregate from the same source in the same calendar year in which they are made. The report shall be filed by the member with the Public Utilities Commission and shall be a public record subject to inspection and copying pursuant to subdivision (a) of Section 81008. The report shall contain the following information: name of payor, address of payor, amount of the payment, date or dates the payment or payments were made, the name and address of the payee, a brief description of the goods or services provided or purchased, if any, and a description of the specific purpose or event for which the payment or payments were made. Once the five-thousand-dollar ($5,000) aggregate threshold from a single source has been reached for a calendar year, all payments for the calendar year made by that source must be disclosed within 30 days after the date the threshold was reached or the payment was made, whichever occurs later. Within 30 days after receipt of the report, the Public Utilities Commission shall forward a copy of these reports to the Fair Political Practices Commission.

(c) "Contribution" includes the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events; the candidate's own money or property used on behalf of his or her candidacy other than personal funds of the candidate used to pay either a filing fee for a declaration of candidacy or a candidate statement prepared pursuant to Section 13307 of the Elections Code; the granting of discounts or rebates not extended to the public generally or the granting of discounts or rebates by television and radio stations and newspapers not extended on an equal basis to all candidates for the same office; the payment of compensation by any person for the personal services or expenses of any other person if the services are rendered or expenses incurred on behalf of a candidate or committee without payment of full and adequate consideration.

(d) "Contribution" further includes any transfer of anything of value received by a committee from another committee, unless full and adequate consideration is received.

(e) "Contribution" does not include amounts received pursuant to an enforceable promise to the extent those amounts have been previously reported as a contribution. However, the fact that those amounts have been received shall be indicated in the appropriate campaign statement.

(f) "Contribution" does not include a payment made by an occupant of a home or office for costs related to any meeting or fundraising event held in the occupant's home or office if the costs for the meeting or fundraising event are five hundred dollars ($500) or less.

(g) Notwithstanding the foregoing definition of "contribution," the term does not include volunteer personal services or payments made by any individual for his or her own travel expenses if the payments are made voluntarily without any understanding or agreement that they shall be, directly or indirectly, repaid to him or her.

(h) "Contribution" further includes the payment of public moneys by a state or local governmental agency for a communication to the public that satisfies both of the following:

(1) The communication expressly advocates the election or defeat of a clearly identified candidate or the qualification, passage, or defeat of a clearly identified measure, or, taken as a whole and in context, unambiguously urges a particular result in an election.

(2) The communication is made at the behest of the affected candidate or committee.

82027.5.
(a) “General purpose committee” means all committees pursuant to subdivisions (b) or (c) of Section 82013, and any committee pursuant to subdivision (a) of Section 82013 which is formed or exists primarily to support or oppose more than one candidate or ballot measure, except as provided in Section 82047.5.

(b) A “state general purpose committee” is a political party committee, as defined in Section 85205, or a committee to support or oppose candidates or measures voted on in a state election, or in more than one county.

(c) A “county general purpose committee” is a committee to support or oppose candidates or measures voted on in only one county, or in more than one jurisdiction within one county.

(d) A “city general purpose committee” is a committee to support or oppose candidates or measures voted on in only one city.

82047.
“Person” means an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert.

NOTES

DEAN C. LOGAN
REGISTRAR-RECORDER/COUNTY CLERK

COUNTY OF LOS ANGELES
REGISTRAR-RECORDER/COUNTY CLERK
12400 IMPERIAL HIGHWAY – P.O. BOX 1024
NORWALK, CALIFORNIA 90651-1024

CAMPAIGN FINANCE SECTION AND PROPOSITION B UNIT: (562) 462-3000

LAvote.net