

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF MONTEREY AMENDING CHAPTER 1.10 OF THE MONTEREY COUNTY CODE RELATING TO LOCAL POLITICAL CAMPAIGN DISCLOSURE

County Counsel Summary

This ordinance amends Chapter 1.10 of the Monterey County Code to authorize and require electronic filing of campaign disclosure statements, reports, and other required documents with the Registrar of Voters of Monterey County. The ordinance includes findings that the online filing system will operate securely and effectively and will not unduly burden filers. Under this ordinance, elected officers, candidates, committees, or other persons for whom the Registrar of Voters is the filing officer will be required, with few exceptions, to file campaign disclosure statements, reports, and other required documents electronically using the Registrar of Voters' online filing system.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Subdivision B of section 1.10.010 is amended to add the following sentence:

“Registrar of Voters” means the Registrar of Voters of Monterey County.

SECTION 2. Section 1.10.020 of the Monterey County Code is amended to read as follows:

1.10.020 Duties of candidates and committees.

Each candidate for elected office, each committee supporting or opposing a candidate for elected office, and each committee supporting or opposing a County-wide ballot measure, shall file ~~two copies of~~ all campaign statements, reports, or other documents required pursuant to the Political Reform Act. Said filing shall conform to the filing requirements of this chapter in addition to any other requirements of state law.

SECTION 3. Section 1.10.022 is added to the Monterey County Code to read as follows:

1.10.022 Electronic filing of campaign statements and reports.

A. The Board of Supervisors hereby authorizes the Registrar of Voters to use and implement an online or electronic filing system in accordance with California Government Code section 84615.

B. The Board of Supervisors finds that the Registrar of Voters' online filing system will operate securely and effectively and will not unduly burden filers.

C. Each elected officer, candidate, committee, or other person who is required to file statements, reports, or other documents required by Chapter 4 (commencing with Section 84100) of the California Government Code, except an elected officer, candidate, committee, or other person who receives contributions totaling less than one thousand dollars (\$1,000) and makes expenditures totaling less than one thousand dollars (\$1,000) in a calendar year, must file those statements, reports, or other documents online or electronically with the Registrar of Voters. This requirement applies only to elected officers, candidates, committees, or other persons for whom the Registrar of Voters is the filing officer. Notwithstanding any other provision of law, any statement, report, or other document filed electronically pursuant to this section shall not be required to be filed with the Registrar of Voters in paper format.

D. In any instance in which the original campaign 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 County, such copy may, at the option of the filer, be filed locally electronically using the Registrar of Voters' online filing system.

E. The Registrar of Voters shall maintain, for a period of at least ten years or for a period longer than ten years if required by state law, a secured, official version of each electronic statement, report, or other document filed pursuant to this section, which shall serve as the official version of that record for purpose of audits and any other legal purpose. Data that has been maintained for at least the required period, which shall be at least ten years or longer if required by state law, may then be archived in a secure format.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 5. This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this ____ day of _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mary L. Adams, Chair
Monterey County Board of Supervisors

A T T E S T:

GAIL T. BORKOWSKI
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM

WENDY S. STRIMLING
Senior Deputy County Counsel