

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS  
STATE OF CALIFORNIA  
June 22, 2021

Ordinance  
No. 20210622o3161

**AN ORDINANCE OF THE COUNTY OF CALAVERAS,  
ADDING CHAPTER 2.90 TO THE COUNTY CODE  
REGARDING ELECTRONIC FILING OF CAMPAIGN  
REPORTS, STATEMENTS, AND OTHER CAMPAIGN  
DOCUMENTS**

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

Section 1. FINDINGS.

1. The Board of Supervisors finds that public access to campaign disclosure information is a vital and integral component of a fully informed electorate. Transparency in campaign financing is critical in order to maintain public trust and support of the political process.
2. Since the enactment of the Political Reform Act, candidates and committees have complied with filing requirements by filing paper copies of campaign statements and reports. The County Clerk & Registrar of Voters has expended a significant amount of staff time to then make such paper filings readily available to the public.
3. Passage of AB 2151, codified as Government Code §84616, requires local government agencies to post redacted campaign statements and reports on their agency's website, within 72 hours of each applicable filing deadline, beginning January 1, 2021.
4. Government Code §84615 allows local agencies to require an elected officer, candidate, committee, or other person to file campaign reports and statements online or electronically with the local filing officer.
5. The Board of Supervisors finds that eliminating manual processing of filings; electronic filing requirements will conserve resources and ensure the public has access to information disclosed in campaign statements and reports in a timelier manner. The electronic filing system will operate securely and effectively and will not unduly burden filers.

Section 2. A new Chapter 2.90, "Electronic filing of campaign disclosures" is added to the Calaveras County Code to read in full as follows:

Sections:

2.90.010	Purpose
2.90.020	Authority
2.90.030	Relationship to the Political Reform Act of 1974
2.90.040	Definitions
2.90.050	Electronic Filing Requirements
2.90.060	Application of Ordinance

2.90.010 PURPOSE.

The purpose of this Ordinance is to require online electronic filing of campaign statements and disclosures and require online reporting of contributions and independent expenditures regarding elections of candidates to County offices and the qualification or passage of local ballot measures within the County of Calaveras as currently required under the Political Reform Act, (commencing with California Government Code §84600 et seq.) in order to facilitate review and maximize the availability of this information to the public.

2.90.020 AUTHORITY.

This Ordinance is adopted pursuant to California Government Code §81013 which authorizes local agencies to impose additional requirements on any person so long as the requirements do not prevent the person from complying with the Political Reform Act.

2.90.030 RELATIONSHIP TO THE POLITICAL REFORM ACT OF 1974.

This Ordinance is intended to supplement the Political Reform Act as amended. Unless a word or term is specifically defined in this Ordinance or the contrary is stated or clearly appears from the context, words and terms shall have the same meaning as when they are used in Title 9 of the California Government Code, in which the Political Reform Act is codified, and as supplemented by the Regulations of the Fair Political Practices Commission as set forth in Title 2, Division 6 of the California Code of Regulations ("Regulations"), as well as any amendments to the Act or to the Regulations. If any provision of this Ordinance is held invalid, the terms of the Act and its Regulations control and supersede the terms of this Ordinance to the extent necessary to bring this Ordinance into full compliance therewith.

#### 2.90.040 DEFINITIONS.

The following definitions used in this Ordinance shall have the meanings set forth below.

- a. Candidate has the same meaning as set forth in Government Code §82007.
- b. Committee has the same meaning as set forth in Government Code §82013. A person or combination of persons that becomes a committee shall retain its status as a committee until that status is terminated pursuant to California Government Code §84214. A Committee includes but is not limited to "Controlled Committee", "Independent Committee", and "General Purpose Committee".
- c. Contribution shall mean the same as that defined at Government Code §82015.
- d. Controlled Committee means a Committee which is controlled directly or indirectly by a Candidate or which acts jointly with a Candidate or Controlled Committee in connection with the making of expenditures. A Candidate controls a Committee if he or she, his or her agent, or any other Committee such Candidate controls has a significant influence on the actions or decisions of the Committee.
- e. General Purpose Committee shall mean a committee to support or oppose candidates or measures voted on in only one county or in more than one jurisdiction within one county.
- f. Election and/or County Election means any primary, general, special or recall election held in the County of Calaveras.
- g. Independent Committee means all Committees other than Controlled Committees.
- h. Independent Expenditure means an expenditure made by any person including a payment of public monies by a state or local governmental agency, in connection with a communication which 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 but which is not made to or at the behest of the affected Candidate or Committee.
- i. 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. A Person shall include, but is not limited to, a Committee or Candidate.
- j. Political Reform Act means the California Political Reform Act of 1974 (Government Code §81000 et seq., as amended).
- k. Filing Officer means the office or officer with whom any statement or report is required to be filed under this title. The County Clerk has been designated the Local Filing Officer.

#### 2.90.050 ELECTRONIC FILING REQUIREMENTS.

The individuals and committees listed in Section 2.90.060 must utilize electronic filing for required statements, reports, or other filings described in that section.

#### 2.90.060 APPLICATION OF ORDINANCE.

The provisions of this Ordinance shall apply to:

1. Elected officers of Calaveras County, who are required to file statements, reports, or other documents pursuant to §84100 et seq. of the Government Code.

2. Candidates seeking elected office wholly within the County of Calaveras, their Controlled Committees or Committees formed or existing primarily to support or oppose their candidacies, and to Committees formed or existing primarily to support or oppose a Candidate or to support or oppose the qualification, passage or defeat of, a local ballot measure which is being voted on only in the County of Calaveras, and to Local General Purpose Committees active only in Calaveras County.
3. Calaveras County Officials and employees required to file Statements of Economic Interest pursuant to Government Code §87200 and those designated in the County's Conflict of Interest Code.

The requirement of this section shall not apply to an elected officer, candidate, committee, or other person required to file statements who receives contributions totaling less than two thousand dollars (\$2,000.00) and makes expenditures totaling less than two thousand dollars (\$2,000.00) in a calendar year.

Every elected officer, candidate, committee or other person required to file statements, reports, or other documents with the local filing officer pursuant to the Political Reform Act (commencing with section 84100 of the California Government Code) and that receives contributions totaling less than two thousand dollars (\$2,000.00) and makes expenditures totaling less than two thousand dollars (\$2,000) in a calendar year, may electronically file such documents using the online system according to procedures established by the local filing officer.

Section 3. SEVERABILITY.

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

Section 4. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days from the date of its passage pursuant to Government Code Section §25123.

<b>AYES:</b> Callaway, Folendorf, Stopper, Tofanelli, Garamendi
---

  
Benjamin Stopper, Chair

6/22/2021

**ATTEST**

  
Rebecca Turner, Clerk to the Board 6/22/2021