

**ORDINANCE NO. 1991**

**AN ORDINANCE RELATING TO THE ADOPTION OF ELECTRONIC FILING  
REQUIREMENTS FOR CAMPAIGN FINANCE DISCLOSURES**

(ADDING CHAPTER 1.01, Title 4, TO THE MERCED COUNTY CODE)

**THE BOARD OF SUPERVISORS OF THE COUNTY OF MERCED, STATE OF CALIFORNIA,  
ORDAINS AS FOLLOWS:**

**SECTION 1:** Chapter 1.01, Title 4, of the Merced County Code is hereby added as follows:

**CHAPTER 1.01  
ESTABLISHING ELECTRONIC FILING OF CAMPAIGN FINANCE DISCLOSURE**

- 1.01.010 Title
- 1.01.020 Purpose
- 1.01.030 Findings and Declarations
- 1.01.040 Electronic Filing of Campaign Statements

**Chapter 1.01 ELECTRONIC FILING OF CAMPAIGN FINANCE DISCLOSURE**

**1.01.010 Title.**

The ordinance codified in this chapter may be cited as the "Electronic Filing of Campaign Finance Disclosure" ordinance.

**1.01.020 Purpose.**

To require online electronic filing of campaign statements 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 Merced County as currently required under the Political Reform Act, (commencing with California Government Code Section 84200 et seq.) in order to facilitate review and maximize the availability of this information to the public.

**1.01.030 Findings and Declarations.**

The Merced County Board of Supervisors makes the following findings in support of the enactment of this ordinance:

1. Government Code Section 84615 currently provides that a local agency may adopt an ordinance to require an elected officer, candidate, committee, or other person required to file campaign disclosure statements, required by the Political Reform Act as stated in Government Code, title 9, chapter 4, Gov. Code, § 84100 et seq. except an elected officer, candidate, committee, or other person who receives contributions totaling less than two thousand dollars (\$2,000), and makes expenditures totaling less than two thousand dollars (\$2,000) in a calendar year, to file those statements, reports, or other documents online or electronically with a local filing officer.

2. Merced County has entered into an agreement with a vendor, approved by the California Secretary of State, to provide an online electronic filing system ("System") for campaign disclosure statements.

3. Merced County desires to adopt an ordinance requiring electronic filing of campaign statements.

4. Merced County 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.

5. 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 Merced County Registrar of Voters Office has expended a significant amount of staff time to make such paper filings readily available to the public.

6. In July 2012, the California Legislature approved Assembly Bill 2452 which authorizes local jurisdictions to require the filing of campaign statements and reports solely in an electronic format. The Governor approved the legislation on July 13, 2012 and it took effect on January 1, 2013.

7. Merced County finds that by 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.

#### **1.01.040 Electronic Filing of Campaign Statements**

(a) Any elected officer, candidate, committee or other person required to file statements, reports, or other documents required by the Political Reform Act as amended and as stated in Government Code, title 9, chapter 4 (Gov. Code, § 84100 et seq.), shall file those statements, reports, or other documents using the Registrar of Voters' online electronic filing system.

(b) This section does not apply to an elected officer, candidate, committee or other person who receives contributions totaling less than two thousand dollars (\$2,000), or makes expenditures totaling less than two thousand dollars (\$2,000), in a calendar year.

(c) In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the Registrar of Voters as well, the filer may elect to file the copy with the Registrar of Voters in paper format, or through the Registrar of Voters' online electronic filing system.

(d) If the Registrar of Voters' online electronic filing system is not capable of accepting a particular type of statement, report or other document, an elected officer, candidate, committee or other person shall file that document with the Registrar of Voters in an alternative format.

(e) Statements, reports, or other documents that are filed with the Registrar of Voters' online electronic filing system under this section do not also need to be filed in a paper format.

**SECTION 2. VALIDITY**

If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The Board of Supervisors hereby declare that they would have passed this ordinance, and each section, subsection, sentence, clause, word or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses words, or phrases be declared invalid or unconstitutional.

**SECTION 3. ENACTMENT**

This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption, and prior to the expiration of fifteen (15) days from the passage and adoption thereof, shall be published in a newspaper of general circulation printed and published in the County of Merced, State of California, together with the names of the members of the Board of Supervisors of the County of Merced, voting for or against the same.

The foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Merced, State of California at a regular meeting thereof held on the 9<sup>th</sup> day of June by the following vote:

**SUPERVISORS**

AYES: Rodrigo Espinoza, Lee Lor, Daron McDaniel, Lloyd Pareira, Scott Silveira

NOES: None

ABSENT: None

  
Rodrigo Espinoza  
Chairman, Board of Supervisors

ATTEST:

JAMES L. BROWN  
Clerk of the Board of Supervisors

By   
Deputy



APPROVED AS TO LEGAL FORM AND EFFECT:

MERCED COUNTY COUNSEL

By:   
Forrest W. Hansen