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ORDINANCE NO.

An ordinance of the County of San Bernardino, State of California, amending Sections 12.4302 and 12.4311 of the San Bernardino County Code, relating to the electronic filing of campaign statements.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. The Board of Supervisors hereby finds that: The online or electronic filing system to be used in conjunction with the process authorized by this ordinance will operate securely and effectively. The Registrar of Voters has been using NetFile for more than five years with satisfactory results. The online or electronic filing system will not unduly burden filers. NetFile has been used effectively by many filers to date. Furthermore, under this ordinance filers have the option to file in paper format only rather than electronically.

SECTION 2. Section 12.4302 of the San Bernardino County Code is amended to read:

12.4302 Purpose of the Chapter.

The United States Supreme Court has held that the purpose of a campaign reform ordinance must be to reduce corruption or the appearance of corruption in the electoral process, and that corruption in this context means "quid pro quo" corruption, that is, the contribution of money or resources for political favors. This chapter does this primarily in three ways. First, this chapter establishes a limit on the amount that individuals and entities may contribute to candidates for elective County office and their controlled committees. Second, with respect to such elections, this chapter prohibits the hiding of the identity of contributors through the making of contributions via intermediaries without disclosure. Such contributions are attributed to the real

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1 contributor and subject to the contribution limit. Third, with respect to all elections under
2 the jurisdiction of the Registrar of Voters, this chapter provides optional electronic filing
3 opportunities, in lieu of paper filing, for any elected officer, candidate, committee, or
4 other person required by the Political Reform Act to file statements, reports, or other
5 documents with the Registrar of Voters. All of these requirements are intended to make
6 it more difficult for candidates and influential individuals and entities to engage in quid
7 pro quo corruption, to make the financing of campaigns for elective ~~office more~~
8 transparent, and to make more information, especially financial information, regarding
9 candidates and their supporters available to voters.

Deleted: Third, this Chapter requires candidates, and persons or entities making independent expenditures (expenditures that are not coordinated with candidates), who raise or expend \$10,000.00 or more, to file campaign statements in an electronic form with the Registrar of Voters, thus making them more accessible to the public.

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11 SECTION 3. Section 12.4311 of the San Bernardino County Code is amended
12 to read:

13 **12.4311 Electronic Filing of Campaign Statements.**

14 (a) This section applies to any elected officer, candidate, committee, or other
15 person required by the Political Reform Act to file statements, reports, or other
16 documents with the Registrar of Voters. This section is not limited to filings pertaining to
17 elective County office.

Deleted: (a) Electronic Filing of Statements. Any candidate and the candidate's controlled committee that raises or spends at least \$10,000.00, or any other person, entity, or committee that raises or spends at least \$10,000.00, in any election in support of or opposition to a candidate, shall file all campaign statements in a format that is approved by the Registrar of Voters for electronic filing.¶

18 (b) Any elected officer, candidate, committee, or other person required by the
19 Political Reform Act to file statements, reports, or other documents required by Chapter
20 4 (commencing with Section 84100) of the Government Code, has the option to file
21 those statements, reports, or other documents online or electronically with the Registrar
22 of Voters.

23 (c) In any instance in which the original statement, report, or other document
24 is required to be filed with the Secretary of State and a copy of that statement, report, or
25 other document is required to be filed with the Registrar of Voters, the copy may, but is
26 not required to be, filed online or electronically.

27 (d) Any statement, report, or other document filed online or electronically
28 pursuant to this section is not be required to be filed with the Registrar of Voters in

1 paper format.

2 (e) The Registrar of Voters shall cause to be placed on the County's web site
3 a copy of each statement, report, or other document within one working day of the
4 statement, report, or other document being filed with the Registrar of Voters.

5 (f) The County shall comply with all applicable provisions of Government
6 Code section 84615.

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8 SECTION 4. This ordinance shall take effect 30 days from the date of adoption.

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11 CURT HAGMAN, Chairman
Board of Supervisors

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13 SIGNED AND CERTIFIED THAT A COPY
14 OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

15
16 LYNNA MONELL, Clerk of the
Board of Supervisors
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Deleted: (b)

Deleted: Placement of Statements on County's Website.

Deleted: campaign statement required by Subdivision (a)

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of the County of San
5 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
6 Supervisors of said County and State, held on the _____ day of _____, 2019,
7 at which meeting were present Supervisors: _____

8 and the Clerk, the foregoing ordinance was passed and adopted by the following vote,
9 to wit:

10 AYES: SUPERVISORS:

11 NOES: SUPERVISORS:

12 ABSENT: SUPERVISORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official
14 seal of the Board of Supervisors this _____ day of _____, 2019.

15 LYNNA MONELL, Clerk of the
16 Board of Supervisors of the
17 County of San Bernardino,
18 State of California

19 _____
20 Deputy

21 Approved as to Form:

22 MICHELLE D. BLAKEMORE
23 County Counsel

24 By: _____
25 KENNETH C. HARDY
26 Supervising Deputy County Counsel

27 Date: _____
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