ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING TITLE 1 OF THE RIVERSIDE MUNICIPAL CODE BY ADDING NEW CHAPTER 1.16 ENTITLED ELECTRONIC AND PAPERLESS FILING OF FAIR POLITICAL PRACTICE COMMISSION CAMPAIGN DISCLOSURE STATEMENTS

WHEREAS, 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 statements, reports or other documents required by Chapter 4 of the Political Reform Act (commencing with Section 84100 of the Government Code), except an elected officer, candidate, committee, or other person who receives contributions totaling less than $1,000 and makes independent expenditures totaling less than $2,000 in a calendar year, to file those statements, reports, or other documents online or electronically with the local filing officer; and

WHEREAS, the City has entered into an agreement with a vendor approved by the California Secretary of State to provide an online electronic filing system for campaign disclosure statements; and

WHEREAS, the City of Riverside desires to amend the Riverside Municipal Code to add Chapter 1.16 entitled "Electronic and Paperless Filing of Fair Political Practice Commission Campaign Disclosure Statements" regarding electronic filing of campaign disclosure statements.

NOW THEREFORE The City Council of the City of Riverside does ordain as follows:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. Findings. The City Council of the City of Riverside finds that the electronic filing system will operate securely and effectively and will not unduly burden filers. Specifically, (1) the electronic filing system will ensure the integrity of the date and includes safeguards against efforts to tamper with, manipulate, alter, or subvert the data; (2) the electronic filing system will only accept a filing in the standardized record format developed by the California Secretary of State and compatible with the Secretary of State's system for receiving and an online or electronic filing; (3) the electronic filing system will be available free of charge to filers and the public for viewing filings.

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These findings are based upon the vendor's approval by the California Secretary of State to provide these services and the representations of the vendor that the electronic filing system meets the requirements of Government Code Section 84615.

Section 3. Chapter 1.16, entitled "Electronic and Paperless Filing of Fair Political Practice Commission Campaign Disclosure Statements" is hereby added to the Riverside Municipal Code as shown in Exhibit "A" attached hereto and incorporated herein by reference.

Section 4. The City Council has reviewed the matter and, by based upon the facts and information contained in the staff report, administrative record, and written and oral testimony, hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change.

Section 5. The City Clerk shall certify to the adoption of this ordinance and cause publication once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

ADOPTED by the City Council this _____ day of _____, 2025.

_____
PATRICIA LOCK DAWSON
Mayor of the City of Riverside

Attest:

_____
DONESIA GAUSE
City Clerk of the City of Riverside

/ /

CITY ATTORNEY'S OFFICE
3750 UNIVERSITY AVE.
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I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the _____ day of _____, 2025, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the _____day of _____, 2025, by the following vote, to wit:

Ayes:

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this _____ day of _____, 2025.

_____
DONESIA GAUSE
City Clerk of the City of Riverside

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EXHIBIT "A"

CHAPTER 1.16 ELECTRONIC AND PAPERLESS FILING OF FAIR POLITICAL PRACTICE COMMISSION CAMPAIGN DISCLOSURE STATEMENTS

Sections:

1.16.010 Findings.
1.16.020 Purpose.
1.16.030 Authority.
1.16.040 Relationship to the Political Reform Act of 1974.
1.16.050 Definitions.
1.16.060 Application of Ordinance.
1.16.070 Electronic Campaign Disclosure.
1.16.080 Administrative Penalties.
1.16.090 Enforcement.
1.16.100 Severability.

Section 1.16.010 Findings.

A. The City Council of the City of Riverside 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.

B. 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 City has expended a significant amount of staff time to make such paper filings readily available to the public.

C. In July of 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 the law took effect on January 1, 2013 and has been codified as Government Code section 84615.

D. The City 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.

Section 1.16.020 Purpose.

The purpose of this Ordinance is to require online electronic filing of campaign statements and require online reporting of contributions and independent expenditures regarding elections of Candidates to City offices and the qualification or passage of local ballot measures within the City

as currently required under the Political Reform Act in order to facilitate review and maximize the availability of this information to the public.

Section 1.16.030 Authority.

This Ordinance is adopted pursuant to California Government Code Section 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.

Section 1.16.040 Relationship to the California 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 to be 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.

Section 1.16.050 Definitions.

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

A. "Candidate" means the same as that defined in California Government Code Section 82007 provided that the term shall be limited to Candidates for City office.

B. "City" means City of Riverside.

C. "Committee" means any person or combination of persons who, directly or indirectly, does any of the following: (1) receives Contributions totaling $1,000 or more in any calendar year; or (2) makes Independent Expenditures totaling $1,000 or more in any calendar year; 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 California Government Code Section 84214. A Committee includes but is not limited to "Controlled Committee", "Independent Committee", and "General Purpose Committee."

D. "Contribution" means the same as that defined in California Government Code Section 82015.

E. "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.

F. "General Purpose Committee" means a committee to support or oppose candidates or measures voted on in only one City, or in more than one jurisdiction within one County.

G. “Election” and/or “City Election” means any primary, general, special or recall election held in the City.

H. “Election Cycle” means the period of time commencing ninety (90) days prior to an Election and ending on the date of the Election.

I. “Independent Committee” means all Committees other than Controlled Committees.

J. “Independent Expenditure” means an expenditure made by any Person including a payment of public moneys 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.

K. “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.

L. “Political Reform Act” means the California Political Reform Act of 1974 (Government Code Sections 81000 et seq., as amended).

Section 1.16.060 Application of Ordinance.

The provisions of this Ordinance shall only apply to Candidates seeking election to a City office, 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 City, and to Local General Purpose Committees active only in the City. In the event a City Candidate also runs for a non-City office, the provisions of this Ordinance do not apply to the Local Candidate’s campaign for such other office, nor to any Committee established solely for the purpose of running for such state, federal, county, special district, or other non-City office.

Section 1.16.070 Electronic Campaign Disclosure.

A. Each Candidate, Candidate Controlled Committee and Independent Committee that is required to file a semi-annual campaign statement, a pre-election campaign statement, or an amended campaign statement with the City Clerk’s Office pursuant to the Political Reform Act, and that receives a total of $1,000 or more in Contributions or makes a total of $1,000 or more in Independent Expenditures, shall file the statement with the City Clerk’s Office in an electronic format.

B. In addition to any other report required by this Ordinance, all Persons subject to the requirements of Section A above shall file the following reports with the City Clerk’s Office in an electronic format:

1. A report disclosing a Contribution received by or made to a Candidate or local ballot measure, or an Independent Expenditure made for or against a Candidate or local ballot measure, of $1,000 or more during an Election Cycle. The report shall be filed within twenty-four (24) hours of the Independent Expenditure or receipt of the Contribution.

2. A report disclosing a Contribution received by or made to a Candidate or a local ballot measure, or an Independent Expenditure made for or against a Candidate or local ballot measure, of $1,000 or more at any time other than during an Election Cycle. The report shall be filed within ten (10) business days of the Independent Expenditure or receipt of the Contribution.

C. A Candidate or Committee that has filed an electronic statement or report is not required to file a paper copy.

D. Once a Candidate or Committee is subject to the electronic filing requirements imposed by this Ordinance, the Candidate or Committee will remain subject to the electronic filing requirements until the Candidate or Committee files a termination statement pursuant to the Political Reform Act.

E. Any Candidate or Committee not required to file an electronic statement or report by this Chapter may voluntarily opt to file an electronic statement or report by submitting written notice to the City Clerk's Office. A Candidate or Committee that opts to file an electronic statement or report is not required to file a paper copy.

Section 1.16.080 Administrative Penalties.

If any Person violates any provision of this Ordinance, he or she shall be liable to the City in the amount of $10 per day of violation, in addition to any other legal remedies provided by law. This amount shall be deemed a penalty in accordance with Government Code section 91013. The following procedures shall govern the imposition, enforcement, collection and administrative review of administrative penalties.

A. **Notice of Violation.** If any Person subject to this Ordinance fails to comply with any provision herein, a Notice of Violation may be issued by the City Clerk or his or her designee.

B. **Content of Notice of Violation.** The Notice of Violation shall contain the information listed below:

1. Date, location and approximate time the violation was observed or discovered.

2. The Ordinance section violated and a brief description of the violation.

3. The amount of the penalty imposed for the violation.

4. Instructions for the payment of the penalty, the time period by which it shall be paid, and the consequences of failure to pay the penalty within this time period.

5. Instructions on how to appeal the Notice of Violation.

6. The signature of the City Clerk or her or his designee.

C. **Service of Notice of Violation.** Service of Notice of Violation shall be effective upon deposit in United States mail in accordance with this Ordinance. A copy of the Notice of Violation shall be mailed by certified mail, return receipt requested to the Person who has violated the Ordinance, at the address listed for the Person on the Fair Political Practices Commission Form 410 Statement of Organization.

D. **Penalties.**

1. The penalties assessed for each violation shall be $10 per day and shall not exceed the cumulative amount stated in the late statement or report, or $100 dollars, whichever is greater.

2. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.

3. The penalties assessed shall be payable to the City of Riverside, City Clerk's Office.

E. **Administrative Appeal.**

1. Notice of Appeal. The recipient of a Notice of Violation carrying a penalty may appeal by filing a written Notice of Appeal with the City Clerk's Office. The written Notice of Appeal must be filed within twenty (20) days of the service of the Notice of Violation. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal. The Notice of Appeal shall contain the following information:

a. A brief statement setting forth appellant's interest in the proceedings;

b. A brief statement of the material facts which appellant claims supports his/her contention that no violation has occurred, no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;

c. An address at which the appellant agrees notice of any additional proceeding or an order relating to the imposition of the administrative penalty may be received by mail; and

d. The signature of the appellant.

2. Notice of Decision. The City Clerk, or her or his designee, shall review the appeal and issue a Notice of Decision within thirty (30) days of receipt of the Notice of Appeal. The Notice of Decision shall be final.

3. Civil Action. In addition to any other available remedies, the City Clerk's Office may bring a civil action and obtain a judgment in Superior Court for the purposes of collecting any unpaid monetary penalties, fees, or civil penalties imposed pursuant to Government Code Section 91013.5.

Section 1.16.090 Enforcement.

The City Clerk, or her or his designee, shall have the primary responsibility to monitor compliance with this Ordinance at his or her discretion, to investigate alleged violations of this Ordinance, to issue Notices of Violations as appropriate, to review appeals to the Notices of Violations, and to collect administrative penalties as set forth herein.

Section 1.16.100 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.