

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 2 OF THE SONOMA COUNTY CODE TO ADD NEW ARTICLE XXVIII – ELECTRONIC FILING OF CAMPAIGN STATEMENTS

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

Section I. – Chapter 2 of the Sonoma County Code is hereby amended to add new Article XXVIII. – Electronic Filing of Campaign Statements, to read as follows:

“Article XXVIII. – Electronic Filing of Campaign Statements

Sec. 2-398. – Purpose.

The purpose of this Article is to require the filing of campaign statements, reports, or other documents required to be filed pursuant to Chapter 4 of the Political Reform Act by elected officers, candidates, committees, and other required filers to be completed electronically when certain dollar thresholds are met. This Article is intended to supplement, and not conflict with, the Political Reform Act.

Sec. 2-399. - Findings.

The Board of Supervisors finds and determines as follows:

- a) Government Code Section 84615 authorizes the legislative body of a local government to adopt an ordinance that requires the online or electronic filing of campaign statements, reports, or other documents required to be filed pursuant to Chapter 4 of the Political Reform Act.
- b) Timely public access to campaign statements, reports, or other documents regarding contributions and expenditures is vital to ensure the transparency and integrity of campaigns within Sonoma County.
- c) Reducing the filing of campaign statements, reports, or other documents in paper format and requiring their online or electronic filing will expedite the public's access to the information disclosed, and conserve resources.
- d) The County's online or electronic filing system will operate securely and effectively for this purpose and would not unduly burden filers.
- e) The County's online or electronic filing system will operate in compliance with the requirements of California Government Code Section 84615 and any other applicable laws.

Sec. 2-400. - Definitions.

- a) The words and terms contained in this Article shall have the same definitions as provided for such words and terms in the Political Reform Act, as amended, (Government Code Section 81000 et seq.), and supplemented from time to time by the Regulations of the Fair Political Practices Commission (Title 2, Division 6 of the California Code of Regulations), unless a word or term is specifically defined in this Article, in which case such definition shall apply for electronic filing requirements pursuant to this Article of the Sonoma County Code.
- b) “Filer” means any elected officer, candidate, committee, or other person required to file statements, as defined herein.
- c) “Statements” shall mean any statements, reports, or other documents that filers must file in accordance with Chapter 4 of the Political Reform Act (Government Code Section 84100, et seq.).

Sec. 2-401. - Electronic Filing System.

The Board of Supervisors authorizes the Registrar of Voters to establish an electronic filing system which shall comply with all requirements set forth in Section 84615 of the Government Code, including the following:

- a) Ensure the integrity of data transmitted, including by establishing safeguards against efforts to tamper with, manipulate, alter, or subvert data.
- b) Accept filing in the standardized record format developed by the California Secretary of State pursuant to Section 84602 of the California Government Code, compatible with the Secretary of State's system for receiving an online or electronic filing.
- c) Include a procedure for filers to comply with the requirement that they sign statements and reports under penalty of perjury pursuant to Section 81004 of the Government Code.

Sec. 2-402. - Required Electronic Filing.

- a) Upon establishment of an electronic filing system pursuant to this Article by the Registrar of Voters, each filer shall file statements using the Registrar of Voters' electronic filing system according to procedures established by the Registrar of Voters.
- b) Filers are exempt from these requirements if they received less than \$2,000 in contributions and made less than \$2,000 in expenditures, or another amount as established by the Political Reform Act in a calendar year.
- c) In any instance in which the electronic filing of statements is not required, elected officers, candidates, committees, or other persons may voluntarily choose to file electronically.

- d) All statements filed electronically under this article shall be signed under penalty of perjury and verified by the filer pursuant to Government Code Section 81004.
- e) Filers who have electronically filed a statement using the Registrar of Voters' electronic filing system are not required to file copies of that document in paper format with the Registrar of Voters.
- f) If statements cannot be filed electronically using the Registrar of Voters' electronic filing system, filers shall file statements in paper format with the Registrar of Voters. In that case, the Registrar of Voters shall upload the statements into the electronic filing system as soon as reasonably practicable.
- g) The electronic filing system shall allow filers to complete and submit statements free of charge.

Sec. 2-403.- Availability of Statements for Public Review; Record Retention.

- a) The Registrar of Voters shall make available on the Registrar of Voter's website all data filed pursuant to this Chapter in an easily understood format that provides the greatest feasible public access. Data shall be made available free of charge and as soon as possible after receipt.
- b) Data made available on the Registrar of Voter's webpage shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer.
- c) A complete, unredacted copy of the statement shall be made available to any person upon request to the Registrar of Voters.
- d) The Registrar of Voters shall maintain online or electronic statements in compliance with State law and the County's adopted Retention Schedule."

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

Section III. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the 23rd day of May, 2023, and finally passed and adopted this 6th day June, 2023, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Rabbitt: Gore: Hopkins: Coursey:
Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Christina Rivera,
Clerk of the Board of Supervisors