

ORDINANCE NO. 2915

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADDING CHAPTER 2.14 TO TITLE 2 OF THE GARDEN GROVE MUNICIPAL CODE RELATING TO ELECTRONIC FILING OF CAMPAIGN FINANCE DISCLOSURE STATEMENTS

CITY ATTORNEY SUMMARY

This Ordinance adds regulations to the City's municipal code to require electronic filings of campaign disclosure statements and create an expedited and transparent online filing and disclosure system consistent with State law.

WHEREAS, California Government Code Section 84615 provides that a legislative body of a local government agency may adopt an ordinance that requires 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 to file such statements, reports or other documents online or electronically with the City Clerk except for when such persons receive contributions totaling less than \$2,000 and make expenditures totaling less than \$2,000; and

WHEREAS, the City has entered into an agreement with NetFile, a vendor approved by the California Secretary of State, to provide an online electronic filing system ("System") for campaign disclosure statements and statements of economic interest forms; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 2.14 (Electronic Filing of Campaign Disclosure Statements) is hereby added to Title 2 (Administration and Personnel) of the Garden Grove Municipal Code to read as follows:

Chapter

2.14 ELECTRONIC FILING OF CAMPAIGN DISCLOSURE STATEMENTS.

2.14.010 Purpose and Authority

The purpose of this chapter is to require the filing of campaign disclosure statements by elected officials, candidates, or committees electronically. The City

Council enacts this chapter in accordance with the authority granted to cities by State law.

2.14.020 Findings

Pursuant to California Government Code Section 84615, the City of Garden Grove hereby finds that the online or electronic filing system required by this chapter will operate securely and effectively and will not unduly burden filers. Said system promotes the use of electronic filing of campaign forms required by the State of California to provide for a streamlined paperless and secure system to meet the demand for digital and transparent systems.

2.14.030 Electronic Filing of Campaign Statements and Statements of Economic Interests.

- A. Any elected officer, candidate, committee or other person required to file statements, reports or other documents required by Government Code Section 84100 et seq. shall file those statements, reports or other documents online or electronically with the City Clerk. However, an elected officer, candidate, committee or other person who receives contributions totaling less than one thousand dollars (\$2,000) and makes expenditures totaling less than one thousand dollars (\$2,000) in a calendar year is not subject to the requirements of this section.
- B. 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 City Clerk, the filer may, but is not required to, file the copy electronically.
- C. Once an elected officer, candidate, committee, or other person files a statement, report, or other document electronically pursuant to subsection (A), all future statements, reports, or other documents on behalf of that filer shall be filed electronically.
- D. If the City Clerk's electronic 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 City Clerk in an alternative format.
- E. The date of filing for a statement, report, or other document that is filed online or electronically pursuant to this section shall be the day that it is received by the City Clerk. The City Clerk shall issue to a person who files a statement, report, or other document online or electronically an electronic confirmation that notifies the filer that the statement, report, or other document was received. The confirmation shall include the date

and the time that the statement, report, or other document was received by the City Clerk and the method by which the filer may view and print the data received by the City Clerk.

SECTION 2: If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 3: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on April 28, 2020, with a vote as follows:

AYES: COUNCIL MEMBERS: (7) BRIETIGAM, O'NEILL, NGUYEN D., BUI,
KLOPFENSTEIN, NGUYEN K., JONES
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE