

REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 11/03/2009

SUBMITTED TO: HB Charter Review Commission

SUBMITTED BY: Mark D. Bixby, Charter Review Commissioner *MDB*

SUBJECT: Add new charter section to limit anonymous campaign contributions

Statement of Issue: Improve transparency by setting a ceiling for anonymous campaign contributions.

Recommended Action: Motion to:

Add new Huntington Beach charter section as follows:

Total anonymous contributions to a candidate or committee which exceed in the aggregate two hundred dollars (\$200) with respect to a single election shall not be used by the candidate or committee for whom such contributions were intended, but instead, such excess shall be paid promptly to the City Treasurer for deposit in the General Fund of the City.

Analysis:

Campaign contributions from sources cloaked in anonymity are never healthy in a democracy. Some city council candidates in the past have raised nearly \$2,000 in anonymous contributions in a single election cycle.

The Political Reform Act does not require disclosure of a contributor's identity until the cumulative amount of contributions from that contributor is \$100 or more (Government Code Section 84211(f)). Thus it would be possible for a candidate to entirely fund his or her campaign with small contributions and not have to disclose a single contributor. That should not be permitted.

My recommended action comes word-for-word from Los Angeles charter section 470(e) and sets a ceiling on the total amount of anonymous contributions that may be accepted by a candidate. Note that this proposed amendment in no way restricts the total amount of money that may be raised by a candidate. Small contributions

REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 11/03/2009

may still be accepted, but once the total exceeds \$200, the identity of all subsequent small-contribution donors must be disclosed if those contributions are to be retained by the candidate.

References:

- Los Angeles charter section 470(e) - [http://www.amlegal.com/nxt/gateway.dll/California/laac/charter/volumeigovernance/articleivelections?f=templates\\$fn=document-frame.htm\\$3.0\\$q=\\$x=#LPTOC6.1](http://www.amlegal.com/nxt/gateway.dll/California/laac/charter/volumeigovernance/articleivelections?f=templates$fn=document-frame.htm$3.0$q=$x=#LPTOC6.1)