

# REQUEST FOR CHARTER REVIEW COMMISSION ACTION

MEETING DATE(S): 11/03/2009

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**SUBMITTED TO:** HB Charter Review Commission

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

**SUBJECT:** Add new charter section to regulate surplus campaign funds

**Statement of Issue:** Prevents elected office holders from carrying forward surplus campaign funds that could be used to gain an unfair advantage when running for re-election.

**Recommended Action: Motion to:**

Add new Huntington Beach charter section as follows:

All funds that exceed election campaign expenses for public office, or the repayment of campaign loans, known as "surplus campaign funds" or "surplus funds," shall be turned over to the City's General Fund within ninety (90) days after withdrawal, defeat, or election to office.

**Analysis:**

Presently there is nothing to prevent a candidate for elected office from raising funds far in excess of campaign expenses in order to create a large "war chest" of surplus funds that could be used to gain unfair advantage when running for re-election. Instead I think it would be preferable for the money in re-election contests to be based on the candidate's track record in office rather than on prior-term fundraising prowess.

My recommended action above does not place any limits on how much money a candidate can raise or spend. But you must spend everything you raise or else any surplus will be turned over to the city's general fund, which ensures that all candidates for the next election cycle will start fundraising from the same zero base.

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This proposed amendment is derived nearly word-for-word from Pomona charter section 1402.

## **References:**

- Pomona charter section 1402 - <http://library2.municode.com/default-now/DocView/13712/1/3/17>