ORDINANCE NO. 1446

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, ADDING CHAPTER 2.103 TO THE NAPA COUNTY CODE REGARDING ELECTRONIC FILING OF CAMPAIGN REPORTS, STATEMENTS, AND OTHER CAMPAIGN DOCUMENTS

WHEREAS, the Board of Supervisors finds that public access to campaign disclosure information is a vital and integral component of a fully informed electorate and that transparency in campaign financing is critical in order to maintain public trust and support of the political process; and

WHEREAS, candidates and committees complying with the filing requirements under the California Political Reform Act (commencing with Government Code Section 81000 et seq.) have filed paper copies of campaign statements and reports. The Napa County Registrar of Voters has expended a significant amount of staff time to make such paper filings readily available to the public; and

WHEREAS, Government Code Section 84615 allows local agencies to require an elected officer, candidate, committee, or other person to file campaign reports and statements online or electronically with the local filing officer; and

WHEREAS, the Board of Supervisors has appointed the Assessor-Recorder-County Clerk, ex officio Registrar of Voters, as the local filing officer; and

WHEREAS, the Board of Supervisors finds that electronic filing will conserve resources, ensure the public has access to information disclosed in campaign statements and reports in a timelier manner, and support the Strategic Plan Pillar of Open and Effective Government; and
WHEREAS, the Board of Supervisors finds that the electronic filing system will operate securely and effectively without unduly burdening filers.

NOW, THEREFORE, the Board of Supervisors of Napa County, State of California, ordains as follows:

SECTION 1: A new Chapter 2.103 (Electronic filing of campaign disclosures) is added to the Napa County Code to read in full as follows:

Sections:

2.103.010 Purpose
2.103.020 Relationship to the Political Reform Act of 1974
2.103.030 Definitions
2.103.040 Required electronic filing for county offices and committees
2.103.050 Optional electronic filing for county offices and committees

2.103.010 Purpose
The purpose of this ordinance is to require online electronic filing of campaign statements and disclosures and require online reporting of contributions and independent expenditures regarding elections of candidates to county offices and the qualification or passage of local ballot measures within Napa County as currently required under the Political Reform Act (commencing with California Government Code Section 84200 et seq.), in order to facilitate review and maximize the availability of this information to the public.

2.103.020 Relationship to the 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, as well as any amendments to the Act or to the Regulations.

2.103.030 Definitions
“Candidate” has the same meaning as set forth in Government Code section 82007.
“Contribution” has the same meaning as set forth in Government Code section 82015.
“Committee” has the same meaning as set forth in Government Code section 82013.
A person or combination of persons that becomes a committee shall retain its status as a committee until that status is terminated pursuant to California Government Code section 84214.
“Local filing officer” means the Napa County Assessor-Recorder-County Clerk, ex officio Registrar of Voters.
“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.

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

2.103.040 Required electronic filing for county offices and committees

Every elected officer of Napa County (assessor-recorder-county clerk, auditor-controller, district attorney, sheriff, treasurer-tax collector, county superintendent of schools and members of the board of supervisors), who is required to file statements, reports, or other documents pursuant to section 84100 et seq. of the Government Code, shall file such statements, reports and documents with the local filing officer using the Napa County Election Division online system according to procedures established by the local filing officer. The requirement of this section shall not apply to an elected officer or candidate who receives contributions totaling less than two thousand dollars ($2,000.00) and makes expenditures totaling less than two thousand dollars ($2,000.00) in a calendar year.

The provisions of this section shall also apply to every candidate seeking election to a county 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 Napa County, and to local general purpose committees active only in Napa County.

2.103.050 Optional electronic filing for county offices and committees

Every elected officer, candidate, committee or other person required to file statements, reports, or other documents with the local filing officer pursuant to the Political Reform Act (commencing with section 84100 of the California Government Code) and that receives contributions totaling less than two thousand dollars ($2,000.00) and makes expenditures totaling less than two thousand dollars ($2,000) in a calendar year, may electronically file such documents using the Napa County Election Division online system according to procedures established by the local filing officer.

SECTION 2. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

SECTION 3. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Napa County Board of Supervisors hereby declares it would have passed and adopted this ordinance and each and all provisions hereof
irrespective of the fact that any one or more of said provisions be declared invalid.

**SECTION 4.** This ordinance shall be effective thirty (30) days from and after the date of its passage.

**SECTION 5.** A summary of this ordinance shall be published at least once five days before adoption and at least once before the expiration of 15 days after its passage in the *Napa Valley Register*, a newspaper of general circulation published in Napa County, together with the names of members voting for and against the same.
The foregoing ordinance was introduced and read at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 30th day of July, 2019, and passed at a regular meeting of the Napa County Board of Supervisors, State of California, held on the 20th day of August, 2019, by the following vote:

AYES: SUPERVISORS PEDROZA, WAGENKNECHT, DILLON, RAMOS and GREGORY

NOES: SUPERVISORS NONE

ABSTAIN: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

NAPA COUNTY, a political subdivision of the State of California

By: RYAN GREGORY, Chair of the Board of Supervisors


JOSE LUIS VALDEZ, CLERK OF THE BOARD