






City Clerk
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MEMORANDUM

DATE: September 1, 2020

TO: Mayor Troxell and City Councilmembers

THRU: Darin Atteberry, City Manager  
Kelly DiMartino, Deputy City Manager

FROM: Delynn Coldiron, City Clerk 

RE: Item #14 – Power Point for Election Code Changes

Attached is the Power Point presentation for Item #14 on tonight's agenda.



September 1, 2020



Proposed Election Code Amendments
Delynn Coldiron, Rita Knoll, Ryan Malarky

High Performing Government



7.2

Maintain the public trust through a high performing board, as well as organizational transparency, legal and ethical behavior and regulatory compliance.

High Performing Government



7.9

Proactively influence policy and legislative development at all levels.



Limited Liability Contributions

Local Provisions

- LLCs are considered a “person” (separate from a natural person).
- LLC can make the maximum allowable contribution to a candidate.
- Does not count towards the maximum allowable contribution a natural person (who may be part of the LLC) can contribute.

State Provisions

- Contributions from an LLC must be accompanied by a written statement indicating how the contribution is attributed among the LLC members and affirming the permissibility of the contribution.
- Attributed contribution counts toward the aggregate contribution limit of an individual as a person.

Image from showmeinstitute.org



Limited Liability Contributions

Proposed Changes to Local Provisions

- Contributions from an LLC will count towards the aggregate contribution limit for an individual.
- A written statement will be required showing (must be kept for 1 year):
 - *The name and address of the LLC and each LLC member.*
 - *Information on how the contribution is allocated amongst LLC members and the % ownership of each member has in the LLC.*
- Candidate or Political Committees receiving an LLC contribution must list individual LLC contributors and the name of the LLC on disclosure reports.
- Maximum contribution to a candidate committee: \$100/Mayor; \$75/Council
- Maximum contribution to a political committee: \$100

image from showmeinstitute.org



City Campaign Committees – Part One

Category	Definition - Purpose	Contrib. Limit ?	Register Reports ?	“Paid for By” ?
Candidate Committee	One or more persons for common purpose of receiving contributions or making expenditures under authority of candidate; open and active until terminated.	YES \$100/M \$75/C	YES	YES
Political Committee	Two or more persons associated for common purpose of accepting contributions or making expenditures to support or oppose one or more candidates OR Any person accepting contributions for that purpose.	NO	YES	YES



City Campaign Committees – Part Two

Category	Definition - Purpose	Contrib. Limit ?	Register Reports ?	“Paid for By” ?
Small-Scale Issue Committee	<p>Two or more persons associated for common purpose of accepting contributions or making expenditures to support or oppose any ballot issue or ballot question OR</p> <p>Any person accepting contributions for that purpose.</p>	NO	NO until \$200 Received Or Spent	NO until \$200 Received Or Spent
Issue Committee	<p>Two or more persons associated for common purpose of accepting contributions or making expenditures to support or oppose any ballot issue or ballot question OR</p> <p>Any person accepting contributions for that purpose.</p>	NO	YES	YES



Limitation on Contributions to Political Committees

Local Provisions

- Can accept contributions or make expenditures to support or oppose one or more candidates. No limits on contributions.
- Cannot make direct contributions to any other committees.
- Cannot coordinate expenditures with other committees in a manner that circumvents restrictions or limitations on campaign contributions.

State Provisions

- Can accept contributions or make expenditures to support or oppose candidates. Contribution limit: \$625/per contributor/every two years.
- Two-Year time period is tied to House of Representatives election cycle (not calendar year).
- Allows Political Committees to make direct contributions to candidate committees. Specific limits based on type of public office. Can Also contribute to other political committees, political parties and may donate an unlimited amount to independent expenditures.



Limitation on Contributions to Political Committees

Proposed Change to Local Provisions

- Limit contributions and contributions in kind to \$100
- No change recommended to allow political committees to contribute to or collaborate with candidate or any other committees



Thank You!