



FACT SHEET ON THE ELECTRONIC FILING OF CAMPAIGN STATEMENTS

The City's Election Campaign Control Ordinance [ECCO], includes a variety of laws applicable to the filing of campaign statements, including a law that requires candidates and committees to file campaign statements using the City Clerk's electronic filing system. This fact sheet is intended to assist candidates, committees, and their treasurers understand the rules applicable to electronic filing. It should not, however, be considered a substitute for the actual language contained within San Diego Municipal Code sections 27.2901 through 27.2991.

GENERAL RULES

- ❖ Certain committees that have received contributions or made expenditures of \$10,000 or more in connection with a City of San Diego election are required to use the City Clerk's electronic filing system (see list of committees required to file electronically below).
- ❖ A committee that has not reached the \$10,000 threshold may choose to file electronically on a voluntary basis.
- ❖ Committees filing electronically must also file a paper copy of their campaign statements with the City Clerk. This is the case even with "late" filings. For example, a committee filing a Form 496 - Late Independent Expenditure Report electronically must also file that statement by fax, guaranteed overnight delivery, or personal delivery on or before the filing deadline.
- ❖ The information disclosed in the electronic version of a campaign statement must be identical to the information disclosed in the paper filing.
- ❖ If a campaign statement requires an amendment, the amendment must be filed electronically and in paper form.

COMMITTEES REQUIRED TO FILE ELECTRONICALLY

- ❖ The electronic filing requirement applies to the following types of City of San Diego committees that have reached the \$10,000 threshold in connection with a City election:
 - ✓ candidate-controlled committees, including a committee formed by a candidate to seek elective City office or a committee controlled by a candidate or officeholder to support or oppose a City ballot measure;
 - ✓ committees primarily formed to support or oppose a City candidate or ballot measure;
 - ✓ City general purpose recipient committees (committees that receive contributions and spend more than 70% of their funds to support or oppose City candidates and/or measures); and
 - ✓ City independent expenditure committees (an individual or entity that spends 70% or more of its own funds on independent expenditures to support or oppose City candidates and/or measures, and spends no money on state candidates or measures).

- ❖ For example, a committee primarily formed to oppose a City ballot measure that spends \$5,000 on yard signs and \$5,000 on radio advertising to oppose the measure will trigger the electronic filing requirement.
- ❖ On the other hand, a County of San Diego general purpose recipient committee (whose primary filing officer is the County Registrar) must file paper copies of Forms 465 and 496 with the City Clerk when participating in City elections, but is not required to file these forms electronically.
- ❖ Once a committee has reached the \$10,000 threshold, it must continue to file electronically until it has terminated.

CAMPAIGN STATEMENTS REQUIRED TO BE FILED ELECTRONICALLY

- ❖ Committees that have reached the \$10,000 threshold must electronically file each required campaign statement that is compatible with the City Clerk’s electronic filing system.
- ❖ The City Clerk’s online system presently accepts the following campaign statements:
 - ✓ Form 450 – Recipient Committee Campaign Statement – Short Form
 - ✓ Form 460 – Recipient Committee Campaign Statement
 - ✓ Form 461 – Major Donor & Independent Expenditure Committee Campaign Statement
 - ✓ Form 465 – Supplemental Independent Expenditure Report
 - ✓ Form 470 – Officeholder and Candidate Campaign Statement – Short Form
 - ✓ Form 496 – Late Independent Expenditure Report
 - ✓ Form 497 – Late Contribution Report
- ❖ Not every campaign statement can be filed electronically. At this time, the City Clerk’s electronic filing system does not accept the following campaign statements:
 - ✓ Form 410 – Statement of Organization Recipient Committee
 - ✓ Form 425 – Semi-Annual Statement of No Activity
 - ✓ Form 495 – Supplemental Pre-election Campaign Statement
 - ✓ Form 501 – Candidate Intention Statement
- ❖ Campaign statements that cannot be filed electronically must continue to be submitted to the City Clerk in paper form.

For additional information regarding the rules contained in this Fact Sheet, please contact the Ethics Commission at (619) 533-3476. For assistance using the City Clerk’s online filing system, please contact the City Clerk at (619) 533-4000.