



IMMEDIATE CHANGES TO SAN DIEGO CAMPAIGN RULES

On February 16, 2010, the United States District Court for the Southern District of California ordered a preliminary injunction with respect to several provisions of the City of San Diego's campaign laws. The immediate impact of the court's ruling is as follows:

Contributions to Committees that Make Independent Expenditures

- ❖ There are no longer any limits or source prohibitions for contributions to committees making independent expenditures, i.e., expenditures that are not coordinated with a candidate.
- ❖ In other words, individuals and non-individual entities (e.g., business entities, organizations) may contribute unlimited amounts to any general purpose recipient committee for the purpose of supporting or opposing a City candidate.
- ❖ The City's \$500 limit remains in place for individual contributions made directly to a City candidate or to a candidate's election campaign committee. In addition, non-individual entities are still prohibited from contributing directly to a City candidate.

Pre-Election Fundraising

- ❖ Although no longer relevant to the 2010 elections, candidates may now spend unlimited sums of their own money to support their candidacy before the 12-month pre-election fundraising period.
- ❖ Thus, a candidate seeking elective City office in 2012 may, at this time, spend personal funds to advance his or her candidacy.
- ❖ The 12-month pre-election fundraising period remains in effect for all contributions from sources other than the candidate's personal funds.

Contributions from Political Parties

- ❖ The court also stated that political parties may not be banned from making contributions directly to City candidates, but gave the City additional time to amend its campaign laws to establish an appropriate limit for such contributions.
- ❖ Until the City Council makes such amendments, the City's campaign laws continue to preclude political parties from making any contributions directly to a City candidate.

THESE RULES MAY UNDERGO ADDITIONAL CHANGES AS THE RESULT OF FURTHER LITIGATION OR LEGISLATIVE AMENDMENTS BY THE CITY COUNCIL. IF YOU HAVE QUESTIONS REGARDING THESE ISSUES, PLEASE CONTACT THE ETHICS COMMISSION AT (619) 533-3476.