

## **Chapter 1.26**

### **ELECTRONIC FILING OF CAMPAIGN DISCLOSURE STATEMENTS**

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#### **1.26.010 Definitions.**

Unless otherwise defined below, the terms used in this chapter shall have the same definitions as specified in the Political Reform Act (California Government Code Section 81000 et seq.) and FPPC regulations (California Code of Regulations Title 2, Division 6), or any successor statutes or regulations. In those cases where definitions in the Political Reform Act or FPPC regulations contain a specific reference to any State election, candidate, or electoral criteria, the definition shall be modified to reflect the municipal equivalent, or, in the absence of a municipal equivalent, to delete the specific reference.

“City Clerk’s online system” means the web-based filing system utilized by the Newport Beach City Clerk’s Office for the submission of statements, reports or other documents required by Chapter 4 of the Political Reform Act (California Government Code Section 84100 et seq.) or any successor statute.

“Statements” means statements, reports, or other documents required by Chapter 4 of the Political Reform Act (California Government Code Section 84100 et seq.) or any successor statute. (Ord. 2018-1 § 1 (part), 2018)

#### **1.26.020 General.**

A. Any elected officer, candidate, or committee required to file original statements with the Newport Beach City Clerk’s Office may file such statements using the City Clerk’s online system according to procedures established by the City Clerk. These procedures shall ensure that the online system complies with the requirements set forth in California Government Code Section 84615. From and after December 31, 2018, elected officers, candidates and committees required to file original statements with the City Clerk shall file such statements using the City Clerk’s online system, unless exempt from the requirement to file online pursuant to California Government Code Section 84615, or any successor statute, because the officer, candidate or committee receives less than one

thousand dollars (\$1,000.00) in contributions and makes less than one thousand dollars (\$1,000.00) in expenditures in a calendar year.

B. The City Clerk's online system shall ensure the integrity of the data transmitted and shall include safeguards against efforts to tamper with, manipulate, alter, or subvert the data.

C. The City Clerk's online system shall only accept a filing in the standardized record format that is developed by the California Secretary of State pursuant to California Government Code Subsection 84602(a)(2), or any successor statute, and that is compatible with the Secretary of State's system for receiving an online or electronic filing. (Ord. 2018-1 § 1 (part), 2018)

### **1.26.030 Procedures for Utilizing Online Filing.**

A. Until December 30, 2018, an elected officer, candidate, or committee may choose to opt-in to the electronic filing system by electronically filing a statement that is required to be filed with the City Clerk pursuant to Chapter 4 of the Political Reform Act, or any successor statute. Once the elected officer, candidate or committee has opted-in, all subsequent statements shall be filed electronically. An elected officer, candidate, or committee may opt-out of the electronic filing system by filing original statements in paper format with the City Clerk. Thereafter, the elected officer, candidate or committee shall file all original statements in paper format with the City Clerk. From and after December 31, 2018, electronic filing is mandatory unless the officer, candidate or committee is exempt as described in Section 1.26.020(A), or any successor statute.

B. Any elected officer, candidate, or committee who has electronically filed a statement using the City Clerk's online system is not required to file a copy of that document in paper format with the City Clerk.

C. Any elected officer, candidate, or committee who is required to file an original statement with the California Secretary of State and a copy of that statement with the City Clerk's Office may, but is not required to, file the copy of the required statement using the City Clerk's online system.

D. The City Clerk's online system shall issue an electronic confirmation that notifies the filer that the statement was received, which notification shall include the date and the time that the statement was received and the method by which the filer may view and print the data received by the City Clerk. The date of filing for a statement filed online shall be the day that it is received by the City Clerk.

E. If the City Clerk's online system is not capable of accepting a statement, an elected officer, candidate, or committee shall file that statement in paper format with the City Clerk.

F. The City Clerk's online system shall enable electronic filers to complete and submit filings free of charge. (Ord. 2018-1 § 1 (part), 2018)

## **1.26.040 Availability of Statements for Public Review—Record Retention.**

- A. The City Clerk's online system shall make all the data filed available on the Internet in an easily understood format that provides the greatest public access. The data shall be made available free of charge and as soon as possible after receipt. The data made available on the Internet shall not contain the street name of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer.
- B. From the date filed, the City Clerk's Office shall maintain a secured, official version of each online or electronic statement which shall serve as the official version of that record for purpose of audits pursuant to the City's records retention schedule. (Ord. 2018-1 § 1 (part), 2018)