



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 19 - 0 4 0 1
DEC 0 3 2019

REPORT RE:

**DRAFT ALTERNATIVE ORDINANCE B AMENDING ARTICLES 9.5 AND
9.7 OF CHAPTER IV OF THE LOS ANGELES MUNICIPAL CODE TO
RESTRICT DEVELOPER CAMPAIGN CONTRIBUTIONS WITH PRIMARY
ELECTION 2022 OPERATIVE DATE**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 19-0046

Honorable Members:

On May 23, 2019, the City Council made a number of instructions with respect to proposed amendments to the Los Angeles Municipal Code regarding campaign contributions. Council's instructions requested that the ordinance not be operative until after the 2020 election cycle and that the Ethics Commission create, update, and regularly publish a list of persons restricted from making contributions in an electronic database. On September 17, 2019, our Office transmitted draft Ordinance B, which included an operative date beginning with the general election of 2022, given the Ethics Commission's comments that an electronic filing and database system would likely not be available until that time and the concern that candidates may not have an accessible list of prohibited persons until that time.

In order to provide the City Council with the option of enacting an ordinance with an earlier operative date that is also consistent with the Council's May 23, 2019, instructions, this Office has prepared and now transmits for your consideration an

alternative draft ordinance substantially the same as Ordinance B, approved as to form and legality. This draft ordinance's only difference with draft Ordinance B is the earlier operative date and a technical amendment regarding disclosure filing.

This alternative draft ordinance would implement the campaign restrictions with the operative date beginning with the first date to file fundraising papers for the primary 2022 election, currently March 2020. The enclosed draft ordinance also eliminates the requirement that applicants use an electronic database created by the Ethics Commission, but instead requires the applicants to file the information with the Ethics Commission. As already provided in the existing campaign finance ordinance, the method of filing would be determined by the Ethics Commission and could include paper or electronic filing. The Council instruction still requires the Ethics Commission to publish and regularly update the list of restricted contributors on a publicly accessible electronic database.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the City Ethics Commission and the Planning Department, with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Renee Stadel at (213) 978-7100. She or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM:RS:cl
Transmittal