

September 23, 1991

REPORT TO THE HONORABLE  
MAYOR AND CITY COUNCIL

## SAN DIEGO MUNICIPAL ELECTION CAMPAIGN CONTROL ORDINANCE

The San Diego Municipal Election Campaign Control Ordinance ("the Ordinance") was added to Chapter II, Article 7, Division 29 (Sections 27.2901 et seq.) of the San Diego Municipal Code (S.D.M.C.) in 1973. The purpose and intent of the Ordinance is stated in Section 27.2901:

Inherent to the high cost of election campaigning is the problem of improper influence, real or potential, exercised by campaign contributions over elected officials. It is the purpose and intent of the City Council of the City of San Diego in enacting this division to preserve an orderly political forum in which individuals may express themselves effectively; to place realistic and enforceable limits on the amounts of money that may be contributed to political campaigns in municipal elections; to prohibit contributions by organizations in order to develop a broader base of political efficacy within the community; to limit the use of loans and credit in the financing of municipal election campaigns; and to provide full and fair enforcement of all the provisions of this division. . . .

The Ordinance has been amended several times since 1973. The Ordinance was extensively studied by an Election Task Force which issued a report in March 1981 and a Campaign Review Task Force which issued a final report on March 17, 1986. Both election task forces made substantial recommendations for change to the Ordinance which were not adopted by the City Council. In particular, recommendations were made for change to the provisions on debt and extensions of credit.

The District Attorney originally acted as the enforcement authority and still does in City Attorney elections. My office acts as the enforcement authority in all other municipal elections. The 1986 Campaign Review Task Force Final Report recommended that the District Attorney be the enforcement authority for the City's Ordinance.

It seems to me that it is time to again look at the Ordinance to incorporate previously proposed amendments and determine what other amendments might be appropriate. I am forming a review committee which will consist of members of my office and representatives of the District Attorney and the City Clerk for this purpose. We will welcome your observations and will be contacting you for your comments.

Respectfully submitted,  
JOHN W. WITT  
City Attorney

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