

ORDINANCE NUMBER O- 19327 (NEW SERIES)

ADOPTED ON NOV 22 2004

AN ORDINANCE AMENDING ORDINANCE O-19317,
WHICH REPEALS AND RE-ENACTS THE CITY OF
SAN DIEGO ELECTION CAMPAIGN CONTROL
ORDINANCE, TO CHANGE ITS EFFECTIVE DATE FROM
JANUARY 1, 2005, TO JANUARY 5, 2005

WHEREAS, the San Diego Municipal Election Campaign Control Ordinance [ECCO],
codified at Chapter 2, Article 7, Division 29 of the San Diego Municipal Code, was first adopted
in April of 1973 by Ordinance No. O-11034 N.S.; and

WHEREAS, the City Council has amended ECCO from time to time to clarify certain
issues; and

WHEREAS, on September 7, 2004, the City Council adopted Ordinance O-19317, which
has the effect of repealing existing ECCO and replacing it with a new version of ECCO based on
recommendations made by the Ethics Commission and modifications approved by the Rules
Committee; and

WHEREAS, Ordinance O-19317 presently has an effective date of January 1, 2005, a
date that was carefully selected in order to prevent substantial changes to campaign laws during
an election cycle; and

WHEREAS, on September 7, 2004, the City Council also adopted Ordinance O-19316,
calling a Special Municipal Election in the City of San Diego, Council District 4, on
November 16, 2004, for the purpose of electing a Councilmember for Council District 4, and
also calling a Special Run-off Election on January 4, 2005, if no candidate receives a majority of
the votes cast for the Office at the November 16, 2004, election; and

WHEREAS, eight candidates have qualified to have their names listed on the ballot for the Council District 4 election, thus raising significant doubt that one candidate will receive a majority of votes cast at the November 16, 2004, election; and

WHEREAS, if there is a Special Run-off Election on January 4, 2005, the candidates in that election will be subject to substantial changes to campaign laws in the midst of an election cycle if Ordinance O-19317 becomes effective on January 1, 2005; and

WHEREAS, substantial changes to campaign laws in the midst of an election cycle will likely cause confusion, anxiety, and uncertainty for candidates and committees, and their supporters and opponents, particularly with regard to changes in the law relating to the participation of general purpose recipient committees, the aggregation of contribution limits, independent expenditures, and prohibitions on reimbursements; and

WHEREAS, changing the effective date of Ordinance O-19317 from January 1, 2005, to January 5, 2005, will ensure that substantial changes to ECCO do not occur in the midst of an election cycle; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Ordinance O-19317, adopted by the City Council on September 7, 2004, and having the effect of repealing existing ECCO and replacing it with a new version of ECCO based on recommendations made by the Ethics Commission and modifications approved by the Rules Committee, is amended to take effect and be in force on January 5, 2005, instead of on January 1, 2005.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By Stuart H. Swett
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SHS:jab
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Or.Dept:Ethics
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