

MEMORANDUM OF LAW

DATE: January 17, 1986
TO: Councilman Bill Cleator
FROM: City Attorney
SUBJECT: Expenses for Neighborhood Coffee Meetings

In a brief note, you recently requested our clarification of whether the expenses of a neighborhood coffee meeting in your home should be reported as contributions. Secondly, you inquired if such expenses are construed under the two hundred dollar (\$200) exclusion, whether this figure applies to a single event or is cumulative.

San Diego Municipal Code section 27.2903(e) broadly defines contributions but provides:

The term "contribution" shall not include the cost of an event held in honor or behalf of a candidate or committee when the total cost of the event amounts to no more than two hundred dollars (\$200) and when the event is not held for the prupose (sic) of obtaining contributions to the candidate or committee.

The language exempting expenses up to two hundred dollars (\$200) for events not held for fund raising has been in the Campaign Control Ordinance since its inception on April 10, 1973. Since expenses for such events have been consistently excluded from the definition of "contribution," we believe your costs including the incidental use of your home need not be reported, providing the costs do not exceed two hundred dollars (\$200).

Since the language employed refers to "cost of the event" and not total amount per election as used in the contribution limitation provision of Section 27.2941(a), the two hundred dollar (\$200) limit is per event and not a cumulative total per election. The later interpretation would require reading in a word that is not present in the language of Section 27.2903(e).

Should any further clarification be needed, we would be happy to respond.

JOHN W. WITT, City Attorney
By
Ted Bromfield
Chief Deputy City Attorney

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