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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2017-\_\_**

**INTRODUCED BY:**

Councilor Carmichael A. Dominguez

**AN ORDINANCE**

**RELATING TO THE INDEPENDENTLY SPONSORED CAMPAIGN COMMUNICATIONS AND REPORTING; AMENDING SUBSECTION 9-2.6 TO MAKE CHANGES TO INDEPENDENTLY SPONSORED CAMPAIGN COMMUNICATIONS AND REPORTING.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE;**

**Section 1. Section 9-2.6 SFCC 1987 (being Ord. No. 2005-14, as amended) is amended to read**

**9-2.6 Independently Sponsored Campaign Communications and Reporting.**

A. Any person or entity that makes expenditures of two hundred fifty dollars (\$250.) or more in the aggregate during a single election to pay for any form of public communication including print, broadcast, cable or electronic advertising, billboards, signs, pamphlets, mass mailers, mass electronic mail, recorded phone messages, organized phone-banking or organized precinct-walking, that is disseminated to one hundred (100) or more eligible voters, and that either expressly advocates the election or defeat of a candidate [~~or the approval or defeat of a ballot proposition~~]; or refers to a clearly identifiable candidate [~~or ballot proposition~~], within sixty (60) days before an election at which

1 the candidate [~~or proposition~~] is on the ballot, shall thereafter, on each of the days prescribed for the  
2 filing of campaign finance statements, file with the city clerk a report of all such expenditures made  
3 and all contributions received for the purpose of paying for such expenditures on or before the date of  
4 the report and which have not been previously reported. Each report shall be submitted on a form  
5 prescribed by the city clerk. Contributions shall be specified by date, amount of contribution, name,  
6 address and occupation of the person or entity from whom the contribution was made. No contribution  
7 shall be reported in the name of a person who is not the actual contributor or who has been or will be  
8 reimbursed or compensated for the contribution by another person. The president, chief executive  
9 officer or equivalent position shall certify on the filing that its expenditures were or were not made in  
10 cooperation, consultation or concert with, or at the request or suggestion of, a candidate, his/her  
11 representatives or agents or the candidate's political committee. Expenditures shall be specified by date,  
12 the amount of the expenditure, the name and address of the person or entity where an expenditure was  
13 made and the purpose of the expenditure. No report is required under this subsection for expenditures  
14 made exclusively for communications to the news media, editorials, reports or commentary by the news  
15 media, impartial candidate forums or debates or the announcements thereof, or for impartial voter  
16 guides allowed by the Internal Revenue Code for Section 501(c)(3) organizations or a communication  
17 by a membership organization or corporation to its current members, stockholders or executive or  
18 administrative personnel unless the membership organization or corporation is a campaign committee  
19 or a political committee.

20 B. If a person is required to file a report with the secretary of state for a non-statewide  
21 race or ballot measure in the city of Santa Fe pursuant to 1.10.13.11 NMAC, which requires reporting  
22 for "independent expenditures" on non-statewide races or ballot measures, that person shall provide the  
23 municipal clerk with a copy of the report and any supplemental reports within 48 hours of filing such  
24 report to the secretary of state.

25 \*Editor's Note: Please renumber the succeeding paragraphs accordingly.

1 APPROVED AS TO FORM;

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KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Bills 2017/ Independently Sponsored Campaign Communications and Reporting Changes (Substitute)*