

Policy to Implement Disclosure of Political Expenditures

I. POLICY

It shall be the policy of this Local Agency Formation Commission to require all expenditures for political purposes related to a proposal for a change of organization or reorganization and contributions in support of or in opposition to any proposal at the Local Agency Formation Commission of Orange County (OC LAFCO) be reported in compliance with Government Code Sections 56100.1, 56700.1 and 57009.

This policy is intended to implement Government Code Sections 56100.1, 56700.1 and 57009 and shall be of no further force and effect upon the effective date of legislation repealing or amending those sections or otherwise terminating the responsibility of this Commission to adopt and implement this policy.

These disclosure and reporting requirements herein are in addition to any other requirements that may be otherwise applicable under provisions of the Political Reform Act or by local ordinance.

II. LEGAL AUTHORITY

This policy and its implementing procedures are adopted pursuant to Government Code §56100.1, which permits OC LAFCO to require, through the adoption of written policies and procedures, the disclosure of contributions, expenditures, and independent expenditures to OC LAFCO's Executive Officer.

III. DEFINITIONS

As used in this policy and procedure, the following terms are defined as follows:

- a. "Committee" as used herein shall have the same definition as provided in Government Code §82015.
- b. "Contribution" as used herein shall have the same definition as provided in Government Code §82015, as amended.
- c. "Expenditure" as used herein shall have the same definition as provided in Government Code §82025, as amended.
- d. "Independent expenditure" as used herein shall have the same definition as provided in Government Code §82031, as amended, except that the term

“measure” as used in Government Code §82031 shall be replaced with the term “proposal for organization or reorganization.”

- e. “Political Purposes” as used herein shall mean for the purpose of influencing or attempting to influence the actions of voters or the OC LAFCO Commission for or against the qualification, adoption, or passage of an OC LAFCO proposal.

IV. DISCLOSURE REQUIREMENTS AND PROCEDURES

1. Proposals for Organization or Reorganization

- a. Any person or combination of person who directly or indirectly makes an expenditure or independent expenditure for political purposes of \$1,000 or more in support of, or in opposition to, a change of organization or reorganization submitted to the Commission to which Government Code §56700.1 applies, shall comply with the reporting and disclosure requirements of the Political Reform Act (Government Code §81000 et seq.), to the same extent and subject to the same requirements as for local initiative measures.
- b. For purposes of determining the deadlines by which such reports and disclosures must be filed, the term “election” as used in the Political Reform Act for determining such deadlines shall mean the date of the originally scheduled hearing on a proposal for organization or reorganization. If no hearing date has been scheduled, the Executive Officer shall establish a date to serve as the “election” date for this purpose.

2. Conducting Authority Proceedings

- a. Any person or combination of persons who directly or indirectly makes an expenditure for political purposes of \$1,000 or more related to conducting authority proceedings for a change of organization or reorganization or in support of or in opposition to those conducting authority proceedings, shall comply with the reporting and disclosure requirements of the Political Reform Act (Government Code §81000 et seq.), to the same extent and subject to the same requirements as for local initiative measures.
- b. For purposes of determining the deadlines by which such reports and disclosures must be filed, the term “election” as used in the Political Reform Act for determining such deadlines shall mean the date of the originally scheduled conducting authority hearing on the proposal for organization or reorganization. If no hearing date has been scheduled, the Executive Officer shall establish a date to serve as the “election” date for this purpose.

3. Committees

A committee primarily formed to support or oppose an OC LAFCO proposal shall file monthly campaign statements from the time circulation of a petition begins until a measure is placed on the ballot or, if a measure is not placed on the ballot, until the committee is terminated pursuant to Government Code §84214. The Committee shall file an original and one copy of each statement on the 15th day of each calendar month, covering the prior calendar month, with the clerk of the county in which the measure is voted on. If the petition results in a measure that is placed on the ballot, the committee thereafter shall file campaign statements required by the Political Reform Act.

4. Where to File

In addition to the foregoing requirement, all reports and disclosures required hereunder shall be filed with the OC LAFCO Executive Officer.

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