



Legislation Details (With Text)

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Title: Amending Chapter 2, Article 4, Part 13, ROA 1994, The Filing Of Petitions Ordinance, And Amending Chapter 2, Article 4, ROA 1994, To Add The Maintenance Of Campaign In Off Years Ordinance (Sanchez)
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2/4/2019	1	City Council	Postponed	Pass
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10/15/2018	1	City Council	Postponed	Pass
10/1/2018	1	President	To be heard at the Council Meeting	
10/1/2018	1	City Council	Introduced	

CITY of ALBUQUERQUE TWENTY THIRD COUNCIL

COUNCIL BILL NO. O-18-40 ENACTMENT NO. _____

SPONSORED BY: Ken Sanchez

ORDINANCE

Amending Chapter 2, Article 4, Part 13, ROA 1994, The Filing Of Petitions Ordinance, And Amending Chapter 2, Article 4, ROA 1994, To Add The Maintenance Of Campaign In Off Years Ordinance (Sanchez)

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. Chapter 2, Article 4, Part 13, subsections B and C are amended as follows:

“§ 2-4-13 FILING OF PETITIONS.

(B) Persons submitting petitions in accordance with Section 4, Article II of the City Charter shall collect all signatures on such petitions during the following periods in the year of the election:

(1) For Mayoral candidates, ~~[from February 16 through April 28]~~ [starting 240 days before the election, and ending 160 days before the election]; and

(2) For Council candidates, ~~[from May 1 through June 28]~~ [starting 160 days before the election, and ending 100 days before the election].

(C) Petitions gathered pursuant to the provisions of Subsection (B) shall be submitted to the City Clerk no later than 5:00 p.m. ~~[April 28]~~ [160 days before the election] for Mayor candidates and 5:00 p.m. ~~[June 28]~~ [100 days before the election] for Council candidates.”

SECTION 2. Chapter 2, Article 4, is amended to add Part 20 as follows:

“§ 2-4-20 MAINTENANCE OF CAMPAIGN IN OFF YEARS.

[A person may solicit and accept contributions, not to exceed \$100 per Person, for the purpose of financing costs related to maintenance of a campaign during an election cycle in which the person is not a candidate as follows:

____ (A) A person who accepts donations for these purposes must establish a candidate finance committee and appoint a treasurer who is responsible for keeping records of donations and for filing a financial disclosure statement required by this section. All donations received must be deposited in a separate and segregated account and may not be commingled with any contributions received by any candidate or political committee or any personal or business funds of any person.

____ (B) A committee established pursuant to this section shall register and file a financial disclosure statement with the City Clerk as required by this subsection.

____ (C) The committee shall register with the City Clerk within 10 days after appointment of a treasurer. The registration must include the name and mailing addresses of the members of the committee, and the treasurer.

____ (D) The financial disclosure statement must contain the names, addresses, occupations and employers of all donors who have given money or anything of value, including in-kind donations of goods or services, along with the amounts and dates of the donations.

____ (E) Any outstanding loan, debt or other obligation of the committee must be disclosed as a donation.

(F) The financial disclosure statement must identify the amounts, dates, payees and purposes of all payments made by the committee.

(G) Financial disclosure statements must be filed in accordance with Article XII, Section 4, Subsection 2(A).

(H) A committee established pursuant to this section may accept contributions until the following deadlines:

i. For Mayoral candidates, 286 days before an election in which the individual benefitted by the committee seeks to be a candidate where the person is a candidate; and

ii. For Council candidates, 206 days before an election in which the individual benefitted by the committee seeks to be a candidate where the person is a candidate.

(J) The registration of a committee established pursuant to this section shall expire each year on December 31st. A committee established pursuant to this section shall renew its registration with the City Clerk upon expiration or within five days of any contribution collection or expenditure by the committee that is in excess of \$250.

(K) Any unspent funds remaining in the committee's account as of the first day of the Exploratory period shall be forfeited to the Fund.

(L) Contributions to a committee pursuant to this section shall count towards the aggregate and per Person limits on seed money.]”

SECTION 3. SEVERABILITY CLAUSE. If any section, paragraph, word or phrase of this ordinance is for any reason held to be invalid, or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 4. COMPILATION. Sections 1 and 2 of this ordinance shall amend, be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days following publication by title and general summary.

