



Legislation Details (With Text)

**File #:** Ord 2328      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 4/16/2021      **In control:** City Council

**On agenda:** 6/7/2021      **Final action:** 6/7/2021

**Title:** AN ORDINANCE ENACTING A NEW SECTION 2-1005 IN ARTICLE I OF CHAPTER 2 OF THE COMMERCE CITY REVISED MUNICIPAL CODE CREATING A PROCESS FOR HANDLING THIRD PARTY COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN FINANCE LAWS RELATING TO MUNICIPAL ELECTIONS.

**Sponsors:** City Council

**Indexes:**

**Code sections:**

**Attachments:** 1. Council Communication, 2. Ordinance - Final, 3. Ordinance, 4. Presentation, 5. Draft Complaint Form

Date	Ver.	Action By	Action	Result
6/7/2021	1	City Council	approved on second & final reading	
5/3/2021	1	City Council	introduced by council as seated and approved on first reading	Pass

AN ORDINANCE ENACTING A NEW SECTION 2-1005 IN ARTICLE I OF CHAPTER 2 OF THE COMMERCE CITY REVISED MUNICIPAL CODE CREATING A PROCESS FOR HANDLING THIRD PARTY COMPLAINTS ALLEGING VIOLATIONS OF CAMPAIGN FINANCE LAWS RELATING TO MUNICIPAL ELECTIONS.

**Summary and Background Information:**

In 2019, the Secretary of State updated their campaign financing rules such that all complaints relating to municipal campaign finance were to be handled by the city clerk of that municipality. Senate Bill 19-232 codified that rule into state statute. Prior to this change, city clerks would send municipal campaign finance complaints to the Secretary of State’s Office to handle. Due to this change in statute, City staff are recommending council adopt an amendment to the City code to provide for a process for handling municipal campaign finance complaints. Attached is a copy of the campaign finance manual with a summary of the types of potential campaign finance violations the Clerk’s Office may encounter.

The City Clerk’s Office has received one or fewer complaints per election cycle. The staff time spent on processing campaign finance complaints would increase depending on the number of complaints received in a given election cycle, which again is estimated to be minimal.

If a hearing is required as part of the complaint process, a hearing officer will need to be appointed by council and the hearing officer’s time will be billed to the City. Because the City has not had any involvement in campaign complaint processing in the past, it is difficult to estimate the budgetary impact at this point. Staff again anticipates this impact to be minimal.

The City Clerk presented Council with the draft ordinance at the February 8, 2021 study session. At

that time, staff took Council's consensus as to proceed with the placing ordinance as drafted on an agenda for Council's consideration.

**Staff Responsible (Department Head):** Dylan A. Gibson, City Clerk

**Staff Member Presenting:** Dylan A. Gibson, City Clerk

**Financial Impact:** Potential impacts to Outside Services budget for hearings and fees collected.

**Funding Source:** General Fund.

**Staff Recommendation:** Approve the ordinance.

**Suggested Motion:** I move to introduce Ordinance 2328 by council as seated and approve on first reading.