

ORDINANCE NO.

ORDINANCE OF THE CITY OF ROCKLIN ENACTING
CHAPTER 2.64 OF TITLE TWO OF THE ROCKLIN MUNICIPAL CODE
REGARDING ELECTRONIC FILING OF FAIR POLITICAL PRACTICES COMMISSION
STATEMENTS, REPORTS, AND OTHER DOCUMENTS

WHEREAS, Government Code section 84615 allows local government agencies to require an elected officer, candidate, committee or other person required to file Fair Political Practices Commission ("FPPC") campaign statements, reports, or other documents required by the Government Code, Chapter 4, commencing with Section 84100, online or electronically with a Local Filing Officer, and the City Clerk is the Local Filing Officer for the City of Rocklin; and

WHEREAS, recently enacted law AB 2151, Government Code section 84616, requires local government agencies to post on their websites a copy of any statement, report or other document required by Chapter 4, commencing with Section 84100 of the Government Code, that is filed with that agency within 72 hours of each applicable filing deadline; and

WHEREAS, Government Code section 87500.2 allows an agency to permit the electronic filing of a statement of economic interests required by Government Code sections 87200 or 87300, in accordance with the requirements set forth in Section 87500.2 and the FPPC regulations, including but not limited to Title 2, Division 6, California Code of Regulations section 18756; and

WHEREAS, the City's implementation of a paperless, electronic filing system for FPPC statements, reports, and other documents, will promote efficiency, transparency, and make it more convenient for committees, individuals, and the public. It is anticipated the electronic filing system will provide 24-hour filing and viewing accessibility of campaign finance information from any computer, from any location; and

WHEREAS, the City Council of the City of Rocklin wishes to allow for paperless electronic filing of Fair Political Practices Commission statements, reports, or other documents to the extent allowed by state law; and

WHEREAS, the City Council of the City of Rocklin finds and determines as follows:

- A. The recitals set forth above are true and correct.
- B. California Government Code section 84615 provides that if a legislative body of a local government agency requires online or electronic filing of statements, reports, or other documents required by Chapter 4 of the Political Reform Act (commencing with Government Code section 84100), the legislative body shall adopt an ordinance approving the use of online or electronic filing.

- C. The online or electronic filing system utilized by the City Clerk as the Local Filing Officer for FPPC campaign disclosure statements will operate securely and effectively, will not unduly burden filers, and will comply with the requirements of Government Code section 84615 as amended from time to time, and any other applicable laws.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROCKLIN DOES ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to enact Chapter 2.64 of Title 2 of the Rocklin Municipal Code regarding paperless electronic filing of Fair Political Practices Commission statements, reports and other documents.

Section 2. Authority. This ordinance is enacted under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code sections 37100, 38771, 87500.2, and 84615.

Section 3. Enact. Chapter 2.64 of Title 2 of the Rocklin Municipal Code regarding paperless electronic filing of Fair Political Practices Commission statements, reports, and other documents is hereby enacted as follows:

2.64 Electronic Filing of Fair Political Practices Commission Statements, Reports, and Other Documents.

2.64.010 The use of paperless electronic filing of Fair Political Practices Commission statements, reports, or other documents with the City Clerk is approved and allowed to the fullest extent permitted by state law.

2.64.020 Paperless Electronic Filing of Campaign Disclosure Documents.

- A. Any elected officer, candidate, or committee or other person required to file statements, reports, or other documents by Chapter 4 of the Political Reform Act (California Government Code section 84100 et seq.) may file the statements, reports, or documents in an electronic format prescribed by the City Clerk as the Local Filing Officer, free of charge.
- B. In any instance in which the original statement, report, or other document is required to be filed with the Secretary of State and a copy of that statement, report, or other document is also required to be filed with the City, the copy filed with the City may but is not required to be, filed online or electronically with the City Clerk.
- C. Any statement, report, or other document filed electronically or online pursuant to this section will be accepted as an original statement and need not be filed in paper format. The electronic filing system shall include a procedure for filers to comply with the requirement that they sign statements and reports under penalty of perjury

pursuant to Government Code section 81004, as amended from time to time.

- D. The date of filing for a statement, report, or other document that is filed online or electronically shall be the day that it is received by the City Clerk. Electronic confirmation of the filing will be provided to the filer with a timestamp that ensuring that the statement, report, or other document was received, as well as the method by which the filer may view and print the data received by the City Clerk.
- E. An elected officer, candidate, committee or other person required to file statements, reports or other documents pursuant to Chapter 4 of the Political Reform Act (California Government Code section 84100 et seq.) may choose not to use the electronic filing system by filing all original statements, reports, forms, or other documents in paper format with the City Clerk, until such time as the City Council determines that electronic filing is mandatory.
- F. The electronic filing system utilized by the City Clerk shall ensure the integrity of the data transmitted, shall include safeguards against efforts to tamper with, manipulate, alter, or subvert the data, and shall otherwise comply with all requirements of Government Code section 84615, as amended from time to time, and other applicable law.
- G. The City Clerk shall maintain the electronically filed records in accordance with the City's records retention schedule and applicable law commencing from the date filed, a secured, official version of each online or electronic statement, report, form, or other document filed, which shall serve as the official version of that record.
- H. Pursuant to Government Code section 84615, as may be amended from time to time, the City Clerk shall make the campaign disclosure data electronically filed pursuant to Government Code section 84100 et seq. available online in an easily understood format that provides the greatest public access. Such data shall be made available free of charge and as soon as possible after receipt. The data made available on the Internet shall not contain the street name and building number of the persons or entity representatives listed on the electronically filed forms or any bank account number required to be disclosed by the filer.

2.64.030 Paperless Electronic Filing of Statements of Economic Interest.

- A. Except as otherwise provided by law, any person holding a position listed in Government Code Section 82700 or designated in the City's conflict of interest code adopted pursuant to Government Code Section 83700, may file any required statement of Economic Interest report form (Form 700) online or electronically with the City Clerk, free of charge.
- B. Any statement filed electronically or online pursuant to this section will be accepted as an original statement and need not be filed in paper format.
- C. A statement of economic interests filed electronically shall include an electronic

transmission that it is submitted under penalty of perjury and that conforms to Civil Code section 1633.11(b), as amended from time to time.

- D. The City Clerk shall issue to a person who electronically files their statement of economic interests or amendment, an electronic confirmation that notifies the filer that their statement of economic interests or amendment was received. The confirmation shall include the date and time that the statement or amendment was received by the City Clerk, and the method by which the filer may view and print the data received by the City Clerk.
- E. The electronic filing system used by the City Clerk for the filing of statements of economic interest shall comply with the requirements of Government Code section 87500.2, the regulations adopted by the Fair Political Practices Commission including but not limited to Title 2 Code of Regulations section 18756, and other applicable law.
- F. Approval and certification of the Fair Political Practices Commission is required prior to implementing electronic filing under this section, in accordance with Government Code section 87500.2, as amended from time to time.

Section 4. Effective Date. This ordinance shall take effect 30 days after the date of its adoption.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 6. Publication. Within 15 days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Councilmembers voting for and against the ordinance, to be published in the *Placer Herald*. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Councilmembers voting for and against the ordinance, to be published in the *Placer Herald*, and shall post in the office of the City Clerk a certified copy of the City Councilmembers voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on December 14, 2021, by the following vote:

AYES: Councilmembers: Broadway, Gayaldo, Halldin, Janda, Patterson
NOES: Councilmembers: NONE
ABSENT: Councilmembers: NONE
ABSTAIN: Councilmembers: NONE

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on January 11 , 2022 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Bill Halldin, Mayor

ATTEST:

Hope Ithurnburn, City Clerk

First Reading: December 14, 2021
Second Reading: January 11, 2022
Effective Date: