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OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

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STATE ELECTIONS CODE

ELECTION CAMPAIGNS
EXPENDITURES FOR CANDIDATES

Definition.

Section 11500.
Unless the context otherwise clearly requires, the definitions set forth in this article shall govern the construction of this chapter.

Candidate.

Section 11501.
"Candidate" means any person who seeks nomination or election to a federal, state, county, judicial, or district office, or to a municipal office in a general law or chartered city, at any election or primary conducted within this state. "Candidate" also includes persons seeking election to a county central committee at the direct primary election.
(Amended by Stat. 1965, Chap. 598.)

Committee.

Section 11502.
"Committee" means a committee or group of persons organized for the purpose or charged with the duty of conducting the election campaign of any political party or of any candidate or group of candidates.

Campaign statement.

Section 11503.
"Campaign statement" means an itemized statement prepared in duplicate by a candidate and by the treasurer of a committee showing under each of the subdivisions of Section 11504:

(a) In detail all moneys paid, loaned, contributed, or otherwise furnished, directly or indirectly, to the candidate or treasurer or for use of the candidate or treasurer, in aid of the candidate's nomination or election.

(b) All money contributed, loaned, or expended, directly or indirectly, by the candidate or treasurer or through any other person, in aid of the candidate's nomination or election.

(c) The names of all persons who paid, loaned, contributed, or otherwise furnished such money in aid of the candidate's nomination or election.

(d) The names of all persons to whom such money was contributed, loaned or paid.

(e) The specific nature of each item.

(f) The service performed and by whom any services were performed.

(g) The purpose for which the money was expended, contributed or loaned.

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Lawful expenses enumerated.

Section 11504.
Lawful expenses are expenses for the following purposes only:

(a) For the preparing, printing, circulating, and verifying of nomination papers and for the candidate's official filing fee.

(b) For the personal traveling expenses of the candidate and of campaign personnel.

(c) For rent, furnishing and maintaining headquarters and halls and rooms for public meetings, including light, heat, and telephone.

(d) For payment of the following personnel:

1. Campaign managers.
2. Advertising agencies and publicity agents.
3. Stenographers and clerks.
4. Precinct workers.
5. Speakers.
6. Entertainers.

(e) For the preparing, printing, and posting of billboards, signs and posters.

(f) For the preparing, printing, and distribution of literature by direct mail, including postage, throwaways, and handbills.

(g) For newspaper advertising.

(h) For radio and television advertising and speech time.

(i) For office supplies, precinct lists, postage other than that provided for in subdivision (f), expressage, and telegraphing relative to candidacy.

(j) For making canvasses of voters and public opinion surveys.

(k) For conveying voters to and from the polls.

(l) For supervising the registration of voters.

(m) For watching the polling and counting of votes cast.

(n) For photographs, mats, cuts, art work, and displays.

(o) For petty cash items relative to candidacy.

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Committee Treasurer.	Section 11530. Each committee shall appoint a treasurer who shall receive, disburse, and keep a true account of all money contributed and disbursed for campaign purposes, and who shall, in the same manner and on the same type of forms as required of candidates, file a campaign statement. The (city) clerk, upon request, shall furnish the treasurer with the necessary forms for submitting the campaign statement required of him by this section.
Candidate acting as campaign treasurer.	Section 11531. A candidate may act as the campaign treasurer of his committee but may not act as treasurer for another candidate. When acting as a campaign treasurer, the candidate may sign the campaign statement of the committee.
Who must file.	Section 11560. Except as provided in Section 11561, each candidate and the treasurer of each committee shall make and file a campaign statement following the election or primary, as the case may be.
Verification at primary.	A campaign statement filed with respect to a primary election shall be verified. The verification shall state that the candidate or treasurer has used all reasonable diligence in its preparation, and that it is true and is as full and explicit as he is able to make it.
Municipal or District office.	Section 11561. A candidate or nominee for a municipal office or for election to the governing body of a district need not file a campaign statement if the lawful receipts and expenses of his campaign do not exceed two hundred dollars ($200). However, elected candidates or candidates nominated at a primary election shall file a written declaration to that effect if their campaign receipts and expenses do not exceed two hundred dollars ($200). (Amended by Stats. 1965, Chap. 598.)
Disclaimer of illegal payments.	Section 11562. If a candidate at any election other than a primary seeks to avoid the responsibility of any illegal payment made by any other person in his behalf, he shall set out that illegal payment in the campaign statement and disclaim responsibility for it.

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When filed.	Section 11563. All candidates for either nomination or election and the treasurer of each committee shall file their campaign statements within 35 days after the election or primary, or not later than the day preceding the day upon which the candidate takes office, whichever first occurs. (Amended by Stats. 1961, Chap. 1732.)
Filing with Secretary of State.	Section 11564. Candidates for office to be filled by the voters of the state or of any political division greater than a county, for Members of the Senate or Assembly, Representative in Congress, members of the State Board of Equalization, or judge of the superior court, and treasurers of committees for such candidates, shall file one copy of their campaign statements in the office of the Secretary of State and one copy with the clerk of the county in which the candidate resides.
Filing with County Clerk.	Candidates for all other offices, except municipal offices, and treasurers of committees for those candidates, shall file one copy of their campaign statements in the office of the clerk of the county wherein the election is held.
State central committee treasurer.	Notwithstanding any provision of law to the contrary, the treasurer of the state central committee of each political party shall file a campaign statement only in the office of the Secretary of State. (Amended by Stats. 1968, Chap. 661.)
Certificate of nomination or election not issued unless filed. Furnish forms.	Section 11565. No officer shall issue any certificate of nomination or election to any person until his campaign statement or the written declaration required in Section 11561 has been filed. No other statement of expenses shall be required. The officer with whom campaign statements or written declarations must be filed pursuant to Sections 11564, 11568, or 11569 shall send to the candidate, not more than three days after the election, the necessary forms for submitting his campaign statement. (Amended by Stats. 1961, Chap. 1732.)
No fee.	Section 11566. No fee or charge shall be made or collected by any officer for the verifying, filing, or recording of any campaign statement.

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Hold statements four years after expiration of term.

Section 11567.
Campaign statements shall be held by the officer with whom they are filed during the term of office for which they are filed and for four years after the expiration of the term. Thereafter they may be destroyed by that officer.

Filing with City Clerk.

Section 11568.
Candidates for municipal offices and treasurers of committees for those candidates shall file their campaign statements, or written declarations as required in Section 11561, in the office of the clerk of the city in which the election is held.
(Amended by Stats. 1968, Chap. 661.)

Filing with District Secretary.

Section 11569.
(Repealed by Stats. 1968, Chap. 661.)

Expenditures only for lawful expenses.

Section 11590.
Neither a candidate nor committee nor any body of superior authority to which the committee is subject, whether before, during or after an election or primary, may directly or indirectly pay, expend or contribute any money or other valuable thing, or promise so to do, except for lawful expenses.

No rent of premises where liquor is sold.

Section 11591.
No payment of money shall be made by a committee or candidate for the rent of any premises to be used as a committee room or headquarters, for holding a meeting, for the purpose of promoting the election or nomination of a candidate, or on account of or in respect to the conduct or management of an election, where alcoholic beverages are sold for consumption on the premises or are supplied to members of any club, society or association.

Nothing in this section applies to any part of the premises which is ordinarily let for the purposes of offices or for holding public meetings, if that part has a separate entrance and no direct communication with any part of the premises on which any alcoholic beverages are sold or supplied.
(Amended by Stats. 1961, Chap. 835.)

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Name and address of printer to be shown.

Section 11592.
Every bill, placard, poster, pamphlet or other printed matter having reference to an election or to any candidate shall bear upon its face the name and address of the printer and publisher.

No payment therefor shall be made or allowed unless the name and address is so printed.

Time to present claims to committee.

Section 11620.
Every claim payable by a committee on account of or in respect to any expense incurred in the conduct and management of an election held within this State or on behalf of the candidates of the political party, organized assemblage, or body which the committee represents shall be presented to the committee within 15 days after the election. If not so presented, the claim shall not be paid, and no action shall be commenced or maintained on it.

When must be paid.

Section 11621.
All expenses incurred by and properly presented to a committee shall be paid within 25 days after the election and not otherwise.

Claims against candidate.

Section 11622.
Every claim for expenses incurred by or on behalf of a candidate for the conduct or management of an election held within this State shall be presented to the candidate within 10 days after the day of election. If not so presented the claim shall not be paid, and no action shall be commenced or maintained on it.

When must be paid.

Section 11623.
All expenses incurred by and properly presented to a candidate shall be paid within 25 days after the day of election and not otherwise.

Penalty for violation.

Section 11624.
Any person who makes a payment in contravention of this article is guilty of a misdemeanor.

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Court action for committee, candidate or creditor.

Section 11625.
The superior court of the county in which a campaign statement is filed or is required to be filed may, on the completion of proper proceedings by either the committee or candidate or a creditor of either, allow:

(a) A campaign statement to be filed after the time limits specified in this chapter.

(b) An incorrect campaign statement to be corrected.

(c) Any claim to be presented and paid after the time limits prescribed by this article.

Action on claim by creditor.

Section 11626.
If the application is made by a creditor, the court may, under like conditions and upon a like showing, order the claim to be paid. A creditor is entitled to his costs.

Joinder of claims.

Section 11627.
The claims of one or more creditors may be united in the same application, but the amount and specific nature of each claim shall be fully stated.

Causes for Court relief.

Section 11628.
A person may obtain from the superior court the relief specified in Section 11625 if he shows by competent evidence that the failure to comply with this article was occasioned not by any want of good faith on the part of the applicant but by:

(a) The absence, illness or death of the candidate.

(b) The absence, illness or death of the treasurer of the campaign committee.

(c) The misconduct of any person other than the applicant.

(d) Inadvertence or excusable neglect.

(e) Any other reasonable cause.

Court procedure.

Section 11629.
Proper proceedings, as used in this article, consist of:

(a) The filing of an application in the office of the clerk of the superior court showing facts sufficient to entitle the applicant to relief.

(b) Such notice of the application as the court may require.

(c) Satisfactory proof by competent evidence of the allegations of the application.

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Effect of Court order.

Section 11630.
An order of the superior court relieves the applicant from any liability or consequences under this chapter in respect of the matters excused by the order.

Action by committee or candidate after payment.

Section 11631.
After an order by a superior court allowing a claim to be paid, and after payment, the committee or candidate shall file in the same office as the original campaign statement of the committee or candidate was filed:

(a) An amended campaign statement in the same form and containing the same information, as supplemented, as the original campaign statement.

(b) A certificate of its allowance.