

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, ARTICLE 5, CODE OF ETHICS, OF THE SAN MARCOS CITY CODE; ADDING A NEW DIVISION 4 – CAMPAIGN FINANCES; SETTING A LIMIT OF \$500 ON INDIVIDUAL CONTRIBUTIONS TO CANDIDATES FOR MAYOR OR CITY COUNCIL PER ELECTION CYCLE; SETTING AGGREGATE LIMITS ON CONTRIBUTIONS TO CANDIDATES FOR THE OFFICE OF MAYOR AND COUNCIL MEMBER; ORDAINING OTHER MATTERS RELATED TO THE FOREGOING; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Chapter 2, Article 5, Code of Ethics, of the San Marcos City Code is hereby amended to add a new Division 4, Campaign Finances, to read as follows:

ARTICLE 5. CODE OF ETHICS

DIVISION 4. CAMPAIGN FINANCES

Sec. 2.466. Definitions.

In this division;

Campaign contribution means and includes a contribution to a candidate for mayor or city council in any of the following forms: a monetary contribution or a non-monetary contribution (in-kind contribution).

Contributor means a natural person or a business entity other than a corporation

Election cycle means the period of time beginning on the day after the last general election for the office of mayor or council member of a particular council place and ending on the day of the next general election for that position.

Sec. 2.467. Individual Contribution Limit.

A contributor may not make campaign contributions in an amount exceeding \$500 per election cycle to a candidate for mayor or to a candidate for council member of a particular council place. This limit does not apply to contributions by a candidate to his or her own campaign.

Sec. 2.468. Aggregate Fund Raising Limits.

- (a) *Candidates for mayor.* A candidate for the office of mayor, including an incumbent mayor, shall not accept campaign contributions during an election cycle in an amount exceeding an aggregate limit to be determined as follows: an amount equal to \$0.75 multiplied by the number of registered voters in the city on the date of the last election for the office of mayor. The aggregate limit shall not include contributions made by a candidate to his or her own campaign.
- (b) *Candidates for city council positions.* A candidate for the position of council member of a particular council place, including an incumbent council member, shall not accept campaign contributions during an election cycle in an amount exceeding an aggregate limit to be determined as follows: an amount equal to \$0.50 multiplied by the number of registered voters in the city on the date of the last election for any council position. The aggregate limit shall not include contributions made by a candidate to his or her own campaign.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect on November 7, 2018.

PASSED AND APPROVED on first reading on the ____ day of _____, 2018.

PASSED, APPROVED AND ADOPTED on second reading on the ____ day of _____, 2018.

John Thomaides
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney