



## Legislation Text

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**File #:** ID#22-507, **Version:** 1

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### **AGENDA CAPTION:**

Hold discussion regarding: a. the Ethics Review Commission's review of Annual Financial Disclosure statements; b. the need for amendments to the San Marcos City Code of ordinances to codify the process for such reviews including explanation by the ERC of its requests to city officials to clarify or correct annual disclosure statements; and c. the need for code amendments to provide for ERC review of campaign contribution reports to address compliance with the Texas Election Code and the city's campaign finance ordinance and provide direction to staff.

**Meeting date:** July 5, 2022

**Department:** Requested by Mayor Hughson

### **Amount & Source of Funding**

**Funds Required:** [Click or tap here to enter text.](#)

**Account Number:** [Click or tap here to enter text.](#)

**Funds Available:** [Click or tap here to enter text.](#)

**Account Name:** [Click or tap here to enter text.](#)

### **Fiscal Note:**

**Prior Council Action:** [Click or tap here to enter text.](#)

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

[Choose an item.](#)

[Choose an item.](#)

[Choose an item.](#)

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

☐ Economic Development - [Choose an item.](#)

☐ Environment & Resource Protection - [Choose an item.](#)

☐ Land Use - [Choose an item.](#)

☐ Neighborhoods & Housing - [Choose an item.](#)

☐ Parks, Public Spaces & Facilities - [Choose an item.](#)

- ☐ Transportation - Choose an item.
- ☐ Core Services
- ☐ Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

### **Background Information:**

Mayor Hughson requests a discussion regarding responsibilities of the Ethics Review Commission (ERC) in regard to documents they currently review and might review in the future. Currently the ERC reviews the Annual Financial Disclosure statements provided by those required to provide such statements per Sec. 2.462. - Financial disclosure statement required.

Mayor Hughson would like to discuss what happens when there is a question on the Annual Financial Disclosure statement and a letter is sent to the person who submitted the statement. She suggests that the reason for the question that initiates a letter be included in the letter.

In addition, she notes that in 2018 the council adopted an individual contribution limit (Sec. 2.467), aggregate fund raising limits (Sec 2.468), and a prohibition against involvement in actions affecting economic interests (Sec 2.423). However, there is no review of these. Mayor Hughson is asking for a discussion on whether or not the ERC should review Campaign/Officeholder Campaign Finance Reports for compliance.

The charter provides for a review of Campaign/Officeholder Campaign Finance Reports in Sec 12.02 (c) (5) but it appears this is not being done currently.

### **Sec. 2.467. - Individual contribution limit.**

A contributor may not make campaign contributions in an amount exceeding \$500.00 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.

(Ord. No. [2018-37 <https://library.municode.com/tx/san\\_marcos/ordinances/code\\_of\\_ordinances?nodeId=918587>](https://library.municode.com/tx/san_marcos/ordinances/code_of_ordinances?nodeId=918587), § 1, 9-18-18)

### **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.

(Ord. No. [2018-37](#)  
<[https://library.municode.com/tx/san\\_marcos/ordinances/code\\_of\\_ordinances?nodeId=918587](https://library.municode.com/tx/san_marcos/ordinances/code_of_ordinances?nodeId=918587)>, § 1, 9-18-18)

**Council Committee, Board/Commission Action:**

Click or tap here to enter text.

**Alternatives:**

Click or tap here to enter text.

**Recommendation:**

Click or tap here to enter text.