



Center for **G**overnmental **S**tudies

Public Financing Laws in Local Jurisdictions

2005

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**LOCAL CHART 1: POPULATION, DATE ENACTED,
PUBLIC FUNDS ALLOCATION, MAXIMUM AMOUNT**

This chart summarizes the laws of 12 local jurisdictions in the United States that have public financing programs.¹

JURISDICTION	POPULATION ²	ENACTED	PUBLIC FUNDS ALLOCATION ³	MAXIMUM AMOUNT OF PUBLIC FUNDS A CANDIDATE MAY RECEIVE
Austin, TX	659,098	1992	Equal distribution of available funds among qualifying candidates <i>in a runoff election</i> . The public funds are distributed as a lump-sum grant. If no eligible candidate is in a runoff election, the funds are reserved for future elections. ⁴	No maximum is established by law.
Boulder, CO	94,673 ⁵	2000	\$1 in public funds for every \$1 in contributions. ⁶	A candidate may receive no more than 50% of the spending limit in public funds. ⁷ In 2005, a candidate could receive a maximum of \$6,305 in public funds.
Long Beach, CA	475,880	1994	<u>Primary</u> : \$1 in public funds for every \$2 in contributions. <u>General</u> : \$1 in public funds for every \$1 in contributions. ⁸	A candidate may receive no more than 33% of the primary spending limit and 50% of the runoff election spending limit in public funds, which equals: <u>Council</u> : \$15,180 (Primary) & \$11,500 (Runoff) <u>Mayor</u> : \$75,900 (Primary) & \$57,500 (Runoff) <u>Other Citywide Office</u> : \$37,950 (Primary) & \$28,750 (Runoff) ⁹
Los Angeles, CA	3,719,310	1990	<u>Primary</u> : \$1 in public funds for every \$1 in contributions from individuals, up to \$250 per contributor for Council candidates and up to \$500 per contributor for citywide candidates. <u>General</u> : candidate receives a lump-sum grant of one-fifth of the maximum matching funds available, plus a \$1 : \$1 match for individual contributions up to \$250 per contributor for Council candidates and up to \$500 per contributor for citywide candidates. ¹⁰	<u>Council</u> : \$100,000 (Primary) & \$125,000 (General) <u>Controller</u> : \$267,000 (Primary) & \$300,000 (General) <u>City Attorney</u> : \$300,000 (Primary) & \$350,000 (General) <u>Mayor</u> : \$667,000 (Primary) & \$800,000 (General) ¹¹
Miami-Dade County, FL	2,294,651	2001	<u>County Commission</u> : A qualified candidate receives a lump-sum grant of either \$50,000 or 75,000 for the general election, depending on which qualification threshold is met. A qualified candidate receives an additional \$50,000 if a runoff election is held. <u>Mayor</u> : A qualified candidate receives a lump-sum grant of \$300,000 for the general election, and an additional \$200,000 if a runoff election is held. ¹²	<u>County Commission</u> : \$75,000 (General) & \$50,000 (Runoff) <u>Mayor</u> : \$300,000 (General) & \$200,000 (Runoff) ¹³

JURISDICTION	POPULATION ²	ENACTED	PUBLIC FUNDS ALLOCATION ³	MAXIMUM AMOUNT OF PUBLIC FUNDS A CANDIDATE MAY RECEIVE
New York, NY	7,902,897	1988	\$4 in public funds for each \$1 in contributions of \$250 or less from natural persons, up to \$1,000 in public funds per contributor. ¹⁴	<p><i>Under normal circumstances, a candidate may not receive public funds that exceed 55% of spending limit,¹⁵ which in 2005 will equal:</i></p> <p><u>Council:</u> \$82,500 per election <u>Borough President:</u> \$708,950 per election <u>Mayor:</u> \$3,150,400 per election <u>Public Advocate and Comptroller:</u> \$1,969,550 per election</p> <p><i>However, if a high spending opponent spends 50% over the spending limit ("Tier One"), the participating candidate is eligible to receive matching funds in a 5:1 ratio in the following maximum amounts (2005):</i></p> <p><u>Council:</u> \$100,000 per election <u>Borough President:</u> \$859,333 per election <u>Mayor:</u> \$3,818,667 per election <u>Public Advocate and Comptroller:</u> \$2,387,333 per election</p> <p><i>Additionally, if a high spending opponent spends 300% over the spending limit ("Tier Two"), the participating candidate is eligible to receive matching funds in a 6:1 ratio in the following maximum amounts (2005):</i></p> <p><u>Council:</u> \$187,500 <u>Borough President:</u> \$859,333 <u>Comptroller:</u> \$4,476,250 <u>Public Advocate:</u> \$4,476,250 <u>Mayor:</u> \$7,160,000</p>
Oakland, CA ¹⁶	382,369	1999	\$1 in public funds for each \$1 in contributions, up to \$100 in public funds per contributor. ¹⁷	<p>Candidates may not receive public funds exceeding 15% of the applicable spending limit,¹⁸ which equals:</p> <p><u>City Council:</u> \$13,800-\$15,900 per election (depending on the population of the district) <u>School Board:</u> \$9,150-\$10,650 per election (depending on the population of the district) <u>Mayor:</u> \$48,150 per election <u>Other Citywide Office:</u> \$34,350 per election</p>
Portland, OR ¹⁹	526,609	2005	Candidates receive the maximum amount of funds for contested primaries and general elections, minus the total amount of qualifying contributions ²⁰ and seed money ²¹ received by the candidate in a pre-determined schedule before each election. ²²	<p><i>Contested primaries:</i></p> <p><u>Mayor:</u> \$200,000 <u>Commissioner:</u> \$150,000 <u>Auditor:</u> \$150,000</p> <p><i>General elections:</i></p> <p><u>Mayor:</u> \$250,000 <u>Commissioner:</u> \$150,000 <u>Auditor:</u> \$150,000²³</p>
Sacramento, CA	405,444	2003	\$1 in public funds for each \$1 in contributions received within 90 days of the election, up to \$250 in public funds per contributor. ²⁴	<p><u>City Council:</u> \$30,000 per election <u>Mayor:</u> \$100,000 per election²⁵</p>



JURISDICTION	POPULATION ²	ENACTED	PUBLIC FUNDS ALLOCATION ³	MAXIMUM AMOUNT OF PUBLIC FUNDS A CANDIDATE MAY RECEIVE
San Francisco, CA	731,978	2000	<p><u>General Election</u>: A Board of Supervisors candidate receives \$5,000 on certification of eligibility, then \$4 in public funds for each of the first \$5,000 raised in individual contributions, then \$1 in public funds for each \$1 in individual contributions raised, up to a maximum of \$43,750.</p> <p><u>Runoff Election</u>²⁶: Candidate receives \$5,000 on qualification for runoff, then \$4 in public funds for each \$1 in individual contributions raised, up to a maximum of \$17,000.²⁷</p>	\$43,750 (General) & \$17,000 (Runoff) ²⁸
Suffolk County, NY ²⁹	1,437,766	1998	<p><i>Upon reaching the threshold for eligibility, a candidate receives the following amount of public funds per election, in a lump-sum grant:</i></p> <p><u>County Legislature</u>: \$10,000 <u>Executive</u>: \$200,000 <u>Comptroller, Treasurer, District Attorney</u>: \$70,000³⁰</p>	<p><u>County Legislature</u>: \$10,000 <u>Executive</u>: \$200,000 <u>Comptroller, Treasurer, District Attorney</u>: \$70,000³¹</p>
Tucson, AZ	479,613	1985	\$1 in public funds for every \$1 in contributions. ³²	<p><i>There is no maximum amount established explicitly by law, but under the matching funds formula, it would be impossible for a candidate to receive more than 50% of the spending limit in public funds. Consequently, the maximum public funds available to a candidate would be:</i></p> <p><u>Council (for 2005 elections)</u>: \$39,611 per election cycle <u>Mayor (for 2003 elections)</u>: \$71,135 per election cycle³³</p>

¹This chart contains information only for jurisdictions with public financing laws on the books. Public financing programs in six local jurisdictions – Cincinnati (OH), King County (WA), Petaluma (CA), Sacramento County (CA), Seattle (WA), Cary (NC) – have been terminated or suspended, three by statewide ballot measure, one by local ballot measure, one by city council repeal, and one by suspension under legal settlement.

² Based on estimated 2003 census figures from the U.S. Census Bureau, which can be found at the *American Factfinder* website: <http://factfinder.census.gov>, unless otherwise indicated.

³ In jurisdictions that use a matching funds system, as opposed to a lump-sum grant system, the amount of public funding a candidate may receive per contributor is typically limited by the size of the jurisdiction’s contribution limit. For example, in Boulder, a candidate may receive \$1 in public funds for every \$1 in private contributions up to the jurisdiction’s \$100 contribution limit. Therefore, a candidate in Boulder could not receive more than \$100 in public funds per contributor. In an effort to encourage candidates to solicit smaller contributions from a larger number of donors, some jurisdictions place a limit on the size of a contribution that will be matched which is lower than the general contribution limit (e.g., Los Angeles and New York City). For the purposes of interpreting this column, assume that contributions up to the contribution limit are matchable unless otherwise noted.

⁴ Austin, Tex., City Code § 2-2-34(A) (2005).

⁵ 2003 Census estimates not available; therefore, figure used is from 2000 Census.

⁶ Boulder, Colo., Revised Code § 13-2-20(a) (2005).

⁷ *Id.*

⁸ Long Beach, Cal., Municipal Code § 2.01.410(D) (2005).

⁹ *Id.* at §§ 2.01.410(A)(3), (B)(2) and (C)(2).

¹⁰ Los Angeles, Cal., Municipal Code §§ 49.7.20 and 49.7.19(B) (2005).

¹¹ *Id.* at § 49.7.22.

¹² Miami-Dade, Fla., County Code § 12-22(f)(3) (2005).



¹³ *Id.*

¹⁴ New York City, N.Y., Administrative Code § 3-705(2) (2005). *See also id.* at § 3-702 (definition of “matchable contribution”).

¹⁵ *Id.* at § 3-705(2).

¹⁶ After successful administration of the public financing program in 2001 and 2002, the Oakland City Council suspended funding of the program for 2004 citywide elections. The council resumed funding of the program in a 2004 special election for a council seat. As of May 2005, the Council is debating whether to overhaul the system for the 2006 elections by eliminating funding for citywide offices and providing funding in greater amounts just for council elections.

¹⁷ Oakland, Cal., Municipal Code § 3.13.110 (2005).

¹⁸ *Id.*

¹⁹ In May 2005, Portland, Oregon became the first U.S. city to enact a full public financing program for local candidates. After raising a certain number of qualifying contributions of \$5, candidates become eligible to receive all of the money necessary to run a campaign, up to a pre-determined spending limit.

²⁰ A “qualifying contribution” is defined as a contribution of no more than \$5 in cash, or in the form of a check or money order made payable by any resident to the candidate or principal campaign committee of the candidate. *See* Portland, Ore., City Code § 2.10.010(T) (2005).

²¹ A “seed money contribution” is defined as a contribution of no more than \$100 made by a person to a political committee or candidate. *Id.* at § 2.10.010(W).

²² *Id.* at § 2.10.100 (2005)

²³ *Id.* at § 2.10.110.

²⁴ Sacramento, Cal., City Code § 2.14.140 (2003).

²⁵ *Id.*

²⁶ Because San Francisco implemented Ranked Choice Voting (also known as “instant runoff voting”) in the 2004 elections, there was no runoff election; therefore, the public financing provisions relating to runoff elections were not applicable.

²⁷ San Francisco, Cal., Campaign and Governmental Conduct Code §§ 1.144(c) and (d) (2005). *See also id.* at § 1.104(k) (definition of “matching contribution”).

²⁸ *Id.* at §§ 1.144(c) and (d).

²⁹ Although the law is still officially on the books, the Suffolk County public financing program has been consistently under-funded and virtually inoperable since its inception. For a more in-depth analysis of the problems with the Suffolk County program, see Center for Governmental Studies, *Dead On Arrival? Breathing Life into Suffolk County's New Campaign Finance Reforms* (2002).

³⁰ Suffolk County, N.Y., Charter § C41-4(C) (2005).

³¹ *Id.*

³² Tucson, Ariz., Charter, Chapter XVI, Subchapter B, § 5(a) (2005).

³³ *Id.*

**LOCAL CHART 2: QUALIFYING THRESHOLD,
RESIDENCY RESTRICTIONS, SPENDING LIMITS**

JURISDICTION	QUALIFYING FUNDRAISING THRESHOLD³⁴	RESIDENCY RESTRICTION ON MATCHABLE CONTRIBUTIONS	FUNDING MECHANISM	SPENDING LIMITS³⁵
Austin, TX	None ³⁶ (<i>Public financing program candidates receive funds if in a runoff.</i>)	N/A	Lobbyist registration fees; donations from individuals and business entities; liquidated damages and criminal fines for campaign violations; voluntary check-off on utility bills; candidate filing fees. ³⁷	<u>General</u> : \$75,000 <u>Runoff</u> : \$50,000 ³⁸
Boulder, CO	10% of spending limit in contributions of \$25 or less: \$1,261 (2005). ³⁹	No	City Council allocation. ⁴⁰	\$0.173 per registered voter: \$12,610 (2005). ⁴¹
Long Beach, CA	<u>Council</u> : \$5,000 in contributions of \$100 or less. <u>Mayor</u> : \$20,000 in contributions of \$200 or less. <u>Other Citywide Office</u> : \$10,000 in contributions of \$150 or less. ⁴²	No	City Council allocations “from time to time.” ⁴³	<u>Council</u> : \$46,000 (Primary) & \$23,000 (Runoff) <u>Mayor</u> : \$230,000 (Primary) & \$115,000 (Runoff) <u>Other Citywide Office</u> : \$115,000 (Primary) & \$57,500 (Runoff) ⁴⁴
Los Angeles, CA	<u>Council</u> : \$25,000 in contributions of \$250 or less. <u>City Attorney and Controller</u> : \$75,000 in contributions of \$500 or less. <u>Mayor</u> : \$150,000 in contributions of \$500 or less. ⁴⁵	No	The City Charter mandates \$2 million in annual appropriations to fund the public financing program. The annual appropriations are held in a trust fund, the balance of which may never exceed \$8 million. Both the annual appropriation and the total balance amounts are adjusted for changes in the cost of living. ⁴⁶	<u>City Council</u> : \$330,000 (Primary), \$275,000 (General) <u>Controller</u> : \$900,000 (Primary), \$676,000 (General) <u>City Attorney</u> : \$1,013,000 (Primary), \$788,000 (General) <u>Mayor</u> : \$2,251,000 (Primary), \$1,800,000 (General) ⁴⁷
Miami-Dade County, FL	<u>County Commission</u> : 200 contributions between \$15 and \$250 from 200 registered voter residents of Miami-Dade County for a total of at least \$15,000, in order to receive \$50,000 in public funds for the primary election. If total qualifying contributions exceed \$25,000, the candidate is eligible for \$75,000 in public funds for the primary election. <u>Mayor</u> : 1,000 contributions between \$15 and \$250 from 1,000 registered voter residents of Miami-Dade County. ⁴⁸ <u>Runoff</u> : A candidate who was not a participant in the primary election may receive public funds in a runoff without meeting the threshold requirement,	Miami-Dade County uses a lump-sum grant program, rather than a matching funds program. However, the contributions that a candidate must receive in order to qualify for a public funding grant must be made by registered voter residents of the County. ⁵⁰	Appropriations from general revenues “in an amount sufficient to fund qualifying candidates.” ⁵¹	<u>Mayor</u> : \$600,000 (General), \$400,000 (Runoff) <u>Commissioner</u> : \$150,000 (General), \$100,000 (Runoff) ⁵²



JURISDICTION	QUALIFYING FUNDRAISING THRESHOLD³⁴	RESIDENCY RESTRICTION ON MATCHABLE CONTRIBUTIONS	FUNDING MECHANISM	SPENDING LIMITS³⁵
	provided that the candidate did not exceed the spending limit in the primary and agrees to abide by the runoff spending and personal contribution limits. ⁴⁹			
New York, NY	<i>In order to reach the following threshold requirements, the contributions must be between \$10 and \$250 and made by natural persons who are residents of New York City.</i> <u>Council</u> : at least 75 contributions from Council residents totaling \$5,000. <u>Borough President</u> : at least 100 contributions totaling an amount equal to \$0.02 multiplied by the resident population of the borough. <u>Mayor</u> : at least 1,000 contributions totaling \$250,000. <u>Public Advocate and Comptroller</u> : at least 500 contributions totaling \$125,000. ⁵³	Yes, only contributions from City residents are matchable. ⁵⁴	Annual budget appropriation. ⁵⁵	<i>2005 Election year limits:</i> <u>Mayor</u> : \$5,728,000 per election <u>Public Advocate and Comptroller</u> : \$3,581,000 per election <u>Borough President</u> : \$1,289,000 per election <u>Council</u> : \$150,000 per election ⁵⁶ <i>Additional spending limits apply to the two years preceding the election year.</i>
Oakland, CA	Contributions of \$100 or less totaling at least 5% of the applicable spending limit. ⁵⁷	No	City Council appropriation "sufficient to fund all candidates for the city office eligible to receive limited matching funds." ⁵⁸	<i>2005 Election year limits:</i> <u>Mayor</u> : \$336,000 <u>Other Citywide Office</u> : \$240,000 <u>District City Councilmember</u> : \$96,000 to \$109,000 (depending on the population of the district) <u>School Board Director</u> : \$64,000 to \$74,000 (depending on the population of the district) ⁵⁹
Portland, OR	<i>To become eligible for public financing, candidates must raise \$5 qualifying contributions from City residents as follows:</i> <u>Mayor</u> : 1,500 residents <u>Commissioner</u> : 1,000 residents <u>Auditor</u> : 1,000 residents ⁶⁰	Yes, qualifying contributions can only come from City residents ⁶¹	City Council appropriation; civil penalty fund revenues; voluntary private contributions. ⁶²	<u>Mayor</u> : \$200,000 (Primary), \$250,000 (General) <u>Commissioner</u> : \$150,000 (Primary), \$200,000 (General) <u>Auditor</u> : \$150,000 (Primary), \$200,000 (General) ⁶³
Sacramento, CA	City Council candidates must raise at least \$7,500 in contributions of \$250 or less. Mayoral candidates must raise at least \$10,000 in contributions of \$250 or less. ⁶⁴	No	City Council appropriation. ⁶⁵	<u>Mayor</u> : \$500,000 <u>City Council</u> : \$75,000 ⁶⁶
San Francisco, CA	Candidate must raise \$5,000 in contributions between \$10 and \$100 from residents of the city. ⁶⁷	Yes, only contributions from San Francisco residents are matchable. ⁶⁸	Election Campaign Fund established by ordinance. Ordinance directs the Mayor and Board of Supervisors to appropriate an amount sufficient to provide funding to all eligible candidates. ⁶⁹	<u>Supervisor</u> : \$83,000 (General), \$22,000 (Runoff) ⁷⁰
Suffolk County, NY	<i>The following thresholds must be met by contributions from natural person residents of the County of between \$10 and \$500.</i> <u>County Legislature</u> : 50 contributions totaling at	Yes, only contributions from County residents are matchable. ⁷²	Voluntary taxpayer donations to the campaign finance fund. ⁷³	<u>Executive</u> : \$338,000 (Primary), \$563,000 (General) <u>Other Countywide Offices</u> : \$113,000 (Primary), \$225,000 (General) <u>County Legislator</u> : \$17,000 (Primary), \$34,000

JURISDICTION	QUALIFYING FUNDRAISING THRESHOLD ³⁴	RESIDENCY RESTRICTION ON MATCHABLE CONTRIBUTIONS	FUNDING MECHANISM	SPENDING LIMITS ³⁵
	least \$5,000. <u>Executive</u> : 500 contributions totaling at least \$75,000. <u>Comptroller, Treasurer, District Attorney</u> : 300 contributions totaling at least \$30,000. ⁷¹			(General) ⁷⁴ <i>Additional spending limits apply to the year preceding the election year.</i>
Tucson, AZ	<i>The following thresholds must be met with contributions from city residents.</i> <u>Council</u> : 200 contributions of \$10 or more. <u>Mayor</u> : 300 contributions of \$10 or more. ⁷⁵	Contributions received toward meeting the matching funds qualification threshold must be from Tucson residents. Once a candidate exceeds the qualification threshold, non-resident contributions are matchable. ⁷⁶	Mayor/Council annual budget appropriations. ⁷⁷	<u>Mayor</u> : \$0.64 per registered voter in the city per election cycle: \$142,271 (2003) <u>Council</u> : \$0.33 per registered voter in the city per election cycle: \$79,222 (2005) <i>No candidate may spend more than 75% of these limits prior to the primary election.</i> ⁷⁸

³⁴ In order to be eligible to receive public financing, candidates must first demonstrate a modicum of public support. Various qualification thresholds are used to ensure that public funds are not allocated to candidates with no support base. Most jurisdictions require candidates to raise a minimum amount of campaign funds in small contributions. Some jurisdictions (e.g., Austin and Cary) require that candidates receive enough votes in a general election to proceed into a runoff election before becoming eligible to receive public funds.

³⁵ The spending limits in these jurisdictions are binding only on candidates who voluntarily agree to abide by such limits in exchange for public financing. The U.S. Supreme Court has interpreted the First Amendment of the federal Constitution to prohibit mandatory spending limits. *See Buckley v. Valeo*, 424 U.S. 1, 49 (1976) (*per curiam*). The *Buckley* Court did rule, however, that Congress may “condition acceptance of public funds on an agreement by the candidate to abide by specified expenditure limitations.” *Id.* at 57 n. 65. The local governments included in this chart have relied on this rationale to implement voluntary public financing programs with spending limits. The following jurisdictions apply a cost of living adjustment (“COLA”) to the spending limits: **Boulder**, *see* Boulder, Colo., Revised Code § 13-2-21(b)(1) (2005); **Long Beach**, *see* Long Beach, Cal., Municipal Code § 2.01.1210 (2005); **Miami-Dade County**, *see* Miami-Dade, Fla., County Code § 12-22(e)(3) (2005); **New York City**, *see* New York City, N.Y., Administrative Code § 3-706(1)(e) (2005); **Oakland**, *see* Oakland, Cal., Municipal Code § 3.12.200 (2005); **San Francisco**, *see* San Francisco, Cal., Campaign and Governmental Conduct Code § 1.130(f) (2005); **Suffolk County**, *see* Suffolk County, N.Y., Charter § C41-5(A)(4) (2005); and **Tucson**, *see* City of Tucson, Ariz., Charter, Chapter XVI, Subchapter B, § 3(c) (2005). The spending limits listed in this chart are the most current adjusted limits. The original limits can be found in the cited ordinances and charters.

³⁶ Austin, Tex., Code § 2-2-34 (2005).

³⁷ *Id.* at § 2-2-32.

³⁸ Austin, Tex., Charter Art. III § 8(H) (2005).

³⁹ Boulder, Colo., Revised Code § 13-2-21(a) (2005).

⁴⁰ *Id.* at 13-2-20(a).

⁴¹ *Id.* at § 13-2-21(b)(1) (2005). The actual spending limit in 2005, when adjusted for the cost of living, was \$0.179 per registered voter. When multiplied by 67,613 registered voters, the total spending limit per candidate was \$12,082.

⁴² Long Beach, Cal., Municipal Code § 2.01.410 (2005).

⁴³ *Id.* at § 2.01.910.

- ⁴⁴ These limits are current as of January 2002 and will be adjusted again in January 2004 to reflect changes in the cost of living. Long Beach, Cal., Municipal Code § 2.02.410 (2005).
- ⁴⁵ Los Angeles, Cal., Municipal Code § 49.7.19(A)(1) (2005).
- ⁴⁶ Los Angeles, Cal., City Charter, Art. IV §§ 471(c)(1) and (2) (2005).
- ⁴⁷ Los Angeles, Cal., Municipal Code § 49.7.13 (2005).
- ⁴⁸ Code of Miami-Dade County, Fla. § 12-22(c)(5) (2005).
- ⁴⁹ *Id.* at § 12-22(d).
- ⁵⁰ *Id.* at § 12-22(c)(5).
- ⁵¹ *Id.* at § 12-22(b).
- ⁵² *Id.* at § 12-22(e).
- ⁵³ New York City, N.Y., Administrative Code § 3-703(2)(a) (2005).
- ⁵⁴ *Id.* at § 3-702(3).
- ⁵⁵ *Id.* at § 3-709.
- ⁵⁶ The spending limits given here are the limits that apply to the 2003 city council elections and the 2005 citywide office elections. *Id.* at § 3-706(1)(a).
- ⁵⁷ Oakland, Cal., Municipal Code § 3.13.080(C) (2005).
- ⁵⁸ *Id.* at § 3.13.060.
- ⁵⁹ *Id.* at § 3.12.200. The statute specifies the spending limit amount per resident, adjusted for changes in the cost of living. The city's limits are based on the City Clerk's resident population count of 399,477.
- ⁶⁰ Portland, Ore., City Code § 2.10.070 (2005).
- ⁶¹ *Id.*; *see also* §2.10.010(V).
- ⁶² *Id.* at § 2.10.040.
- ⁶³ *Id.* at § 2.10.110.
- ⁶⁴ Sacramento, Cal., Sacramento City Code § 2.14.130 (2005).
- ⁶⁵ *Id.* at § 2.14.215.
- ⁶⁶ *Id.* at § 2.14.050.
- ⁶⁷ San Francisco, Cal., Campaign and Governmental Conduct Code §§ 1.140(a)(2) and 1.104(o) (2005).
- ⁶⁸ *Id.* at § 1.104(k).
- ⁶⁹ *Id.* at § 1.138.
- ⁷⁰ Because San Francisco implemented Ranked Choice Voting (also known as "instant runoff voting") in the 2004 elections, there was no runoff election. Therefore, the public financing provisions relating to runoff elections were not applicable. San Francisco also offers voluntary spending limits to candidates for the offices of Mayor, Board of Education, and other citywide offices, but does not offer public financing to candidates for these offices. *See id.* at § 1.130.
- ⁷¹ Suffolk County, N.Y., Charter §§ C41-1 (definition of "Threshold Contribution") and C41-2(A)(8)(a) (2005).
- ⁷² *Id.* at § C41-1 (definition of "Matchable Contribution").
- ⁷³ *Id.* at § C41-8(J).
- ⁷⁴ *Id.* at §§ C41-5(A) and (B) (2005).
- ⁷⁵ City of Tucson, Ariz., Charter, Chapter XVI, Subchapter B, § 4(a) (2005).
- ⁷⁶ *Id.* at §§ 4(b) and 5(a).
- ⁷⁷ *Id.* at § 6.
- ⁷⁸ *Id.* at § 3.

**LOCAL CHART 3: SPENDING LIMITS PER RESIDENT,
CONTRIBUTION LIMITS, CANDIDATE PERSONAL CONTRIBUTIONS**

JURISDICTION	SPENDING LIMITS PER RESIDENT ⁷⁹	CONTRIBUTION LIMITS ⁸⁰	CANDIDATE PERSONAL CONTRIBUTIONS ⁸¹
Austin, TX	General: \$0.11 Runoff: \$0.08	Contributions to candidates may not exceed the following amounts: From Small-Donor PACs: \$1,000 per election ⁸² From All other contributors: \$100 per election ⁸³ Total from Contributors Not Eligible to Vote in Austin: \$15,000 (General) & \$10,000 (Runoff) ⁸⁴ Non-candidate political committees are prohibited from accepting contributions in excess of \$100 per year per contributor. Non-candidate political committees are also prohibited from accepting contributions from sources other than natural persons. ⁸⁵	May not exceed 5% of spending limit. ⁸⁶
Boulder, CO	\$0.173	\$100 per election ⁸⁷	May not exceed 20% of spending limit. ⁸⁸
Long Beach, CA	Council: \$0.90 (Primary) & \$0.45 (Runoff) ⁸⁹ Mayor: \$0.50 (Primary) & \$0.25 (Runoff) Other Citywide Office: \$0.25 (Primary) & \$0.13 (Runoff)	Contributions from persons to: Council Candidates: \$300 per election Mayor Candidates: \$600 per election Other Citywide Office Candidates: \$440 ⁹⁰	Limited only by the total spending limit.
Los Angeles, CA	City Council: \$1.33 (Primary), \$1.11 (General) ⁹¹ Controller: \$0.24 (Primary), \$0.18 (General) City Attorney: \$0.27 (Primary), \$0.21 (General) Mayor: \$0.61 (Primary), \$0.49 (General)	Contributions from persons to: City Council Candidates: \$500 per election Mayor, City Attorney, Controller Candidates: \$1,000 per election PACs which support or oppose any candidate (includes PACs that make IEs): \$500 per calendar year Total contributions made "in connection with all candidates" in any single election: the greater of \$1,000 or (\$500 multiplied by the number of City Council offices on the ballot + \$1,000 multiplied by the number of City-wide offices on the ballot). A candidate may not accept contributions from PACs which combined exceed: City Council: \$150,000 City Attorney or Controller: \$400,000 Mayor: \$900,000 ⁹²	Council: \$25,000 Citywide office: \$100,000 ⁹³
Miami-Dade County, FL	Mayor: \$0.27 (General), \$0.17 (Runoff); Commissioner: \$0.85 (General), \$0.58 (Runoff) ⁹⁴	\$250 per election ⁹⁵	May not exceed \$25,000. ⁹⁶
New York, NY	2005 Election year limits: Mayor: \$0.72 per election Public Advocate and Comptroller: \$0.45 per election Borough President: \$0.82 per election ⁹⁷ Council: \$0.96 per election ⁹⁸ Additional spending limits apply to	Citywide office: \$4,950 per election cycle Borough President: \$3,850 per election year Council: \$2,750 per election cycle ⁹⁹ Participating candidates may not accept contributions from PACs unless the PAC voluntarily registers with the Campaign Finance Board and the contribution does not exceed the contribution limit applicable to the office. ¹⁰⁰	May not exceed three times the applicable contribution limit. ¹⁰¹

JURISDICTION	SPENDING LIMITS PER RESIDENT ⁷⁹	CONTRIBUTION LIMITS ⁸⁰	CANDIDATE PERSONAL CONTRIBUTIONS ⁸¹
	<i>the two years preceding the election year.</i>		
Oakland, CA	<u>Mayor</u> : \$0.84 <u>Other Citywide Office</u> : \$0.60 <u>District City Councilmember</u> : \$1.80 <u>School Board Director</u> : \$1.21 ¹⁰²	<i>Contributions from persons to:</i> <u>Non-participating candidates and PACs that make IEs</u> : \$100 per election <u>Participating candidates</u> : \$600 per election ¹⁰³ <i>Contributions from "broad-based political committees"¹⁰⁴ to:</i> <u>Non-participating candidates</u> : \$300 per election <u>Participating candidates</u> : \$1,200 per election ¹⁰⁵	May not exceed 5% of the spending limit. ¹⁰⁶
Portland, OR	<u>Mayor</u> : \$0.38 (Primary); \$0.47 (General) <u>Commissioner</u> : \$1.14 (Primary); \$1.52 (General) ¹⁰⁷ <u>Auditor</u> : \$0.28 (Primary); \$0.38 (General)	<i>Participating candidates may not accept campaign contributions, except for qualifying contributions and seed money. Non-participating candidates are bound by state law, which does not impose any contribution limits on local candidates.</i>	Limited only by the total spending limit.
Sacramento, CA	<u>Mayor</u> : \$1.23 <u>City Council</u> : \$1.48 ¹⁰⁸	<u>Individuals to Mayoral Candidates</u> : \$1,000 <u>Individuals to City Council Candidates</u> : \$750 <u>PACs to Mayoral Candidates</u> : \$5,000 <u>PACs to City Council Candidates</u> : \$3,000 ¹⁰⁹	<u>Mayor</u> : \$30,000 <u>City Council</u> : \$7,500 ¹¹⁰
San Francisco, CA	<u>Board of Supervisors</u> : \$1.25 (General), \$0.33 (Runoff, if applicable) ¹¹¹	<u>General election</u> : \$500 <u>Aggregate limit for general election</u> : \$500 multiplied by the total number of offices being elected, per contributor <u>Contributions to PACs (includes PACs that make IEs)</u> : \$500 per year per committee and \$3,000 total to all committees per year ¹¹²	Limited only by the total spending limit.
Suffolk County, NY	<u>Executive</u> : \$0.23 (Primary), \$0.36 (General) <u>Other Countywide Offices</u> : \$0.08(Primary), \$0.16 (General) <u>County Legislator</u> : \$0.21 (Primary), \$0.43 (General) ¹¹³	<i>The following contribution limits apply only to public financing program candidates:</i> <u>County Legislator</u> : \$1,100 per election <u>Executive</u> : \$2,750 per election <u>Comptroller, Treasurer, District Attorney</u> : \$1,650 per election ¹¹⁴ <i>Participating candidates are prohibited from accepting contributions from PACs, lobbyists or firms doing business, or proposing to do business with the County.</i> ¹¹⁵	May not exceed the contribution limit applicable to the office. ¹¹⁶
Tucson, AZ	<u>Mayor</u> : \$0.29 per election cycle <u>Council</u> : \$0.99 per election cycle ¹¹⁷	<u>From individuals</u> : \$370 per election <u>From PACs</u> : \$370 per election <u>From Small Donor PACs</u> : ¹¹⁸ \$1,800 per election <u>Total from Political Party Committees</u> : \$9,460 per election <u>Total contributions from non-party PACs</u> : \$9,460 per election <u>Total contributions to candidates or PACs who contribute to other candidates</u> : \$3,530 ¹¹⁹	May not exceed 3% of the applicable spending limit in any election cycle. ¹²⁰

⁷⁹ Most jurisdictions have enacted spending limits in the form of total dollar amounts, but a few have enacted spending limits on the basis of the number of voters or residents in the jurisdiction. This column was included to provide a standard unit for comparison between the programs of different jurisdictions. The figures given are based on estimated 2003 census figures from the U.S. Census Bureau, which can be found at the *American Factfinder* website: <http://factfinder.census.gov>, except for Boulder, CO, and Cary, NC, which are 2000 figures.

⁸⁰ The limits listed in this column are limits on contributions from persons to candidates, unless otherwise noted. The term “person” is defined broadly in most jurisdictions to include humans, corporations, partnerships, political committees and other organizations. The term “PAC” is used as an abbreviated reference to a political committee. The following jurisdictions apply a COLA to the contribution limits: **Cincinnati**, *see* Cincinnati, Ohio, City Charter, Art. XIII § 4(f)(2) (adopted by voters Nov. 2001); **Long Beach**, *see* Long Beach, Cal., Municipal Code § 2.01.1210 (2005); **New York City**, *see* New York City, N.Y., Administrative Code § 703(7) (2005); **Oakland**, *see* Oakland, Cal., Municipal Code §§ 3.12.050(G) and 3.12.060(G) (2005); **Suffolk County**, *see* Suffolk County, N.Y., Charter § C41-2(F) (2005); and **Tucson**, *see* Arizona Revised Statutes § 16-905(J) (2005). The contribution limits listed in this chart are the most current adjusted limits. The original limits can be found in the cited ordinances and charters.

⁸¹ Applies only to candidates voluntarily participating in the public financing program.

⁸² Austin, Tex., Charter Art. III § 8(B) (2005). A “small-donor political committee” is a political committee which has accepted no more than \$25 dollars from any contributor during any calendar year, has had at least 100 contributors during either the current or previous calendar year, has been in existence for at least six months, and has never been controlled by a candidate.

⁸³ *Id.* at § 8(A).

⁸⁴ *Id.*

⁸⁵ *Id.* at § 8(I).

⁸⁶ Austin, Tex., Code § 2-2-7 (C) (2005).

⁸⁷ Boulder, Colo., Revised Code § 13-2-17 (2005).

⁸⁸ *Id.* at § 13-2-21(b)(2).

⁸⁹ Based on total population, divided by nine City Council districts.

⁹⁰ The contribution limits listed here are the COLA adjusted limits that take effect on Jan. 1, 2002. Long Beach, Cal., Municipal Code § 2.01.310 (2005).

⁹¹ Based on total population, divided by fifteen City Council districts.

⁹² Los Angeles, Cal., City Charter, Art. IV §470(c) (2005).

⁹³ Los Angeles, Cal., Municipal Code § 49.7.19(A)(3) (2005).

⁹⁴ Based on total population, divided by thirteen Commissioner districts.

⁹⁵ Miami-Dade, Fla., County Code § 2-11.1.3(b) (2005).

⁹⁶ *Id.* at §§ 12-22(c)(3) and (d)(3).

⁹⁷ Based on total population, divided by five Borough President districts.

⁹⁸ Based on total population, divided by fifty-one Council districts.

⁹⁹ The contribution limits given here are the limits that apply to the 2003 City Council elections and the 2005 citywide office elections. New York City, N.Y., Administrative Code § 3-703(1)(f) (2005).

¹⁰⁰ *Id.* at §§ 3-703(1)(k) and 3-707.

¹⁰¹ *Id.* at § 3-703(1)(h).

¹⁰² Oakland, Cal. Municipal Code § 3.12.200 (2005). The statute specifies the spending limit amount per resident, adjusted annually for changes in the cost of living. The City’s limits are based on the City Clerk’s resident population count of 399,477.

¹⁰³ *Id.* at § 3.12.050 (A) and (B).

¹⁰⁴ A “broad-based political committee” is a committee of persons which has been in existence for more than six months, receives contributions from 100 or more persons, and acting in concert makes contributions to five or more candidates. *Id.* at §3.12.040. *See also id.* at § 3.12.060(C).

¹⁰⁵ *Id.* at §§ 3.12.060 (A) and (B).

¹⁰⁶ *Id.* at § 3.13.090.

¹⁰⁷ Based on total population, divided by four Commission offices.

¹⁰⁸ Based on total population, divided by eight council districts.

¹⁰⁹ Sacramento, Cal., City Code § 2.13.050 .

¹¹⁰ *Id.* at § 2.14.165.

¹¹¹ Based on total population, divided by eleven Supervisorial districts.

¹¹² San Francisco, Cal., Campaign and Governmental Conduct Code § 1.114 (2005).

¹¹³ Based on total population, divided by eighteen County Legislator districts.

¹¹⁴ Suffolk County, N.Y., Charter § C41-2(A)(6) (2005).

¹¹⁵ *Id.* at § C41-2(G).

¹¹⁶ *Id.* at § C41-2(A)(8).

¹¹⁷ Based on total population, divided by six Council districts.

¹¹⁸ A “small donor PAC” is a committee that receives contributions of \$10 or more from at least 500 individuals. Arizona Revised Statutes § 16-905(I) (2005).

¹¹⁹ *Id.* at §§ 16-905(A)-(E).

¹²⁰ Tucson, Ariz., City Charter, Chapter XVI, Subchapter B, § 2 (2005).

**LOCAL CHART 4: HIGH SPENDING OPPONENTS,
INDEPENDENT EXPENDITURES, DEBATE REQUIREMENTS**

JURISDICTION	HIGH SPENDING OPPONENT TRIGGER PROVISION	INDEPENDENT EXPENDITURE (“IE”) TRIGGER PROVISION	DEBATE REQUIREMENT ¹²¹
Austin, TX	Opponent expenditures or receipt of contributions in excess of the voluntary contribution and expenditure limits excuses participating candidates from further compliance with applicable limits. ¹²²	If a person spends more than \$10,000 in one race, the spending limits are no longer binding on any candidates in the race. ¹²³	Yes ¹²⁴
Boulder, CO	None	None	No
Long Beach, CA	None	None	No
Los Angeles, CA	Opponent expenditures or receipt of contributions in excess of the applicable spending limit eliminates the spending limit for all other candidates in the race, and makes participating candidates eligible to receive matching funds at a rate of 3:1 up to the maximum if the opponent exceeds the spending limit by 50%. ¹²⁵	If an IE committee spends more than \$50,000 in a City Council race, \$100,000 in a City Attorney or Controller race, or \$200,000 in a Mayoral race, the spending limits are no longer binding on any candidate running for the office, and for the general election, participating candidates become eligible to receive matching funds at a rate of 3:1 up to the maximum. ¹²⁶	Yes ¹²⁷
Miami-Dade County, FL	Opponent expenditures or receipt of contributions in excess of the applicable spending limit eliminates the spending limits for all other candidates in the race. ¹²⁸	None	No
New York, NY	Opponent expenditures or receipt of contributions in excess of 50% of the applicable spending limit eliminates the spending limit for all other candidates in the race and triggers an increase of \$1 in the applicable matching fund rate. ¹²⁹	None	Yes ¹³⁰
Oakland, CA	Opponent expenditures or receipt of contributions in excess of 50% of the applicable spending limit eliminates the spending limit for all other candidates in the race. ¹³¹	If an IE committee spends more than \$15,000 on a District City Council or School Board race, or spends more than \$70,000 on any other race, the spending limits are no longer binding on any candidate running for the office. ¹³²	No ¹³³
Portland, OR	Opponent expenditures or receipt of contributions in excess of the applicable spending limits eliminates the spending limit for all other candidates in the race and makes participating candidates eligible to receive matching funds in an amount equal to the amount of contributions or expenditures by or on behalf of the non-participating candidate that exceeds the spending limits. ¹³⁴	If an IE committee supporting or opposing a candidate exceeds the applicable spending limit, the spending limits are no longer binding on any other candidates in the race and participating candidates become entitled to receive matching funds in an amount equal to the amount of independent expenditures that exceeds the spending limits. ¹³⁵	No
Sacramento, CA	Opponent expenditures in excess of 75% of the applicable spending limit eliminates the spending limit for all other candidates in the race. ¹³⁶	If an IE committee spends more than 50% of the applicable spending limit, the spending limits are no longer binding on any candidate running in the race. ¹³⁷	No
San Francisco, CA	Opponent expenditures or receipt of contributions in excess of the applicable spending limits eliminates the spending limits for all other candidates in the race. ¹³⁸	If an IE committee spends more than the applicable spending limits, the spending limits are no longer binding on any candidate in the race. ¹³⁹	Yes ¹⁴⁰
Suffolk County, NY	Opponent expenditures or receipt of contributions in excess of 50% of the applicable spending limits eliminates the spending limits for all other candidates in the race. ¹⁴¹	None	No

JURISDICTION	HIGH SPENDING OPPONENT TRIGGER PROVISION	INDEPENDENT EXPENDITURE (“IE”) TRIGGER PROVISION	DEBATE REQUIREMENT ¹²¹
Tucson, AZ	If an opponent makes expenditures or receives contributions in excess of \$11,840, a participating candidate is no longer bound by state law contribution limits until the candidate raises an amount equal to the opponent personal wealth expenditures. Instead, such candidate will be bound by the less stringent Tucson Charter contribution limits (\$500 from individuals and \$1,000 from PACs) during this period. ¹⁴²	None	No

¹²¹ Some jurisdictions require candidates who participate in the public financing program to also participate in a set number of public debates with their opponents.

¹²² Austin, Tex., Code at § 2-2-12 (2005).

¹²³ *Id.* at § 2-2-12(C).

¹²⁴ *Id.* at § 2-9-35.

¹²⁵ Los Angeles, Cal., Municipal Code §§ 49.7.14 and 49.7.22 (2005).

¹²⁶ *Id.* at §§ 49.7.14 and 49.7.22.

¹²⁷ *Id.* at § 49.7.19(C).

¹²⁸ Miami-Dade, Fla., County Code § 12-22(j) (2005).

¹²⁹ New York City, N.Y., Administrative Code § 3-706(3) (2005).

¹³⁰ *Id.* at § 3-709.5.

¹³¹ Oakland, Cal., Municipal Code § 3.12.220 (2005).

¹³² *Id.*

¹³³ While receipt of public funds is not conditioned on participation in a debate, candidates are strongly encouraged to take part in at least one nonpartisan debate. *Id.* at § 3.13.170.

¹³⁴ Portland, Ore., City Code §§ 2.10.150 (A) and (D) (2005).

¹³⁵ *Id.* at §§ 2.10.150(B) and (D).

¹³⁶ Sacramento, Cal., City Code § 2.14.060.

¹³⁷ *Id.*

¹³⁸ San Francisco, Cal., Campaign and Governmental Conduct Code § 1.146(a) (2005).

¹³⁹ *Id.*

¹⁴⁰ *Id.* at § 1.140(a)(5)(D).

¹⁴¹ Suffolk County, N.Y., Charter § C41-5(D) (2005).

¹⁴² Arizona Revised Statutes § 16-905(F) (2005). *See also* Tucson, Ariz., City Charter, Chapter XVI, Subchapter A, § 2 (2005).