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Santa Fe, New Mexico – Code of Ordinances – Chapter IX Election and Political Campaign Codes

- 9-2.6 - Independently sponsored campaign communications and reporting.

A.

Any person or entity that makes expenditures of five hundred dollars (\$500.00) or more in the aggregate during a single election to pay for any form of public communication including print, broadcast, cable or electronic advertising, billboards, signs, pamphlets, mass mailers, mass electronic mail, recorded phone messages, organized phone-banking or organized precinct-walking, that is disseminated to one hundred (100) or more eligible voters, and that either expressly advocates the election or defeat of a candidate, or the approval or defeat of a ballot proposition; or refers to a clearly identifiable candidate or ballot proposition within sixty (60) days before an election at which the candidate or proposition is on the ballot, shall thereafter, on each of the days prescribed for the filing of campaign finance statements, file with the city clerk a report of all such expenditures made and all contributions received for the purpose of paying for such expenditures on or before the date of the report which have not been previously reported and which are not exempted from reporting by paragraph D of this subsection.

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B.

Each report shall be submitted on a form prescribed by the city clerk. The name and address of the reporting person or entity and the name of its president, chief executive officer, or equivalent position shall be stated in the report.

C.

Contributions shall be specified by date, amount of contribution, name, address and occupation of the person or entity from whom the contribution was received. No contribution shall be reported in the name of a person who is not the actual contributor or who has been or will be reimbursed or compensated for the contribution by another person. The reporting person or entity shall certify on the filing that its expenditures were or were not made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, his/her representatives or agents or the candidate's political committee.

D.

A contribution received from a contributor whose aggregate contributions to the reporting person or entity for the purpose of paying for the expenditures covered by paragraph A of this section are less than twenty-five dollars (\$25.00) need not be separately reported, but the amount thereof shall be included in the reported cumulative total of contributions received by the reporting person or entity during the period

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covered by the report. Where such a contributor makes subsequent contributions that increase the contributor's aggregate total of such contributions to twenty-five dollars (\$25.00) or more, all such contributions from the contributor, regardless of their amount, shall thereafter be separately reported for the reporting period during which they are received.

E.

Expenditures shall be specified by date, the amount of the expenditure, the name and address of the person or entity where an expenditure was made and the purpose of the expenditure. No report is required under this subsection for expenditures made exclusively for communications to the news media, editorials, reports or commentary by the news media, impartial candidate forums or debates or the announcements thereof, or for impartial voter guides allowed by the Internal Revenue Code for Section 501(c)(3) organizations or a communication by a membership organization or corporation to its current members, stockholders or executive or administrative personnel unless the membership organization or corporation is a campaign committee or a political committee.

F.

Any person or entity that has to file under this subsection and receives contributions from another entity that does not have to disclose its contributors to the city clerk, shall place the following visible disclosure

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on its campaign materials: “This campaign material is supported in part by donations from an organization that is not required to disclose its contributors to the Santa Fe city clerk.”

(Ord. #2005-14, § 29; Ord. #2007-11, § 7; Ord. #2013-28, § 3; Ord. #2015-23, § 3; Ord. # 2021-16, § 2)
