

1 **CITY OF SANTA FE, NEW MEXICO**

2 **ORDINANCE NO. 2021-20**

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5 **AN ORDINANCE**

6 **AMENDING SECTION 9-3.6 SFCC 1987 TO EXPRESSLY RECOGNIZE THAT**  
7 **ELECTRONIC SIGNATURES ARE PERMITTED UNDER THE UNIFORM**  
8 **ELECTRONIC TRANSACTIONS ACT FOR SEED MONEY CONTRIBUTIONS ON THE**  
9 **REQUIRED FORMS; AMENDING SECTION 9-3.7 SFCC 1987 TO EXPRESSLY**  
10 **RECOGNIZE THAT ELECTRONIC SIGNATURES ARE PERMITTED UNDER THE**  
11 **UNIFORM ELEDCTRONIC TRANSACTIONS ACT FOR QUALIFYING**  
12 **CONTRIBUTIONS ON THE REQUIRED FORMS; AND AMENDING SECTION 9-3.12**  
13 **SFCC 1987 TO EXPRESSLY RECOGNIZE THAT ELECTRONIC SIGNATURES ARE**  
14 **PERMITTED UNDER THE UNIFORM ELEDCTRONIC TRANSACTIONS ACT FOR**  
15 **QUALIFIED SMALL CONTRIBUTIONS.**

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17 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

18 **Section 1. Section 9-3.6 of SFCC 1987 (being Ord. No. 2009-44, § 7, as amended)**  
19 **is amended to read:**

20 **9-3.6 Seed money contributions.**

21 A. A candidate seeking to become a participating candidate may solicit and accept  
22 seed money contributions to defray expenses incurred in obtaining qualifying contributions and  
23 in seeking certification as a participating candidate.

24 B. The aggregate amount of seed money contributions from any one contributor to  
25 any one candidate shall not exceed one hundred dollars (\$100.00), and the aggregate amount of

1 seed money contributions accepted by a candidate shall not exceed ten percent (10%) of the  
2 amount payable under subsection 9-3.10 SFCC 1987 to a candidate in a contested election for  
3 the office sought.

4 C. Each seed money contribution shall be accompanied by a form signed by the  
5 contributor, which shall include the contributor's name, home address, telephone number,  
6 occupation, and name of employer. The city clerk shall accept electronic signatures that comply  
7 with the Uniform Electronic Transactions Act, Sections 14-16-1 through 14-16-21 NMSA 1978,

8 D. No person shall knowingly make and no candidate shall knowingly receive a  
9 seed money contribution which is not from the person named on the form or for which the person  
10 named on the form has been or will be reimbursed or compensated by another person.

11 E. All seed money contributions received by a candidate shall be deposited in a non-  
12 interest-bearing account in a campaign depository to be established by the candidate before  
13 soliciting or accepting any such contributions. All expenditures of seed money shall be made  
14 from the campaign depository.

15 F. Seed money contributions shall be used only for the purposes specified in  
16 paragraph A. of this subsection, and all seed money contributions that have not been spent or  
17 used for such purposes by the time the candidate applies for certification as a participating  
18 candidate or by the end of the qualifying period, whichever is sooner, shall then be paid over to  
19 the city clerk for deposit in the fund; provided, however, that if payment of all of the candidate's  
20 unspent seed money to the city clerk would cause the bank account in the campaign depository  
21 to be closed, an amount of seed money necessary to keep the account open may be temporarily  
22 retained in the account and paid over to the city clerk at a later time in compliance with paragraph  
23 C. of subsection 9-3.10 SFCC 1987.

24 **Section 2. Section 9-3.7 of SFCC 1987 (being Ord. No. 2009-44, § 8, as amended)**  
25 **is amended to read:**

1           **9-3.7 Qualifying contributions.**

2           A.       Each qualifying contribution shall be accompanied by a form signed by the  
3 contributor, which shall include the contributor's name, registered address and telephone number.  
4 The city clerk shall accept electronic signatures that comply with the Uniform Electronic  
5 Transactions Act, Sections 14-16-1 through 14-16-21 NMSA 1978.

6           B.       No candidate or person acting on a candidate's behalf shall pay to any other  
7 person any form of compensation for soliciting or obtaining a qualifying contribution.

8           C.       No person shall knowingly make and no candidate shall knowingly receive a  
9 qualifying contribution which is not from the person named on the form or for which the person  
10 named on the form has been or will be reimbursed or compensated by another person.

11          D.       All qualifying contributions received by a candidate shall be deposited in a non-  
12 interest-bearing account in a campaign depository to be established by the candidate before  
13 soliciting or accepting any such contributions, and shall be paid over to the city clerk for deposit  
14 in the fund when the candidate applies for certification as a participating candidate or when the  
15 qualifying period ends, whichever is sooner.

16          **Section 3.       Section 9-3.12 of SFCC 1987 (being Ord. No. 2018-28, § 9) is amended**  
17 **to read:**

18           **9-3.12 - Qualified small contributions.**

19           A.       A participating candidate may solicit and accept qualified small contributions  
20 beginning on the date on which the candidate is certified as a participating candidate pursuant to  
21 subsection 9-3.9(A) SFCC 1987.

22           B.       The aggregate amount of qualified small contributions from any one contributor  
23 to any one candidate shall not exceed one hundred dollars (\$100.00).

24           C.       The aggregate amount of qualified small contributions accepted by a  
25 participating candidate shall not exceed:

1 (1) For a candidate for mayor, fifty percent (50%) of the amount initially  
2 paid to the candidate pursuant to subsection 9-3.10 SFCC 1987; and

3 (2) For a candidate for council or municipal judge, twenty-five percent  
4 (25%) of the amount initially paid to the candidate pursuant to subsection 9-3.10 SFCC  
5 1987.

6 D. Each qualified small contribution shall be accompanied by a form signed by the  
7 contributor, which shall include the contributor's name, home address, telephone number,  
8 occupation and name of employer. The city clerk shall accept electronic signatures that comply  
9 with the Uniform Electronic Transactions Act, Sections 14-16-1 through 14-16-21 NMSA 1978.

10 E. No person shall knowingly make and no candidate shall knowingly receive a  
11 qualified small contribution which is not from the person named on the form or for which the  
12 person named on the form has been or will be reimbursed or compensated by another person.

13 F. Before soliciting or accepting qualified small contributions, a candidate shall  
14 appoint a treasurer and establish a campaign depository in the manner required by subsection 9-  
15 2.8 SFCC 1987. All qualified small contributions received by a candidate shall be recorded by  
16 the candidate's campaign treasurer, deposited in a separate non-interest-bearing account in the  
17 campaign depository and used in the candidate's campaign or disposed of following the election  
18 in the manner required by subsection 9-2.9 SFCC 1987. All such contributions shall be timely  
19 reported in a campaign finance statement prepared in the manner required by subsections 9-  
20 2.10 through 9-2.12 SFCC 1987 and filed on the dates required by subsection 9-2.10 SFCC 1987.  
21 Campaign finance statements reporting the receipt of qualified small contributions shall be  
22 accompanied by copies of the forms signed by each contributor pursuant to paragraph D. of this  
23 subsection.


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MAYOR ALAN WEBBER

ATTEST:

  
KRISTINE MIHELIC, CITY CLERK

APPROVED AS TO FORM:

  
ERIN K. McSHERRY, CITY ATTORNEY

*Bill No. 2021-20*

*Legislation/2021/Ordinances/2021-20 Accepting Electronic Signatures*