1	CITY OF SANTA FE, NEW MEXICO
2	ORDINANCE NO. 2019-10
3	
4	
5	AN ORDINANCE
6	AMENDING SECTIONS 9-3.5, 9-3.8, AND 9-3.9 SFCC 1987 REGARDING THE PUBLIC
7	CAMPAIGN FINANCE CODE, ADJUSTING THE CITY'S QUALIFICATION PROCESS
8	FOR PUBLIC FINANCING TO REFLECT RECENT CHANGES IN STATE LAW.
9	
10	BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:
11	Section 1. Section 9-3.5 SFCC 1987 (being Ord. No. 2009-44, § 6, as amended) is
12	amended to read:
13	9-3.5 Eligibility as a Participating Candidate.
14	Any candidate for municipal office may qualify as a participating candidate eligible to
15	receive payments from the fund pursuant to subsections 9-3.10 and 9-3.13 SFCC 1987 if the
16	candidate:
17	A. Meets the requisites to be listed on the ballot as a certified candidate for
18	municipal office pursuant to the provisions of Subsection D of Section 1-22-3.2 NMSA 1978 and
19	Article IV Section 4.03 of the Santa Fe Municipal Charter;
20	B. Has collected the requisite number of qualifying contributions, as follows:
21	(1) For a candidate running for the office of mayor, six hundred (600)
22	qualifying contributions from separate qualified electors;
23	(2) For a candidate running for the office of city councilor, one hundred fifty
24	(150) qualifying contributions from separate qualified electors registered to vote in the
25	council district in which the candidate is running;

10073.3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- (3) For a candidate running for the office of municipal judge, one hundred fifty (150) qualifying contributions from separate qualified electors.
- C. Submits an application for certification pursuant to subsection 9-3.8 SFCC 1987 setting forth the agreement and the averments and accompanied by the supporting documents and payments that are required by that section.
- Section 2. Section 9-3.8 SFCC 1987 (being Ord. No. 2009-44, § 9, as amended) is amended to read:

9-3.8 Application for Certification as a Participating Candidate.

- A. A candidate who wishes to be certified as a participating candidate shall, before the end of the qualifying period, file an application for such certification with the city clerk on a form prescribed by the city clerk.
- B. The application shall identify the candidate and the office that the candidate is seeking, and shall set forth:
 - (1) The candidate's averment under oath that the candidate satisfies the requisites for qualification and certification as a participating candidate prescribed by subsection 9-3.5 SFCC 1987;
 - (2) The candidate's averment under oath that the candidate has accepted no contributions to the candidate's current campaign other than qualifying contributions and seed money contributions solicited and accepted pursuant to subsections 9-3.6 SFCC 1987 and 9-3.7 SFCC 1987;
 - (3) The candidate's averment under oath that the candidate has made no expenditures for his or her current campaign from any source other than seed money contributions; and
 - (4) The candidate's agreement that his or her current campaign will not solicit, direct, or accept any further contributions or make any further expenditures

10073.3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

from any sources other than payments received from the fund pursuant to subsections 9-3.10 and 9-3.13 SFCC 1987 and qualified small contributions received pursuant to subsection 9-3.12 SFCC 1987.

- C. The application shall be accompanied by:
 - (1) A sworn declaration of candidacy in the form prescribed by Section 1-22-8 NMSA 1978;
 - (2) A certificate of valid nominating petition certifying that the candidate's nominating petition contains the number of signatures specified for the office sought pursuant to Section 4.03 of the Santa Fe Municipal Charter;
 - (3) Reports listing all seed money contributions and qualifying contributions received by the candidate and all expenditures of seed money contributions made by the candidate, and showing the aggregate amounts of all such contributions and expenditures and the aggregate amounts of all contributions received from each contributor;
 - (4) Copies of forms signed by contributors for all seed money contributions and qualifying contributions received by the candidate; and
 - (5) A check or checks issued to the city of Santa Fe from the candidate's campaign depository for the amount of all qualifying contributions received by the candidate and all seed money contributions received by the candidate except:
 - (a) Amounts previously spent for the purposes specified in paragraph A of subsection 9-3.6 SFCC 1987; and
 - (b) The amount, if any, that has been temporarily retained by the candidate for the purpose of keeping open the bank account in the campaign depository pursuant to paragraph E of subsection 9-3.6 SFCC 1987.

1	Section 3. Section 9-3.9 SFCC 1987 (being Ord. No. 2009-44, § 10, as amended) is
2	amended to read:
3	9-3.9 Certification as a Participating Candidate
4	A. On or before the ninety-fifth (95th) day before the election the city clerk shall
5	deliver to the county clerk, pursuant to Section 1-22-3.2(D)(2) NMSA 1978, the candidate's
6	declaration of candidacy and certificate of valid nominating petition, and shall request from the
7	county clerk a determination, pursuant to Section 1-22-3.2(D)(3) NMSA 1978, whether the
8	candidate is qualified to be a candidate.
9	B. On or before the eighty-ninth (89th) day before the election the city clerk shall
10	make a determination whether the candidate's application complies with the requirements of
11	subsection 9-3.8 SFCC 1987 and whether the candidate satisfies the requisites for certification as
12	a participating candidate prescribed by subsection 9-3.5 SFCC 1987, and shall thereupon issue a
13	decision, in accordance with the determination so made, granting or refusing such certification to
14	the candidate.
15	C. The city clerk may revoke a candidate's certification as a participating candidate
16	for any violation by the candidate of the requirements of this section, and may require any
17	candidate whose certification has been revoked to pay over to the city clerk for deposit in the
18	fund any amounts previously paid to the candidate pursuant to subsections 9-3.10 and 9-3.13
19	SFCC 1987.
20	PASSED, APPROVED, and ADOPTED this 29th day of May, 2019
21	
22	
23	(m
24	ALAN M. WEBBER, MAYOR
25	

10073.3 4

1	ATTEST:
2	
3	golarda y Jig
4	YOLANDA Y. VIGIL, CITY CLERK
5	APPROVED AS TO FORM:
6	5 7.
7	Cer My
8	ERIN K. McSHERRY, CITY ATTORNEY
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	Legislation/2019/Ordinances/2019-10 Public Campaign Finance Changes

10073.3