

MOTION BY SUPERVISOR LINDSEY P. HORVATH

August 12, 2025

Leveling the Playing Field for Local Elections

The influence of money in elections on federal, state and local levels have eroded our democracy and weakened the voice of the people. Efforts to counter this effect have been met with barriers put in place by court rulings, ballot initiatives or state legislation.

One such effort is full public financing of elections. Efforts to create such as system stem from the Watergate scandal of the early 1970s. Several attempts at legislation were introduced in Congress in the late 1970s, the most prominent of which was introduced by Senator William Proxmire (D-WI) and Congressman John B. Anderson (R-IL). Their legislation would have banned all private donations for federal campaigns and instead allocated taxpayer money to candidates who met qualifying thresholds. Supreme Court decisions such as *Buckley v. Valeo*, which established that while contribution limits are constitutional to prevent corruption, expenditure limits are not, as they restrict political speech, complicated matters for reformers.

Currently five charter cities have active public financing systems that amplify the voices of everyday voters and provide candidates with an alternative fundraising system

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to relying on wealthy donors: Berkeley, Long Beach, Los Angeles, Oakland, and San Francisco. Unfortunately, such programs are prohibited in California jurisdictions other than charter cities by the Political Reform Act of 1974 due to a provision enacted by Proposition 73 in 1988. In 2016, the legislature passed, and Governor Jerry Brown signed, SB 1107 (Allen) that would have removed the ban, but the courts ruled the question must be put before the voters

Senate Bill (SB) 42 (Umberg) will provide voters the opportunity to decide on a measure on the November 2026 ballot to remove the current prohibition of public financing of campaigns in California while establishing basic requirements that public financing systems and candidates using public funding must follow to protect taxpayers and maximize the benefit to voters.

SB 42 will give voters the chance to restore control to local governments by placing the California Fair Elections Act on the 2026 ballot to repeal the ban on campaign public financing while requiring that no public moneys be used that are earmarked for education, transportation, or public safety. The measure will require that voluntarily participating public funding candidates must abide by expenditure limits and meet strict criteria to qualify such as requiring that candidates must receive small dollar contributions or vouchers from a specified number of adult residents. It will bar the use of public funds to pay for legal defense, fines, or repayments of personal loans to candidates' campaigns, and will specify that public funding systems shall not discriminate based on party or according to whether a candidate is a challenger or an incumbent.

SB 42 will not create public financing of campaigns or require any government to offer public financing. It will simply remove the ban and allow local governments and the

state the option to enact laws that create programs for public financing of campaigns while requiring basic protections for fairness, accountability, and where the money can come from.

I, THEREFORE MOVE that the Board of Supervisors direct the Chief Executive Office Legislative Affairs and Intergovernmental Relations to support Senate Bill 42 (Umberg), which will place the California Fair Elections Act on the 2026 ballot to repeal the ban on campaign public financing while requiring that no public moneys be used that are earmarked for education, transportation, or public safety, including sending a five-signature letter in support of Senate Bill 42 to Senator Tom Umberg, Assembly Appropriations Chair Buffy Wicks, and the Los Angeles County Legislative Delegation.

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