Elections Code Rule 16 – Implementing I-122

A. Debates – SMC 2.04.630(b)

A debate is a live event, open to the general public, at which all the candidates in a particular race have an opportunity to respond to questions. Each candidate must be given an equal opportunity to participate.

B. Campaign Spending Limit – SMC 2.04.630(d)

To avoid double-counting, "cash on hand" included in the calculation of the Campaign Spending Limit means cash on hand in excess of a committee's debts and obligations (line 20 on the C-4).

C. Use of Democracy Voucher Proceeds – SMC 2.04.630(i) and (j)

1. A participating candidate has 45 days from withdrawing, becoming ineligible, losing qualification, losing an election, or winning the general election, to pay all campaign debts and obligations. If a participating candidate dies, the campaign has 90 days to pay all campaign debts and obligations.

2. After paying all campaign debts and obligations, any remaining funds, up to the amount of Democracy Vouchers redeemed by the candidate, will be considered Unspent Democracy Voucher Proceeds. Such funds must be refunded to the Democracy Voucher Program within those 45 days (or 90 days upon the death of a participating candidate).

D. Duplicate Vouchers – SMC 2.04.658

If the SEEC receives more than two vouchers with the same voucher identification number, or five or more vouchers from the same assignor, the Executive Director will within five business days contact the assignor to determine the circumstances. If the Executive Director has reasonable cause to believe that the assignor or some other person knowingly submitted a fraudulent voucher, the Executive Director will initiate an investigation. If, after an investigation, the Executive Director finds probable cause to believe that a Democracy Voucher has been stolen or forged, the Executive Director shall refer the matter to the City Attorney for prosecution, in addition to pursuing remedies available under the Elections Code. Theft or forgery of a Democracy Voucher is a gross misdemeanor, punishable by a fine of up to $5,000 and/or imprisonment for a term of up to 364 days.

E. Returning All Democracy Voucher Proceeds – SMC 2.04.658

A participating candidate who accepts and retains monetary contributions in excess of $250, or exceeds the Campaign Spending Limit without the Commission's authorization, does not participate in three debates without receiving a waiver from the Commission, or obtains Democracy Vouchers through intentional acts of forgery, threats, duress, or coercion, shall

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refund within 10 days of being ordered to by the Commission the sum of all Democracy Voucher proceeds that candidate has redeemed.

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