

DRAFT ETHICS COMMISSION REGULATIONS

8/10/2026

Regulation 1.114-3: Definition of “Election Cycle”

For the purposes of section 1.114 “election cycle” shall mean:

- (a) if the committee receiving the contribution(s) is a primarily formed committee, the period of time during which the committee is designated on its statement of organization to support or oppose a candidate or measure;
- (b) if the committee receiving the contribution or contributions is a general purpose committee, legal defense fund, or other committee that is not designated as connected to a specific election, the period of time beginning January 1st of each odd year and ending on December 31st of the following year.

Regulation 1.114-4: Definition of “Actively Running for City Elective Office”

For the purposes of section 1.114 a candidate is “actively running for City elective office” from the time they are required to file a Statement of Organization for a committee primarily formed to support their election to City elective office, or oppose a recall measure in which the candidate is the subject of the recall, until the end of the reporting period of the first semi-annual report due following the election or until the committee is terminated, whichever is earlier.

Regulation 1.115-1: Definition of “Dissemination, Distribution, Reproduction, or Republication”

A communication is disseminated, distributed, reproduced, or republished, when campaign materials are taken directly or indirectly from the candidate, their agent, or their campaign, and used with or without any significant alteration. Reproduction includes when materials are created and used by the spender, which would appear to a reasonable person to be a communication from the candidate’s campaign.

When determining if a communication would appear to a reasonable person to be from the candidate’s campaign, the Commission may consider the following factors:

- (a) the language used throughout the communication,
- (b) the graphical content and style of the communication (including, but not limited to, the colors, font, layout, and images.),
- (c) the audiovisual content of the communication, and
- (d) any other factors the Commission deems relevant.

Regulation 1.115-2: Exceptions for the Use of Certain Campaign Materials

For the purposes of subsection 1.115(d), the mere use of the following campaign materials in a communication does not make the spending on that communication a contribution, when used to express the views of the spender:

- (a) References to, or briefly restated quotes from the candidate or their campaign that summarize the candidate's positions on issues;
- (b) Statements of fact related to the candidate's biography; and
- (c) Materials lawfully accessed through and originating from a source other than the candidate, but only if the materials were not prepared or produced by the candidate, and the candidate was not involved in the production or availability of the materials.

Regulation 1.115-3: Candidate for Whose Benefit Expenditures are Made

For the purposes of subsection 1.115(d), an expenditure is made for the benefit of a candidate if:

- (a) The expenditure expressly advocates for the election of the candidate to City elective office; or
- (b) The expenditure would likely have the effect that a viewer would perceive the communication as conveying a positive impression of the candidate.