

Sec. 7-135. - Campaign contributions/expenditures.

a) *Limits.*

- 1) No person may make contributions and/or contributions in kind totaling more than ~~one~~ **two** hundred dollars (\$~~200~~ **2400**.) to the candidate committee of any candidate for the office of Mayor. No person may make contributions and/or contributions in kind totaling more than ~~seventy-five~~ **one hundred and fifty** dollars (~~\$75~~ **\$150**.) to the candidate committee of any candidate for the office of Councilmember. These limitations shall apply to all contributions or contributions in kind, whether made directly to a candidate committee or indirectly via earmarked gifts passed through an intermediary, except that these limitations shall not apply to:
 - a. Contributions or contributions in kind made by a candidate to his or her own candidate committee;
 - b. Independent expenditures;
 - c. Monetary loans that are: (a) personally guaranteed in writing by the candidate, the candidate's immediate family or a business entity in which the candidate owns at least five (5) percent; or (b) secured by real or personal property owned by the candidate, the candidate's immediate family or a business entity in which the candidate owns at least five (5) percent; or
 - d. Contributions made to a candidate committee by another candidate committee established by the same individual as a candidate for the office of Mayor or Councilmember.
- 2) No person may make contributions and/or contributions in kind totaling more than one hundred dollars (\$100.) to a political committee.
- 3) No person shall make a contribution or contribution in kind in the name of another person or knowingly permit one's name to be used by another person to effect such a contribution or contribution in kind.
- 4) ***Inflation Adjustment.* The City Clerk will adjust the limit set forth in this Subsection (1) of this section based upon the percentage change over a two-year period in the United States Bureau of Labor Statistics Consumer Price Index Denver-Boulder-Greeley, all urban consumers, or its successor index, rounded to the nearest ten (\$10) dollars. The first adjustment will be done in the first quarter of 2027 and then every two years thereafter.**

b) *Limited Liability Company Contributions.* A limited liability company ("LLC") may make contributions or contributions in kind to candidate committees or political committees subject to the following requirements and all other applicable limits of this Section:

- 1) Any contribution from an LLC shall count against contribution limits for both the LLC itself and the individual members of the LLC as apportioned according. The amount a person contributes as an individual member of the LLC shall count towards the aggregate contribution limit for that person in Subsection (a) herein.
- 2) The LLC shall provide the candidate committee or political committee with a written statement affirming the permissibility of the contribution on a form provided by the City Clerk. The affirmation shall include:
 - a. The name and address of the LLC and each LLC member;
 - b. Information on how the contribution is attributed among the LLC members, which attribution must reflect the capital each member has

invested in the LLC relative to the total amount of capital invested in the company, or the percentage of ownership each member has in the LLC as of the date of the contribution.

- 3) No candidate committee or political committee shall accept a contribution from an LLC unless the LLC provides the written affirmation in compliance with this Section before the contribution is deposited by the committee.
 - 4) The candidate committee or political committee receiving the contribution shall:
 - a. List both the individual LLC members' names and the name of the LLC as contributors on disclosure reports; and
 - b. Retain the affirmation statements for one (1) year after the date of the election; provider however, in the event a complaint is filed against the committee, the committee must maintain the affirmations until the final disposition of the complaint.
 - 5) As used in this Subsection (b), "limited liability company" shall have the same meaning as "domestic limited liability company" as defined in Section 7-90-102(15), C.R.S., or "foreign limited liability company" as defined in Section 7-90-102(24), C.R.S., as amended.
- c) *Joint contributions.* No person shall make a contribution jointly with another person through **an electronic payment or** the issuance of a check drawn on a jointly owned account unless: (i) the total amount of the joint contribution is less than the maximum amount that can be contributed by one (1) person under the contribution limits established in Subsection (a) of this Section or (ii) the check is signed by all owners of the account **or the electronic donation or other documentation provided by the contributor states it is from both**, in which event the amount of the total contribution shall be allocated equally among all such persons unless a different allocation is specified on the face of the check **or on a document provided by the contributor**. No candidate committee shall knowingly accept a contribution made in violation of this Subsection (c).
 - d) *Contributions in excess of limits.* ~~No later than ten (10) business days after receiving~~ **Upon receipt of** a contribution or contribution in kind in excess of the limits set forth in this Section, the committee that received the contribution shall remit the excess to the contributor or pay to the contributor the value of the contribution in kind **before the next filing deadline**.
 - e) *Electronic contributions.* **A contribution made by credit card, PayPal, or other payment intermediary service is accepted on the date the contributor authorizes the payment, or if unknown, on the date the payment intermediary service electronically transfers the contribution.**
 - f) *Third-Party transaction fees.* **If a third-party transaction fee is charged by an intermediary service, only the amount the committee receives is attributable to the committee.**
 - g) No candidate committee, issue committee, small-scale issue committee or political committee shall knowingly accept contributions or contributions in kind from any person who is not a citizen of the United States, from a foreign government or from any foreign corporation that does not have authority to transact business in this State pursuant to Article 115 of Title 7, C.R.S., or who is prohibited from contributing pursuant to the Charter of the City of Fort Collins or this Article.
 - h) No issue committee, small-scale issue committee or political committee shall make a contribution or contribution in kind to any other committee or to any candidate.
 - i) *Contributions from one (1) candidate committee to another.*

- 1) No candidate committee shall make a contribution or contribution in kind to, or accept a contribution or contribution in kind from, a candidate committee of another candidate.
 - 2) No candidate committee shall accept a contribution or contribution in kind from a candidate committee of the same candidate that was established or maintained for a federal, state or county election campaign or office.
- j) *Recordkeeping.*
- 1) All contributions and contributions in kind received by a candidate committee, small-scale issue committee, issue committee or political committee shall be documented and deposited and maintained in a financial institution in a separate account that complies with Subsection [7-134\(a\)\(7\)](#). Following any election in which the committee received contributions, the committee shall maintain all records pertaining to contributions and related accounts for one (1) year following the date the final disclosure report is due under [Section 7-136](#) or the date the committee terminates, whichever is later, unless a complaint has been filed under Subsection [7-145\(a\)](#) alleging a violation of the provisions of this Article, or the person or committee has received notice of an investigation or prosecution of a violation of this Article by the City or other law enforcement authority, in which case they shall be maintained until final disposition of the complaint and any consequent court proceedings. Such records shall be subject to inspection in connection with any investigation or other action to enforce the terms of this Article.
 - 2) Following any election in which the committee made any expenditure, the committee shall document all expenditures and shall maintain all records pertaining to said expenditures, including but not limited to invoices, receipts, instruments of payment, and copies of any public communications produced as a result of the expenditure, for one (1) year following the date the final disclosure report is due under [Section 7-136](#) or the date the committee terminates, whichever is later, unless a complaint has been filed under Subsection [7-145\(a\)](#) alleging a violation of the provisions of this Article, or the person or committee has received notice of an investigation or prosecution of a violation of this Article by the City or other law enforcement authority, in which case they shall be maintained until final disposition of the complaint and any consequent court proceedings. Documentation shall include the name and address of the vendor(s) or payee(s) providing the property, materials, or services and the amount of the expenditure. Such records shall be made available within three (3) business days upon request of the City and subject to inspection in connection with any investigation or other action to enforce the terms of this Article.
- k) *Reimbursements prohibited.* No person shall make a contribution or contribution in kind to a candidate committee, issue committee, small-scale issue committee or political committee with the expectation that some or all of the amounts of such contribution will be reimbursed by another person. No person shall be reimbursed for a contribution or contribution in kind made to any candidate committee, issue committee, small-scale issue committee or political committee, nor shall any person make such reimbursement. An unexpended campaign contribution returned to a contributor or compensation for a contribution in kind by a committee pursuant to [§ 7-135\(c\)](#) shall not be considered a reimbursement.

- l) A candidate committee, issue committee, small-scale issue committee or political committee shall not coordinate its expenditures or activities with, or share information with, any other committee and shall not conduct its campaign activities in a manner that has the effect of circumventing any restrictions or limitations on campaign contributions, expenditures or reporting set forth in this Article.
- m) A candidate, candidate committee or political committee shall obtain from each seller a certification of full fair market value for any purchased goods or services and from the contributor for any goods or services that constitute a contribution or contribution in kind. Any seller or contributor asked to provide a certification of value shall provide to the candidate, candidate committee or political committee a correct and undiscounted statement of value. Certification of value documentation shall be provided by a candidate, candidate committee or political committee to the City Clerk, or other appropriate City official responsible for investigating or reviewing compliance, upon request.
- n) No candidate committee, issue committee, small-scale issue committee or political committee may accept contributions made in cryptocurrency. Any such contributions received must be returned immediately upon the committee becoming aware of it.