

“What is the Levine Act and do I qualify?”

California Government Code § 84308, commonly referred to as the "*Levine Act*," prohibits an officer of a local government agency from participating in a proceeding involving a contract, license, permit, or other entitlement for use if the officer accepted, received, or solicited a campaign contribution exceeding \$500 from a party or participant, including their agents, to the proceeding within the prior 12 months. It also requires that parties and participants to those proceedings, including their agents, affirmatively disclose their contributions on the record at the time of application or proposal, or within 30 days of making the campaign contribution if the contribution is made after submission of the application or proposal.

A "*license, permit, or other entitlement for use*" includes the approval of contracts exceeding \$50,000 in value but excludes contracts that are required by law to be awarded to the lowest responsible bidder, such as public works contracts. A "*party*" is any person, company, or organization that files an application for, or is the subject of, a proceeding involving a contract license, permit, or other entitlement for use. The contributions of a party must be aggregated with those of their agents and business entities majority owned by that individual. This means, for example, that if an individual's company, organization, or other legal entity submitted a campaign contribution, individually or jointly exceeding \$500, but the individual is the recipient of the potential benefit, the Levine Act requires a disclosure form to be submitted. A "*participant*" is a person who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and has a financial interest in the decision. Proceedings include the consideration of bids/proposals and the award of a contract pursuant to a Request for Proposals issued by the County.

If you qualify as a "*party*" or "*participant*" to a County proceeding subject to the Levine Act and you have made a campaign contribution exceeding \$500 within the last 12 months to a Member of the Board of Supervisors, or other elected County officer, you must disclose the campaign contribution as part of your submission of a proposal through the Supplier Portal. Contractors and suppliers should obtain legal counsel to determine whether campaign contributions made by the party seeking to contract with the County, or their agents, are subject to Levine Act disclosure requirements.

Submit Levine Act Disclosure Form here: www.sonomacounty.gov/levineactdisclosure