

City of Philadelphia



December 18, 2003

CERTIFICATION: This is to certify that Bill No. 030562, entitled "An Ordinance amending Title 20 of The Philadelphia Code, entitled 'Officers and Employees,' by adding a new Chapter entitled 'Campaign Contributions and Expenditures,'" was returned by the Mayor to City Council on the eighteenth day of December, 2003 "DISAPPROVED."

The said bill having been considered again, was repassed on the eighteenth day of December, 2003. Two-thirds of all of the members of City Council having voted in the affirmative, the said bill became law without the Mayor's approval, pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty
Chief Clerk of the City Council

(Bill No. 030562)

AN ORDINANCE

Amending Title 20 of The Philadelphia Code, entitled "Officers and Employees," by adding a new Chapter entitled "Campaign Contributions and Expenditures," under certain terms and conditions.

WHEREAS, Only 175,000 voters participated in the May 2003 Municipal Primary Election, following years of decline in voter participation; and

WHEREAS, Limits on campaign contributions and expenditures could restore public confidence in the electoral process; and

WHEREAS, It is appropriate that this legislative body attempt to address the lack of voter participation through the enactment of campaign contribution and expenditure reforms; now therefore,

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THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 20 of The Philadelphia Code relating to Officers and Employees is hereby amended to add the following new Chapter:

CHAPTER 20-800. CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

§20-801. Definitions.

- (1) Covered election. Every primary, general or special election for Mayor and City Council.*
- (2) Contribution. Money, gifts, forgiveness of debts, loans, or things having a monetary value incurred or received by a candidate or his/her agent for use in advocating or influencing the election of the candidate.*
- (3) Expenditure. The payment, distribution, loan or advancement of money or any valuable thing by a candidate, political committee or other person for the purpose of influencing the outcome of a covered election.*
- (4) Person. Any actual individual, any business partnership, sole proprietorship, or other form of business organization permitted under the laws of the Commonwealth to make political contributions.*
- (5) Political Committee. Any committee, club, association, political party, or other group of persons, including the campaign committee of a candidate for office in a covered election, which receives contributions or makes expenditures for the purpose of influencing the outcome of a covered election.*
- (6) Election Reform Board. A nonpartisan, non-governmental entity to be created that will execute and monitor voluntary contracts for campaign expenditure limitations and will include representation from the League of Women Voters of Philadelphia and/or the Committee of Seventy.*

§20-802. Campaign Contribution Limitations.

- (1) No person shall make total contributions per covered election per year, including contributions made to or through one or more political committees, of more than one thousand dollars (\$1,000) to a candidate for Mayor or City Council.*
- (2) No political committee shall make total contributions per covered election per year of more than five thousand dollars (\$5,000) to a candidate for Mayor or City Council.*

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- (3) *During those calendar years in which a covered election is not occurring, candidates shall be limited in receiving political committee contributions to campaigns for such office as follows:*
- (i) *candidates for Mayor may receive political committee contributions totaling no more than two hundred fifty thousand dollars (\$250,000) per year;*
 - (ii) *candidates for City Council may receive political committee contributions totaling no more than fifty thousand dollars (\$50,000) per year.*
- (4) *The limitations imposed by this Chapter shall not apply to contributions from a candidate's personal resources to the candidate's own campaign.*
- (5) *The limitations imposed by this subsection shall not apply to volunteer labor.*

§20-803. Campaign Accounts.

A candidate for Mayor or City Council shall have no more than one campaign committee and one checking account for the city office being sought, into which all contributions for such office shall be made, and out of which all campaign expenditures for that office shall be made. If the candidate for office maintains other political or non-political accounts for which contributions are solicited, such funds collected in these accounts shall not be used for any campaign for municipal office.

§20-804. Campaign Expenditure Limitations.

(1) Campaign Contract.

- (a) *Effective for the elections for Mayor and City Council in the year 2007 and thereafter, a candidate seeking election to any of said offices may sign a contract with the Election Reform Board to abide by limitations on campaign expenditures and agreeing to report his/her contributions and expenditures to the Election Reform Board to be publicly posted on a website developed by the Election Reform Board.*
- (b) *The campaign contract for a particular covered election may be signed by an individual candidate no later than the last date upon which such individual may withdraw as an official candidate in said election.*

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(c) *A candidate may sign a campaign contract limiting his/her overall campaign expenditures as specified in §20-804 (2).*

(2) *Expenditure Limitations.*

A candidate who signs a campaign contract in accordance with this Chapter shall not make expenditures per covered election in excess of the following amounts:

Mayor \$2,000,000

City Council \$200,000

§20-805. Injunctive Relief.

Any person residing in the City of Philadelphia, including the City Solicitor may bring an action for injunctive relief in any Court of competent jurisdiction to enjoin any violations of, or to compel compliance with, the provisions of this Chapter. The Court may award to a prevailing plaintiff in any such action his or her costs of litigation, including reasonable attorney's fees.

SECTION 2. Effective dates. This Ordinance shall be effective January 1, 2004.

Explanation:

Italics indicate new matter added.