City of Philadelphia

(Bill No. 150368)

AN ORDINANCE

Amending Chapter 20-1000 of The Philadelphia Code, entitled "Political Contributions and Expenditures," by further providing for disclosures relating to contributions and committee expenditures, including electioneering communications expenditures, further defining expenditures, further providing for regulation of contributions, and making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 20-1000 of The Philadelphia Code is amended to read as follows:

CHAPTER 20-1000. POLITICAL CONTRIBUTIONS AND EXPENDITURES.

§ 20-1001. Definitions.

For purposes of this Chapter, the following definitions shall apply:

* * *

(9.1) Electioneering communication. Any broadcast, cable, radio, print, Internet, or satellite communication (a) that promotes, attacks, supports, or opposes a candidate, or (b) that, within 50 days of a covered election, names, refers to, includes, or depicts a candidate in that covered election. The term shall not include: (i) sponsorship or organization of a candidate debate or forum; (ii) any news story, commentary, or editorial by any broadcasting station, newspaper, magazine, or other periodical publication, including any Internet periodical publication, unless the station, newspaper, magazine, or publication is owned or controlled by a candidate, political committee, or political party.

* * *

(11) Expenditure*:*

(a) 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*, including any expenditure for an electioneering communication;*

(b) The provision of a service or other valuable thing for the purpose of influencing the outcome of a nomination or election of a candidate; or

(c) The payment or provision of money or other valuable thing to compensate any person for services rendered to a candidate or for an electioneering communication.

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§ 20-1002. Contribution Limitations.

(1) Except as provided in subsection (6), no individual shall make total contributions per calendar year, including contributions made to or through one or more political committees of more than two thousand five hundred dollars ($2,500) to a candidate for City elective office.

(2) Except as provided in subsection (6), no person, other than individuals who are covered under § 20-1002(1), and no political committee shall make total contributions per calendar year, including contributions made to or through one or more political committees of more than ten thousand dollars ($10,000) to a candidate for City elective office.

* * *

§ 20-1006. Campaign Finance Disclosure.

(1)(a) [Whenever a candidate, treasurer of a political committee or other person files a required report of receipts and expenditures with the City Commissioners pursuant to Article XVI of the Pennsylvania Election Code (25 P.S. §§ 3241 et seq.), or files such report with the Secretary of the Commonwealth because such report is filed by a political committee and concerns both candidates who file for nomination with the Secretary of the Commonwealth and candidates who file with the City Commissioners, such candidate, treasurer or other person shall at the same time file with the Board of Ethics a copy of all information set forth in such report, in an electronic format mandated by the Board of Ethics. Such filing shall be accompanied by a written statement, signed by the person making the filing, that subscribes and swears to the information set forth in such filing. Upon receipt of such filing, the Board of Ethics shall issue a written receipt to the person making the filing.] *Electronic filings required.*

(.1) Any time a candidate, a treasurer of a candidate political committee, or a candidate political committee is required by the Pennsylvania Election Code to file a campaign finance report or statement with the City Commissioners, that candidate, treasurer, or committee shall file a copy of the report or statement with the Board of Ethics in a digital electronic format prescribed by the Board no later than the state law due date.

(.2) Any time any person or political committee is required by the Pennsylvania Election Code to file a campaign finance report or statement with the City Commissioners or the Secretary of State and that report or statement discloses, or is required to disclose, any expenditures or any debt incurred to influence the outcome of a covered election, the person or political committee shall file a copy of the report or statement with the Board of Ethics in a digital electronic format prescribed by the Board no later than the state law due date.

(b) *In addition to any filing required by subsection (a), any political committee, including a candidate political committee, that has made expenditures within the eight months prior to a covered election shall file a report with the Board of Ethics in a digital electronic format on the sixth Tuesday before the covered election, setting forth all transactions (including contributions and expenditures) covered by subsection (d) below that occurred more than fifty (50) days prior to the election, but less than eight months prior to the election, and that have not previously been disclosed in a report filed with the Board of Ethics.*

(c) In addition to any filing required by subsection (a) or (b), any person, including a not-for-profit organization or political committee, other than a candidate political committee, that on or before any report due date set forth below spends or promises to pay in the aggregate $5,000 or more for one or more electioneering communications that are published or to be published within fifty (50) days of a covered election shall file a report with the Board of Ethics in a digital electronic format setting forth all transactions covered by subsection (d) below that occurred more than twenty-four hours before the report due date, but less than eight months prior to the election, and that have not previously been disclosed in a report filed with the Board of Ethics. Such reports shall be due (unless the same person is required to file a report under subsection (a) or (b) on the same date):

(.1) on the sixth Tuesday before a covered election;

(.2) on the fourth Tuesday before a covered election;

(.3) on the second Friday before a covered election; and

(.4) on the Tuesday immediately before a covered election.

(d) A report filed pursuant to subsection (b) or (c) shall be in the format required by the Board of Ethics and shall contain all information required by section 1626(b) of the Pennsylvania Election Code, 25 P.S. § 3246(b).

(e) In a report filed pursuant to subsection (c), if a person, other than a political committee or an individual, has segregated funds used to make expenditures into one or

more accounts separate from funds not used to make expenditures, that person is only required to disclose the source of contributions deposited in the segregated accounts used to make expenditures. An individual who files a report pursuant to subsection (c) is only required to disclose contributions that he or she receives or solicits in order to fund the expenditures disclosed in the report.

(f) Former candidates, treasurers of political committees, shall file reports of post-candidacy contributions and expenditures made to retire debt or for inauguration and transition expenses in such form and detail and on such schedule as the Board of Ethics requires by regulation.

(g) Any person submitting a filing to the Board of Ethics under this Section shall sign a written statement that subscribes and swears to the information set forth therein. Upon receipt of any filing, the Board of Ethics shall issue a written receipt to the person making the filing.

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SECTION 2. This Ordinance shall be effective July 1, 2015.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

City of Philadelphia

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 11, 2015. The Bill was Signed by the Mayor on June 18, 2015.

Michael A. Decker
Chief Clerk of the City Council