

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 020836)

RESOLUTION

Proposing an amendment to the Home Rule Charter by adding a new Article XIII thereof, to establish a Campaign Finance Board whose members shall be appointed by the Mayor, City Council and the City Controller, to administer a program to be enacted by City Council, by ordinance, regulating the financing of campaigns for the offices of Mayor, City Council and such other offices as Council may designate by ordinance, including a system for public financing of such campaigns.

WHEREAS, Under Section 6 of the First Class City Home Act (53 P.S. 13106), amendments to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; and

WHEREAS, City Council, by adoption of this Resolution, proposes an amendment to the Philadelphia Home Rule Charter relating to regulation of campaign finances for City elective offices; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the following amendment to the Philadelphia Home Rule Charter, enacting a new Article XIII thereof, is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE XIII CAMPAIGN FINANCE REFORM CHAPTER 1 CAMPAIGN FINANCE BOARD AND FUND

Section 13-100. Council Powers in General. Council shall have the power, by ordinance, to adopt such rules, regulations, conditions and programs as it deems appropriate, consistent with the Constitutions of the United States and the

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Commonwealth of Pennsylvania, to limit campaign contributions and spending, and provide public funding for municipal election campaigns.

Section 13-101. Composition and Appointment. An Independent Campaign Finance Board is hereby established. The Campaign Finance Board shall consist of five appointed members, who shall be appointed as set forth in this Section, subject to such nomination process as Council may choose to ordain. Two Board members shall be appointed by the Mayor, two by the City Council and one by the City Controller. No more than two members shall be from any one political party nor shall members be elected officials or city employees. Terms of office, compensation, and other terms and conditions of Board membership shall be established by ordinance.

Section 13-102. Powers and Duties of Campaign Finance Board. The Campaign Finance Board established in this Article shall administer and enforce the City's campaign finance program as ordained in accordance with this Article. In so doing it may retain professional services, including but not limited to counsel of its own choosing, and may conduct such audits of the books and records of any persons or entities subject to the powers of the Board, and such other compliance measures, as it deems necessary or proper.

Section 13-103. Campaign Finance Fund.

(1) The City Treasurer shall maintain a separate and restricted fund called the Campaign Finance Fund which shall be maintained for the purpose of providing public financing to qualifying candidates for Mayor, Council and such other municipal offices as Council may ordain. The source of all deposits to be made into the Fund shall be established by ordinance, and may include, but shall not necessarily be limited to, any or all of the following: appropriations and transfers from the General Fund or other Funds of the City, fines or penalties, contributions solicited with water, gas, or tax bills, dedicated deductions from such bills, or dedicated tax revenues.

(2) An amount at least equal to one million dollars (\$1,000,000) shall be appropriated annually to the Campaign Finance Fund for the work of the Campaign Finance Board. Furthermore, Council and the Mayor shall assure that sufficient funds are available at all times in the Campaign Finance Fund, and are appropriated annually from the Fund, to enable the Board to perform its duties and to disperse public financing to municipal candidates to the extent, and in the manner, prescribed by ordinance. If at any time it appears that the amount of money in the Fund, or that has been appropriated from the Fund, is insufficient, or is likely to be insufficient, for such purposes, then the Board, or any registered Philadelphia voter, may petition the Court of Common Pleas of Philadelphia County for a mandamus to the Council and Mayor to provide appropriate funding.

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(3) Notwithstanding the terms of section 8-102 or any other provision of this Charter, neither the Mayor, the Finance Director, nor any other officer of the City, may limit, restrict, or impair the power of the Campaign Finance Board, to make expenditures that have been duly appropriated.

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CERTIFICATION: This is a true and correct copy of the original Resolution,
Adopted by the Council of the City of Philadelphia on the

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Ortiz, Kenney, Nutter, Cohen and DiCicco

Sponsored by: