

## Legislation Text

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Amending Title 20 of The Philadelphia Code entitled "Officers and Employees" by adding a new Chapter 20-800 entitled "Campaign Finance" providing for the limitations of contributions to municipal election campaigns, all under certain terms and conditions.

WHEREAS, In Philadelphia in recent years, a substantial number of individual campaign contributions have exceeded ten thousand dollars and oftentimes exceeding fifty thousand dollars; and

WHEREAS, Total campaign contributions in the City's municipal elections since 1991 have escalated to astronomical levels, approaching a half million dollars in some City Council races and exceeding \$27 million spent in the 1999 mayoral election; and

WHEREAS, Such excessive monetary contributions leave the impression with the average citizen that our government is for sale to the highest bidder, and that only those persons or businesses that have contributed heavily to the campaigns of City elected officials can obtain City contracts or financial assistance; and

WHEREAS, The public good and the electoral process would be best served by limiting campaign contributions, which would restore confidence that government contracts and assistance are being awarded in an ethical manner, and would prevent any person or entity from exerting undue influence in an election; and

WHEREAS, It is wholly appropriate that the democratically elected legislative body for the citizens of Philadelphia attempt to remedy these perceived and real threats to our democracy through the enactment of municipal campaign contribution limitations; now therefore

*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 FINANCE.*

*§20-801. Definitions.*

- (1) Candidate. Any person running for election for the offices of Mayor, City Controller, District Attorney, or City Council of the City of Philadelphia, including those running for re-election. For the purposes of this Chapter, a person becomes a candidate by creating a campaign committee, circulating a nominating petition, soliciting pledges or contributions, or holding a press conference for the purpose of announcing said candidacy.*
- (2) Contribution. Money, gifts, forgiveness of debts, loans, property 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. Contributions shall also include the purchase of tickets for events such as dinners, luncheons, rallies and all other fund-raising events, the granting of discounts or rebates not available to*

*the general public, and any payment for the services of any person serving as an agent of a candidate or his/her political committee by a person other than the actual candidate or his/her authorized political committee.*

- (3) Covered Election. Primary, general or special election for the offices of Mayor, City Controller, District Attorney, or City Council of the City of Philadelphia.*
- (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.*

*§20-802. Campaign Contribution Limitations.*

- (1) No person shall make total contributions per year, including contributions made to or through one or more political committees, of more than one thousand dollars (\$1000) to any candidate.*
- (2) No political committee shall make total contributions per year of more than five thousand dollars (\$5000) to any candidate.*
- (3) The limitations imposed by this Chapter shall not apply to volunteer labor or contributions from a candidate's personal resources to the candidate's own campaign.*

*§20-803. Campaign Account.*

- (1) A candidate 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 in a covered election.*

*§20-804. Penalties.*

- (1) Violation of any of the provisions of this Chapter shall be punishable by a fine of three hundred dollars (\$300) and imprisonment of up to ninety (90) days. Every contribution made or received in excess of the maximum amounts authorized in this Chapter shall constitute a separate violation.*

*§20-805. Injunctive Relief.*

- (1) 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 violation 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 immediately.**

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**Explanation:**

*Italics* indicate new matter added.