

Legislation Text

File #: 220049, Version: 1

Amending Chapter 20-1000 of The Philadelphia Code (“Political Contributions and Expenditures”) to add and make changes to provisions regarding campaign contributions and disclosure of political committee expenditures; 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 hereby amended as follows:

CHAPTER 20-1000. POLITICAL CONTRIBUTIONS AND EXPENDITURES

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§ 20-1002. Contribution Limitations.

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(11) ***

(a) ***

(b) The maximum amounts for purposes of subsections 20-1002(2), (7)(b), and (8)(b) shall equal twelve thousand dollars (\$12,000), multiplied by the CPI Multiplier, rounded to the nearest one hundred dollars (\$100).

The Finance Director shall certify the new maximum amounts in writing to the Mayor, the City Council President, the Chief Clerk of Council, and the Board of Ethics.

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(13) [If a candidate makes] *A campaign may pay a political committee or other person [an expenditure to a political committee in order] to have [his or her] the candidate’s name placed on a sample ballot distributed by that political committee or to conduct or organize get-out-the-vote activities (such as canvassing or the distribution of campaign literature or sample ballots) and, so long as the recipient political committee or other person offers similar services to other campaigns and the amount charged is commensurate with the services provided, any expenditures made by the political committee or other person for printing or distribution of the campaign literature or sample ballot on which the candidate appears shall not be counted as a contribution to the candidate for the purpose of calculating the contribution limits set forth in this Section and shall be permissible under Section 20-1003. In the case of such payment being made to a person other than a political committee, whether directly by the campaign or through another person, the campaign shall disclose not just that person to whom it made payment but also any persons whom that person pays or employs in order to provide the services*

promised.

* * *

(15) [A vendor may make expenditures on behalf of a campaign, and such expenditures shall not count against the vendor's contribution limits and shall not constitute a prohibited expenditure of the campaign, so long as the expenditures are for an expense that is incidental to the contractual provision of services by the vendor to the campaign, consistent with standard business practice; and the campaign promptly reimburses the vendor for the expenditure.] *Two or more campaigns may jointly pay for campaign literature, advertising, or get-out-the-vote activities (such as canvassing or the distribution of campaign literature or sample ballots) and, so long as each campaign contemporaneously pays its fair portion of the costs, such expenditures by each campaign shall not count towards the contribution limits of any other participating campaign and shall be permissible under Section 20-1003. Any campaign making such expenditures shall obtain and maintain appropriate documentation, including invoices and printer's samples, which shall be provided to the Board upon request.*

§ 20-1003. Candidate Political Committee Accounts

(1) Candidate Political Committee Account. A *campaign* [candidate for City elective office] shall [have] *use* no more than one political committee and one checking account for the City office being sought, into which all contributions shall be made, and out of which all expenditures for that office shall be made, including expenditures for retiring debt incurred to influence the outcome of a covered election. If [the candidate for office maintains] *a campaign has or controls* other political or non-political *accounts*, [accounts for which contributions are solicited, such funds collected in these] *such* accounts shall not be used for the purpose of influencing the outcome of a covered election, or to retire debt that was incurred to influence the outcome of a covered election. *Unless specifically permitted by this Chapter, a campaign shall not make any expenditures related to a covered election through any other person or vendor.* The restrictions of the subsection shall not apply to a Litigation Fund Committee established pursuant to Section 20-1009 or a Transition and Inauguration Committee established pursuant to Section 20-1011. *A candidate shall be liable for any violations by the campaign of Section 20-1003.*

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(5) *A campaign may make expenditures for advertising through a vendor if that vendor directly pays the media outlet in or on which such advertising shall appear. For such expenditures, a campaign shall obtain and maintain receipts and documentation of where and when the relevant advertising ran, which shall be made available to the Board upon request.*

(6) *If, in the course of providing services to a campaign, a vendor incurs costs incidental to the provision of those services, an expenditure by the campaign to reimburse the vendor for those costs shall not count towards the contribution limits and shall be permissible under Section 20-1003 so long as the costs are promptly invoiced and the reimbursement is promptly made. For such reimbursements, a campaign shall obtain and maintain appropriate receipts and documentation, which shall be made available to the Board upon request.*

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