



Legislation Details (With Text)

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File created: 12/2/2013 **In control:** Rules & Reference Committee

On agenda: 12/2/2013 **Final action:** 12/6/2013

Title: To order and provide for the submission to the electors at the next ensuing election of Ordinance No. 2798-2013, which enacts an ordinance proposed by initiative petition entitled "Columbus Fair Campaigns Code. To enact Chapter 107 of the Columbus City Codes, 1959, to provide for a voluntary system of campaign finance reform for election to the office of mayor and member of council, by creating voluntary limits on campaign contributions and expenditures," and to declare an emergency.

Sponsors: Andrew Ginther

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/6/2013	1	CITY CLERK	Attest	
12/6/2013	1	MAYOR	Signed	
12/2/2013	1	COUNCIL PRESIDENT	Signed	
12/2/2013	1	Columbus City Council	Approved	Pass

This Ordinance provides for the immediate certification to the Franklin County Board of Elections for placement on the ballot at the next ensuing election of Ordinance No. 2798-2013, which enacts an ordinance proposed by initiative petition entitled "Columbus Fair Campaigns Code. To enact Chapter 107 of the Columbus City Codes, 1959, to provide for a voluntary system of campaign finance reform for election to the office of mayor and member of council, by creating voluntary limits on campaign contributions and expenditures." This action is necessary in order for the proposed ordinance to be considered by the electors as required under Columbus City Charter Section 44.

To order and provide for the submission to the electors at the next ensuing election of Ordinance No. 2798-2013, which enacts an ordinance proposed by initiative petition entitled "Columbus Fair Campaigns Code. To enact Chapter 107 of the Columbus City Codes, 1959, to provide for a voluntary system of campaign finance reform for election to the office of mayor and member of council, by creating voluntary limits on campaign contributions and expenditures," and to declare an emergency.

WHEREAS, on November 7, 2013 an ordinance was submitted to the Columbus City Council by a petition signed by registered electors of the City of Columbus entitled "Columbus Fair Campaigns Code. To enact Chapter 107 of the Columbus City Codes, 1959, to provide for a voluntary system of campaign finance reform for election to the office of mayor and member of council, by creating voluntary limits on campaign contributions and expenditures"; and

WHEREAS, on November 18, 2013 the City Clerk certified said petition and submitted the proposed ordinance numbered 2798-2013 to Council at its November 18, 2013 regular meeting where it was first read and assigned to the

Rules and Reference Committee; and

WHEREAS, on December 2, 2013 this Council voted to reject Ordinance No. 2798-2013 as proposed; and

WHEREAS, pursuant to Columbus City Charter Section 44, Council is required forthwith to order and provide for the submission of such proposed ordinance that has been rejected to a vote of the electors of the City at the next ensuing election to be held not less than sixty (60) nor more than one hundred twenty (120) days thereafter; or if no such election will be held, at the next ensuing election; and

WHEREAS, an emergency exists in the usual and daily operation of the City in that it is necessary to certify this question to the Board of Elections immediately to ensure its submission to the electors at the next ensuing election; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That Ordinance No. 2798-2013, rejected December 2, 2013 by the City Council and entitled “Columbus Fair Campaigns Code. To enact Chapter 107 of the Columbus City Codes, 1959, to provide for a voluntary system of campaign finance reform for election to the office of mayor and member of council, by creating voluntary limits on campaign contributions and expenditures” be and the same is hereby submitted to the electors of the City of Columbus, Ohio pursuant to Section 44 of the City Charter for their approval or rejection at the next ensuing election.

Section 2. That the Clerk of this Council shall forthwith serve a certified copy of this Ordinance on the Franklin County, Ohio Board of Elections.

Section 3. That, should the Franklin County Board of Elections determine that the initiative petition is valid and sufficient in accordance with applicable Ohio law, the board is hereby authorized and requested to submit to the electors of the City of Columbus, Ohio the proposed ordinance at the next ensuing election conducted in accordance with and as provided by law.

Section 4. That the Franklin County Board of Elections is hereby requested to provide a separate ballot in accordance with Section 46 of the Charter of the City of Columbus, Ohio to be submitted to said electors, stating the title of the Ordinance, and below it the two propositions, “For the Ordinance” and “Against the Ordinance,” and is further requested to include ballot language summarizing the proposed ordinance and reading as follows:

PROPOSED ORDINANCE

CITY OF COLUMBUS

(Submitted by initiative petition)

The proposed ordinance would enact Chapter 107 of the Columbus City Codes, 1959, titled The Columbus Fair Campaigns Code, to:

1. Establish a separate city account to provide public funding to election campaigns of candidates for the offices of mayor and city council who sign campaign contracts with the city. Funds from this account would be distributed by the city in amounts up to \$350,000.00 to candidates for mayor and up to \$85,000.00 to candidates for council to the extent that funds are available. The ordinance proposes to fund the account annually with the first \$300,000.00 of the city's share of the proceeds of the state tax on casino revenues, a voluntary check-off on city utility bills, donations from individuals and businesses, and other sources. Candidates for mayor and city council would become eligible to receive the public funding by signing a campaign contract with the city agreeing to contribution and expenditure limits and participation in candidate forums to be produced by the Columbus Community Relations Commission. The ordinance sets the initial contribution and expenditure limits at \$350,000.00 for candidates for mayor and \$85,000.00 for council candidates and requires the City Auditor to adjust the public funding and contribution and expenditure limits every two years based on the Consumer Price Index for All Urban Consumers. A candidate who signs a campaign contract with the city would also receive in exchange other benefits provided under the proposed law, which include free use of city owned television, studio

- and broadcast facilities and equipment and city staff to produce campaign ads, an amount of free broadcast time on city owned television stations, and reduced rates for additional broadcast time on city owned television stations. The campaign ads produced would be exempted from the public records law;
2. Provide that a candidate who has signed a contract with the city to abide by the limits on contributions and expenditures is not bound by such agreement in certain instances, but still may state in campaign materials that he/she has agreed to abide by such limits;
 3. Establish the period during which candidates may raise campaign funds and allow candidates for mayor to carry over \$100,000 and candidates for council to carry over \$20,000 after the end of the campaign period;
 4. Prohibit all candidates for Mayor and Council from using their own personal funds for campaign expenditures above 5% of the expenditure limit;
 5. Require the City Clerk to prepare and distribute at city expense before every city election a candidate guide;
 6. Require certain notices on candidates' political advertising related to acceptance or non-acceptance of contribution and expenditure limits and mandate additional language be added to candidates' election ballots related to acceptance or non-acceptance of contribution and expenditure limits;
 7. Permit the use of city owned television facilities for ballot issue advertising on a fixed fee basis;
 8. Require candidates who sign the campaign contract to pay "liquidated damages" for exceeding contribution or expenditure limits;
 9. Require that during campaign periods council must reserve at least fifteen minutes at regular council meetings for public comment on any topic;
 10. Provide for the filing of reports with the City Clerk relating to contribution bundlers; Require political entities that make expenditures in a specified percentage or amount in connection with city elections to file with the Clerk a copy of the report that it files with the county board of elections or Secretary of State and to file a notice with the Clerk at least sixty days before making a contribution or expenditure in connection with a city election; Impose additional annual reporting requirements on campaign committees; Require campaign committees to file reports electronically but exempt some committees that do not raise more than \$30,000.00 in contributions; Impose additional reporting requirements on candidates who make loans from their personal funds to their campaigns of \$25,000 or more;
 11. Mandate that candidates retain campaign financial records for five years following the end of a reporting period and make them available to any member of the public or government office; Require the filing of additional pre-election campaign finance reports during the 12 days before an election based on specified thresholds; Mandate special reporting requirements, including 7 day and 48 hour reports, for independent expenditures by any person other than a candidate; Add additional requirements on officeholders regarding reporting of campaign debts; Impose additional record keeping requirements on candidates regarding cash contributions;
 12. Place restrictions on soliciting and receiving contributions at a city owned building unless sent by mail; Impose a restriction on the amount of contributions and fundraising by registered agents and their spouses; Impose limitations on a contribution to certain political committees and on aggregate contributions from individuals based on their zip codes; Restrict in certain instances the use of a contribution by a candidate for city office unless the contribution complies with timing, amount and source restrictions using a last-in, first-out accounting method;
 13. Create the Campaign Finance Reform Advisory Commission and require the Council to appropriate sufficient funds as necessary for the Commission's work;
 14. Create the Columbus Competitive Campaigns Advisory Commission and require the Council to appropriate such funds as needed by the Commission and require the Columbus Community Relations Commission to provide staff support; and
 15. Establish criminal penalties and exemptions;

FOR THE ORDINANCE

AGAINST THE ORDINANCE

Section 5. That for the reasons set forth in the preamble hereto, which is hereby incorporated herein by reference, this measure is hereby deemed to be an emergency measure and the same shall take effect and be in force from and immediately after its passage and signature by the Mayor or within ten (10) days thereafter in the Mayor neither signs nor vetoes the same.