

City of Cincinnati

MSS

AWB

An Ordinance No. _____

-2021

MODIFYING Chapter 117, “Campaign Finance – Disclosure,” of the Cincinnati Municipal Code by **AMENDING** Section 117-3, “Reporting Requirements when Campaign has no Activity; Publication of Campaign Reports,” to require timely reporting by the currently serving Mayor and Members of Council, and their associated campaign committees and political action committees, of political contributions in excess of \$200 per election cycle; **AUTHORIZING** the City Manager to take all actions necessary to design and implement a public-facing website through which such reports will be available; and **AUTHORIZING** the City Manager to develop such requirements, rules, and guidance, in consultation with the Cincinnati Elections Commission, as are necessary to carry out the purposes described herein, contingent upon funding being appropriated for such purposes.

WHEREAS, an increased public demand for timely disclosure of campaign contributions has emerged in the wake of the decision of the United States Supreme Court in *Citizens United v. FEC*; and

WHEREAS, transparency in political fundraising is desirable for the promotion of good government; and

WHEREAS, there is a need for greater transparency and timely disclosure in political fundraising by the elected officials of the City, to aid in restoring public trust in the elected officials of the City; and

WHEREAS, Council wishes to utilize advances in technology to make campaign contribution information available to the public in a timely, transparent, and useful format; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 117-3, “Reporting Requirements when Campaign has no Activity; Publication of Campaign Reports,” of Chapter 117, “Campaign Finance – Disclosure,” of the Cincinnati Municipal Code is hereby amended as follows:

Sec. 117-3. – Campaign Contribution Reporting, Disclosure, and Publication Reporting Requirements when Campaign has no Activity; Publication of Campaign Reports.

(a) Definitions.

(1) “Campaign” means the currently serving mayor and each member of council, as well as any campaign committee or political action

- (2) committee associated with the currently serving mayor and each member of council.
- (3) "Contribution" has the same meaning as in section 3517.01 of the Ohio Revised Code or a successor statute.
- (4) "Contributor" means any person who makes a contribution, including individuals, corporations, partnerships, political parties, political action committees, or any other association or entity, however organized.
- (b) The city manager is authorized to establish a public-facing website through which the reports required by this section promptly shall be made available to the public. The reports required by this section shall be submitted electronically through the website the city manager establishes. The city manager is authorized to establish requirements for the format of electronic reports required by this section in consultation with the Cincinnati Elections Commission, so that the resulting information will be electronically searchable and downloadable by members of the public through the website. The city manager, in consultation with the Cincinnati Elections Commission, is authorized to promulgate rules and guidance regarding compliance with this section. All such requirements, rules, and guidance shall be made available through the website.
- (c) Each campaign shall report each instance when a contributor cumulatively contributes \$200 or more to the campaign during the period between successive elections of members of council. Once a contributor has contributed \$200 or more to a campaign, the campaign shall report each additional contribution made by such contributor to the campaign during that period between successive elections of members of council, without regard to the amount of each additional contribution.
- (d) The reports required by this section shall be submitted through the public website maintained by the city administration by the third business day following receipt of a contribution covered by 117-3(c), excluding the calendar day on which the contribution is received. For purposes of this requirement, a contribution is deemed to be received on the first calendar day that a campaign gains exclusive possession of such contribution, including but not limited to the day on which a check is delivered, the day a check is received in the mail, or the day an online contribution is made available to spend.
- (e) The reports required by this section are in addition to any campaign contribution reporting or disclosure requirements contained in federal, state, or municipal law.
- (f) If a campaign committee otherwise required to file any statement under the provisions of Article XIII of the charter has no contributions that it has

received and no expenditures that it has made since the last date reflected in the last previously filed statement, if any, no statement shall be required; however, the campaign committee shall file a statement to that effect with the Cincinnati Elections Commission.

(g) The Cincinnati Elections Commission shall make available online to the public through the internet, the contribution and expenditure information in all statements, all addenda, amendments, or other corrections made to statements required by Article XIII, Section 2(a) of the charter to be filed with the Cincinnati Elections Commission. The Commission may remove the information from the internet after a reasonable period of time.

Section 2. That existing Section 117-3, "Reporting Requirements when Campaign has no Activity; Publication of Campaign Reports," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That the City Manager is hereby authorized to take all action necessary to design and implement a public-facing website through which such reports will be submitted and made available to the public, and to develop such requirements, rules, and guidance in consultation with the Cincinnati Elections Commission as are necessary to carry out the purposes described herein, contingent upon funding being appropriated for such purposes.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, provided, however, that the reporting requirements established herein shall not become binding upon the Mayor and Members of Council or associated campaign committees or political action committees, until the City Manager confirms that the website has been established, which confirmation shall be made no later than January 1, 2022, or six months after appropriation of required funding, whichever is later.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strikethrough.