

Date: October 20, 2021

202103025

To: Councilmember Steven Goodin

From: Andrew W. Garth, City Solicitor AWG

**Subject: Ordinance – Prohibition of Campaign Contributions from Persons
Financially Interested in City Business (C VERSION)**

Transmitted herewith is an ordinance captioned as follows:

MODIFYING Title I, “Council and Corporation Miscellaneous,” by enacting new Chapter 119, “Prohibition on the Solicitation or Acceptance of Campaign Contributions from Persons with a Financial Interest in City Business,” of the Cincinnati Municipal Code to restore public trust in elected officials by prohibiting the solicitation or acceptance of campaign contributions from persons having a financial interest in City business while that business is pending before Council; and **MODIFYING** Section 1501-8, “Class C-1 Civil Offenses,” of Title XV, “Code Compliance and Hearings,” of the Cincinnati Municipal Code to establish penalties for certain violations of Chapter 119.

In response to comments received in committee, the C version extends the definition of “financially interested persons” to include dependent children and extends the period to return prohibited contributions to thirty days after receipt. It also distinguishes between a “City Business List” and a “Temporary Prohibition List.” The City Business List includes all financially interested persons from the time of application for City business to six months after conclusion of legislative action on the city business. The Temporary Prohibition List includes only those financially interested persons from whom solicitation or acceptance of campaign contributions is currently prohibited because relevant city business is before the Council. The period during which solicitation and acceptance is prohibited is termed the period of “Legislative Review.”

This version streamlines and simplifies the burden on elected officials. An elected official may check the Temporary Prohibition List at any time and immediately know the identities of those from whom they may not solicit or accept contributions. If, through error or omission, a person who should have been included on the Temporary Prohibition list is not included, solicitation of that person is not prohibited. Any contribution accepted from a person who should have been but was not included on the Temporary Prohibition List would not result in a penalty so long as the contribution was returned within thirty days of the administration notifying the campaign that a contribution was accepted in error.

AWG/MSS/(lnk)

Attachment

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