BOARD BILL NO. 53 INTRODUCED BY ALDERMEN SCOTT OGILVIE
AND ALDERMAN CHRIS CARTER,
AND ALDERWOMEN CHRISTINE INGRASSIA, CARA SPENCER,
AND MEGAN-ELLYIA GREEN

An ordinance pertaining to campaign contribution limits; containing findings;
containing definitions; campaign contribution limitation amounts; adjustments to
limitation amounts; determination of maximum contribution; contributions from persons
under fourteen; filing campaign finance disclosure reports; establishment of the
Municipal Officials and Officers Ethics Commission; duties of the Municipal Officials
and Officers Ethics Commission; violations; a penalty clause; a severability clause; and
an effective date.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: Findings.

The Board of Aldermen for the City of St. Louis finds and declares as follows:

That preserving integrity and openness in the political process is a
matter of the highest public interest.

It is the policy of the City to promote and encourage broad-based
citizen involvement in the financing of election campaigns.

That regulation of campaign contributions is required because of
the public perception that the interests of large contributors may supersede
the interests of the general public.

That the State of Missouri does not at present specify a maximum
limit on campaign contributions.

May 6, 2016
Page 1 of 13 Board Bill No. 53 Sponsors: Aldermen Scott Ogilvie and Chris Carter,
and Alderwomen Christine Ingrassia, Cara Spencer, and Megan-Ellyia Green
SECTION TWO: Definitions. With the following exceptions, terms shall be defined as in the Missouri Campaign Finance Disclosure Law, Chapter 130, Revised Statutes of Missouri:

A. “Base Amount” means monetary campaign contribution limitation amounts prescribed in Section Three hereof.

B. “City Election” means any primary, general, or special election held to elect an individual to the following offices of St. Louis, Missouri: Mayor, President of the Board of Aldermen, Comptroller, Recorder of Deeds, Sheriff, Collector of Revenue, License Collector, Treasurer, or member of the Board of Aldermen or to retain or recall such official.

C. “Contribution Limit” means the monetary campaign contribution limitation amounts set forth in Section Three as subsequently adjusted pursuant to Section Four.

SECTION THREE. Campaign Contribution Limitation Amounts.

A. No person, entity, or committee, other than the candidate, shall make any contribution to a candidate committee which will cause the total amount contributed by such person, entity, or committee to exceed the contribution limit for that office.

B. No candidate, committee, entity, or person acting on behalf of a candidate or committee shall solicit or accept from any person, entity, or committee any contribution which will cause the total amount contributed by such person in a City Election to exceed the contribution limit.
C. The contribution limits amounts for each City Election, as defined in Section Two (B) are as follows:

a. To elect an individual to the office of Mayor, ten thousand dollars ($10,000.00).

b. To elect an individual to the office of President of the Board of Aldermen, ten thousand dollars ($10,000.00).

c. To elect an individual to the office of Comptroller, ten thousand dollars ($10,000.00).

d. To elect an individual to the office of Treasurer, ten thousand dollars ($10,000.00).

e. To elect an individual to the office of Collector of Revenue, ten thousand dollars ($10,000.00).

f. To elect an individual to the office of License Collector, ten thousand dollars ($10,000.00).

g. To elect an individual to the office of Sheriff, ten thousand dollars ($10,000.00).

h. To elect an individual to the office of Recorder of Deeds, ten thousand dollars ($10,000.00).

i. To elect an individual to the office of member of the Board of Aldermen, ten thousand dollars ($10,000.00).
SECTION FOUR. Adjustments to Contribution Limits.

A. The base amounts set forth in Section Three shall be increased on the first Tuesday after the first Monday in April in each odd numbered year in order to coincide with the regular municipal general election. The first adjustment shall be made on April 3, 2017, by multiplying the base year amount by the cumulative consumer price index change between January 1, 2015, and December 31, 2015, as defined in Section 104.010 RSMo, as subsequently amended, and rounded to the nearest one hundred dollar ($100.00) amount. An adjustment shall be made on the first Tuesday following the first Monday in April in each odd numbered year thereafter reflecting the increase in the price index for the previous two calendar years. The Clerk of the Board of Aldermen shall forward to the Board of Aldermen at the first legislative session of the Board of Aldermen following the April municipal election of the year in which an adjustment is made, the adjusted contribution limits and publish once, in a newspaper of general circulation within the City, during that April, the adjusted contribution limits.

SECTION FIVE. Determination of Maximum Contribution.

A. For purposes of computing the contribution limits for a city election, the aggregate amount of contributions made by or accepted from any person for such city election shall be computed by adding all contributions made by or accepted from, as the case may be, such person during the following period:
General Election Period: Beginning at 12:00 a.m. on the day after the last general
election and ending at 11:59 p.m. on the day of the immediately following general or run-off election.

B. If a debt service committee is formed, contributions may be made to and
received by such committee as long as the aggregate contribution received from or made
by a person does not exceed the limitation amounts for the aggregating period in which
the debt was incurred.

C. If a candidate changes the office sought during the primary election
period, the limitation amounts of the new office sought shall apply to all contributions
made to and received by such individual during the election period. All contributions
over the limitations of the new office sought shall be returned to the contributor within
ten (10) days of the change in the office sought.

D. Contributions made or received prior to the effective date of this
ordinance shall not be considered when determining whether or not the limitation
amounts have been reached.

SECTION SIX. Contributions from Persons Sixteen and Under.

A. Contributions from persons sixteen years (16) of age or less shall be considered
made by the parents or guardians of such person and shall be attributed toward any
limitation amounts prescribed herein. Where the contributor is sixteen (16) years of age
or less and has two custodial parents or guardians, fifty percent (50%) of the contribution
shall be attributed to each parent or guardian. Where such contributor has one custodial

May 6, 2016
Page 5 of 13 Board Bill No. 53 Sponsors: Aldermen Scott Ogilvie and Chris Carter,
and Alderwomen Christine Ingrassia,
Cara Spencer, and Megan-Ellyia Green
parent or guardian, all such contributions shall be attributed to the custodial parent or

SECTION SEVEN. Municipal Officials and Officers Ethics Commission

A. There is hereby created a Municipal Officials and Officers Ethics Commission comprised of five (5) members. The Commission shall be composed of the following members: Two (2) members shall be appointed by the Mayor. One (1) member each shall be appointed by (i) the President of the Board of Aldermen, (ii) the Comptroller, and (iii) the Chairperson of the Legislation Committee of the Board of Aldermen. One member shall be named by the Mayor as chair. No members of the Commission shall hold any other public office or be a candidate for any public office, or be an elected or appointed member of any local, state, or national committee of any political party.

B. The Mayor's two appointees shall each serve a first term ending on January 31, 2018. Subsequent terms of office shall be for a period of four years, ending January 31. The three remaining appointees shall serve a first term ending January 31, 2020. Subsequent terms of office for these appointees shall also be for a period of four years, ending January 31.

C. All appointees shall be confirmed by a majority vote of the Board of Aldermen.
SECTION EIGHT. Duties and Procedures of the Municipal Officials and Officers

Ethics Commission

A. The following are the duties of the Municipal Officials and Officers Ethics Commission:

a. **Advisory opinions:** The Commission shall have the power and duty to render advisory opinions and to investigate and report on allegations of violations of the City's Charter and ordinances concerning financial disclosure requirements and conflicts of interest by the Mayor, Comptroller, President of the Board of Aldermen, Recorder of Deeds, Sheriff, Collector of Revenue, License Collector, Treasurer, members of the Board of Aldermen, and appointed officers of City boards and commissions. The Commission, with the concurrence of at least three members, may issue advisory opinions upon the written request by any holder of an elected office in the City of St. Louis and appointed officers of City boards and commissions, and persons employed by the City not otherwise subject to review by an administrative ethics committee. Advisory opinions may also be rendered to address possible conflicts of interest if a person assumes a public office.

b. **Investigations:** The Commission, with the affirmative vote of at least three of its members, upon the sworn complaint of any resident of the City or upon its own initiative, may investigate any alleged violation.
B. The following are the procedures the Municipal Officials and Officers Ethics Commission shall follow:

   a. **Notification to the respondent.** The Commission shall, upon receiving a sworn complaint of any resident of the City, or following its own affirmative vote to consider an investigation, notify the municipal official, candidate, or officer, in writing, of the nature of the alleged complaint or investigation. No complaint shall be accepted by the Commission within fifteen (15) days prior to the primary or general election at which such candidate is running for office.

   b. **Response of the respondent.** The municipal official, candidate, or officer shall be given at least ten (10) days to provide the Commission with such information as the official deems appropriate to explain or justify the circumstances.

   c. **Decision to continue investigation.** Thereafter, the Commission may, by an affirmative vote of at least four members, proceed to commence an investigation for the purpose of producing a final report and recommendations on the matter.

   d. **Hearing.** At the request of the municipal official, candidate, or officer, the Commission shall hold a hearing where the municipal official or officer can provide evidence and testimony and examine any other witnesses called to testify.
e. **Availability of witnesses and evidence.** The Commission shall have the power to examine witnesses under oath or affirmation and the power to subpoena all documents and persons necessary for their investigation.

f. **Response of the respondent.** Prior to the issuance of its final report and recommendations, the Commission shall provide an opportunity for the municipal official, candidate, or officer to respond to the report and recommendations, and such response shall be released with the advisory opinion.

**SECTION NINE: Staff and Records**

A. The Commission may call upon the City Counselor, the Board of Election Commissioners of the City of St. Louis, or any other appropriate public officer to assist them in their investigation. Contingent on the availability of funds, the Commission may utilize outside counsel or staff if it is reasonable and necessary to properly complete its work.

B. When permitted by the Missouri law applicable to open meetings and records, and in recognition of the following factors, meetings and records of the Commission in connection with an investigation or advisory opinion shall be closed to the public: The information to be presented or to be discussed at the meeting or the records may involve persons other than the municipal official or officer who are not under investigation, and disclosure of such information may be harmful to such persons.
C. Information closed under this provision shall be reviewed annually to determine if it may be opened to public inspection.

D. If, after an investigation, the Commission makes a determination that a violation of the Charter or ordinance has occurred, a final report on the investigation shall always be an open record.

E. Commission members may be removed for cause, for ceasing to hold the qualifications to serve, refusal to serve, or malfeasance in office. Removal shall be by quo warranto.

SECTION TEN. Campaign Disclosure Review by the Municipal Officials Ethics Commission.

A. Within seven (7) business days of the filing of each full disclosure report required under Sections 130.041 and 130.046 of the Revised Statutes of Missouri by any committee supporting a candidate in a City Election, the Board of Election Commissioners of the City of St. Louis shall obtain a copy of each Missouri Ethics Commission Campaign Disclosure Report filed by a candidate or committee pertaining to a city election.

B. Within seven (7) business days after each deadline for filing a full disclosure report required under Sections 130.041 and 130.046 of the Revised Statutes of Missouri by any committee supporting a candidate in a City Election, the Board of Election Commissioners of the City of St. Louis shall provide the Municipal Officials Ethics Commission with an audited report of campaign finance disclosures, making note of

May 6, 2016
Page 10 of 13 Board Bill No. 53 Sponsors: Aldermen Scott Ogilvie and Chris Carter, and Alderwomen Christine Ingrassia, Cara Spencer, and Megan-Ellyia Green
potential violations. The Municipal Officials Ethics Commission shall review the
applicable campaign finance disclosure reports submitted pursuant to the Missouri
Campaign Finance Disclosure Law within seven (7) business days of receipt. The
Municipal Officials Ethics Commission shall investigate and report on possible violations
of this ordinance.

C. Any natural person may file a complaint with the Municipal Officials and Officers
Ethics Commission alleging any violation of this ordinance. Any complaint shall be in
writing, shall state all facts known by the complainant which have given rise to the
complaint, and shall be sworn to, under penalty of perjury, by the complainant.

D. Within the four (4) business days after receipt of a complaint, the Commission
shall supply a copy of the complaint to the person named in the complaint, deleting any
material identifying the name of the complainant. The respondent may respond in writing
or in person to the allegations of the complaint within ten (10) business days of delivery
of the complaint to respondent.

E. Within ten (10) business days of receipt of a complaint, the Commission shall
investigate the allegations contained in the complaint.

F. When, either as a result of investigation of a complaint or upon the Commission's
own review of campaign finance disclosure reports, the Commission determines that
there are reasonable grounds to believe that a violation of this ordinance has occurred, the
Commission shall report its findings in writing and forward the complaint and findings to
1 the person against whom the findings were made and to the City Counselor, who shall
2 prosecute the violation upon his or her determination that probable cause exists.
3 F. The Commission shall at quarterly intervals publish violations of this ordinance,
4 which they have reasonable grounds to believe have occurred, in the City Journal.
5 SECTION ELEVEN. Violations. It shall be a violation of this ordinance:
6 A. for any contributor to knowingly contribute to any candidate, committee, or
7 person acting on behalf of a candidate or committee any amount exceeding the limitation
8 amounts;
9 B. for any candidate, committee, or person acting on behalf of a candidate or
10 committee to knowingly accept any contribution which exceeds the limitation amounts.
11 An unauthorized contribution is knowingly accepted if it is not returned to the contributor
12 within thirty (30) days of receipt of the unauthorized contribution;
13 C. for any committee treasurer to knowingly accept any contribution which exceeds
14 the limitation amounts; a committee treasurer knowingly accepts an unauthorized
15 contribution if it is not returned to the contributor within thirty (30) days of receipt of the
16 unauthorized contribution;
17 D. for any candidate or committee treasurer to fail to return within thirty (30) days of
18 receipt of the unauthorized contribution, a contribution which exceeds the limitation
19 amounts, including interest or other premium earned by the contribution exceeding the
20 authorized limitations and each and every day or portion thereof during which any
21 violation of this provision is committed or continued shall be a separate offense;
E. for any person to make a contribution in the name of another person, or to
knowingly permit his or her name to be used to effect such a contribution, or to
knowingly accept a contribution made by one person in the name of another person;
F. for any person to knowingly fail to report contributions, with the intent to
mislead or deceive.

SECTION TWELVE. Severability Clause.
If any provision, clause, sentence, paragraph or word of this ordinance or the
application thereof to any person, entity or circumstances shall be held invalid, such
invalidity shall not affect the other provisions of this ordinance which can be given effect
without the invalid provisions or application, and to this end the provisions of this
ordinance are declared severable.

SECTION THIRTEEN. Penalty.
Any person who violates the provisions of this chapter shall be subject to of a fine
of not less than one hundred dollars ($100.00) per violation nor more than five hundred
dollars ($500.00) per violation or a term of imprisonment not more than ninety (90) days
per violation or both a fine and term of imprisonment per violation.

SECTION FOURTEEN. Effective Date.
This Ordinance shall have an effective date of April 6, 2017.