

1 **SECTION TWO: Definitions.** With the following exceptions, terms shall be
2 defined as in the Missouri Campaign Finance Disclosure Law, Chapter 130, Revised
3 Statutes of Missouri:

4 A. ‘Base Amount’ means monetary campaign contribution limitation amounts
5 prescribed in Section Three hereof.

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

11 C. ‘Contribution Limit’ means the monetary campaign contribution limitation
12 amounts set forth in Section Three as subsequently adjusted pursuant to Section Four.

13 **SECTION THREE. Campaign Contribution Limitation Amounts.**

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

17 B. No candidate, committee, entity, or person acting on behalf of a candidate
18 or committee shall solicit or accept from any person, entity, or committee any
19 contribution which will cause the total amount contributed by such person in a City
20 Election to exceed the contribution limit.

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- 1 C. The contribution limits amounts for each City Election, as defined in
2 Section Two (B) are as follows:
- 3 a. To elect an individual to the office of Mayor, ten thousand dollars
4 (\$10,000.00).
- 5 b. To elect an individual to the office of President of the Board of
6 Aldermen, ten thousand dollars (\$10,000.00).
- 7 c. To elect an individual to the office of Comptroller, ten thousand dollars
8 (\$10,000.00).
- 9 d. To elect an individual to the office of Treasurer, ten thousand dollars
10 (\$10,000.00).
- 11 e. To elect an individual to the office of Collector of Revenue, ten
12 thousand dollars (\$10,000.00).
- 13 f. To elect an individual to the office of License Collector, ten thousand
14 dollars (\$10,000.00).
- 15 g. To elect an individual to the office of Sheriff, ten thousand dollars
16 (\$10,000.00).
- 17 h. To elect an individual to the office of Recorder of Deeds, ten thousand
18 dollars (\$10,000.00).
- 19 i. To elect an individual to the office of member of the Board of
20 Aldermen, ten thousand dollars (\$10,000.00).

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1 **SECTION FOUR. Adjustments to Contribution Limits.**

2 A. The base amounts set forth in Section Three shall be increased on the first
3 Tuesday after the first Monday in April in each odd numbered year in order to coincide
4 with the regular municipal general election. The first adjustment shall be made on April
5 3, 2017, by multiplying the base year amount by the cumulative consumer price index
6 change between January 1, 2015, and December 31, 2015, as defined in Section 104.010
7 RSMo, as subsequently amended, and rounded to the nearest one hundred dollar
8 (\$100.00) amount. An adjustment shall be made on the first Tuesday following the first
9 Monday in April in each odd numbered year thereafter reflecting the increase in the price
10 index for the previous two calendar years. The Clerk of the Board of Aldermen shall
11 forward to the Board of Aldermen at the first legislative session of the Board of
12 Aldermen following the April municipal election of the year in which an adjustment is
13 made, the adjusted contribution limits and publish once, in a newspaper of general
14 circulation within the City, during that April, the adjusted contribution limits.

15 **SECTION FIVE. Determination of Maximum Contribution.**

16 A. For purposes of computing the contribution limits for a city election, the
17 aggregate amount of contributions made by or accepted from any person for such city
18 election shall be computed by adding all contributions made by or accepted from, as the
19 case may be, such person during the following period:

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1 General Election Period: Beginning at 12:00 a.m. on the day after the last general
2 election and ending at 11:59 p.m. on the day of the immediately following general or run-
3 off election.

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

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

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

16 **SECTION SIX. Contributions from Persons Sixteen and Under.**

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

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1 parent or guardian, all such contributions shall be attributed to the custodial parent or
2 guardian.

3 **SECTION SEVEN. Municipal Officials and Officers Ethics Commission**

- 4 A. There is hereby created a Municipal Officials and Officers Ethics Commission
5 comprised of five (5) members. The Commission shall be composed of the following
6 members: Two (2) members shall be appointed by the Mayor. One (1) member each
7 shall be appointed by (i) the President of the Board of Aldermen, (ii) the Comptroller,
8 and (iii) the Chairperson of the Legislation Committee of the Board of Aldermen. One
9 member shall be named by the Mayor as chair. No members of the Commission shall
10 hold any other public office or be a candidate for any public office, or be an elected or
11 appointed member of any local, state, or national committee of any political party.
- 12 B. The Mayor's two appointees shall each serve a first term ending on January 31, 2018.
13 Subsequent terms of office shall be for a period of four years, ending January 31. The
14 three remaining appointees shall serve a first term ending January 31, 2020.
15 Subsequent terms of office for these appointees shall also be for a period of four years,
16 ending January 31.
- 17 C. All appointees shall be confirmed by a majority vote of the Board of Aldermen.

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1 **SECTION EIGHT. Duties and Procedures of the Municipal Officials and Officers**

2 **Ethics Commission**

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

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

18 b. *Investigations:* The Commission, with the affirmative vote of at
19 least three of its members, upon the sworn complaint of any resident of the City or
20 upon its own initiative, may investigate any alleged violation.

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1 B. The following are the procedures the Municipal Officials and Officers Ethics
2 Commission shall follow:

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

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

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

18 d. *Hearing.* At the request of the municipal official, candidate, or
19 officer, the Commission shall hold a hearing where the municipal official or
20 officer can provide evidence and testimony and examine any other witnesses
21 called to testify.

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1 e. *Availability of witnesses and evidence.* The Commission shall have
2 the power to examine witnesses under oath or affirmation and the power to
3 subpoena all documents and persons necessary for their investigation.

4
5 f. *Response of the respondent.* Prior to the issuance of its final report
6 and recommendations, the Commission shall provide an opportunity for the
7 municipal official, candidate, or officer to respond to the report and
8 recommendations, and such response shall be released with the advisory opinion.

9 **SECTION NINE: Staff and Records**

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

15 B. When permitted by the Missouri law applicable to open meetings and records, and
16 in recognition of the following factors, meetings and records of the Commission in
17 connection with an investigation or advisory opinion shall be closed to the public: The
18 information to be presented or to be discussed at the meeting or the records may involve
19 persons other than the municipal official or officer who are not under investigation, and
20 disclosure of such information may be harmful to such persons.

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1 C. Information closed under this provision shall be reviewed annually to determine if
2 it may be opened to public inspection.

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

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

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

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

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

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1 potential violations. The Municipal Officials Ethics Commission shall review the
2 applicable campaign finance disclosure reports submitted pursuant to the Missouri
3 Campaign Finance Disclosure Law within seven (7) business days of receipt. The
4 Municipal Officials Ethics Commission shall investigate and report on possible violations
5 of this ordinance.

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

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

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

17 F. When, either as a result of investigation of a complaint or upon the Commission's
18 own review of campaign finance disclosure reports, the Commission determines that
19 there are reasonable grounds to believe that a violation of this ordinance has occurred, the
20 Commission shall report its findings in writing and forward the complaint and findings to

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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;

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- 1 E. for any person to make a contribution in the name of another person, or to
2 knowingly permit his or her name to be used to effect such a contribution, or to
3 knowingly accept a contribution made by one person in the name of another person;
4 F. for any person to knowingly fail to report contributions, with the intent to
5 mislead or deceive.

6 **SECTION TWELVE. Severability Clause.**

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

12 **SECTION THIRTEEN. Penalty.**

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

17 **SECTION FOURTEEN. Effective Date.**

18 This Ordinance shall have an effective date of April 6, 2017.

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