

**BOARD BILL NO. 69 INTRODUCED BY ALDERMAN SCOTT OGILVIE,
ALDERMAN SHANE COHN, ALDERWOMAN CHRISTINE INGRASSIA,
ALDERMAN CHRIS CARTER, ALDERMAN STEPHEN CONWAY**

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; the duties of the Municipal Officials Ethics Commission; violations; a penalty clause; and an severability clause.

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 interest the general public.

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

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individual to the **following** office of St. Louis, Missouri: Mayor, President of the Board of Aldermen, Comptroller, 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 or other 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 limits.

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 member of the Board of Aldermen, three thousand dollars (\$3,000.00).

SECTION FOUR. Adjustments to Contribution Limits.

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 7th, 2015 by multiplying the base year amount by the cumulative consumer price index between January 1st, 2014, and December 31st, 2014, 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:

a. 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

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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 under Sixteen.

Contributions from persons fewer than sixteen years of age 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 fewer than sixteen (16) years of age and has two custodial parents or guardians, fifty (50%) percent of the contribution shall be attributed to each parent or guardian. Where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.

SECTION SEVEN. Campaign Finance Disclosure Report.

Within seven (7) business days of the filing of the report, the City Register shall obtain a copy of each Missouri Ethics Commission Campaign Disclosure Report filed by a candidate or committee pertaining to a city election. Within three (3) business days after the Register's receipt of the reports, the Register shall forward to the Municipal Officials Ethics Commission copies of all campaign finance disclosure reports obtained by the City Register.

SECTION EIGHT. Municipal Officials Ethics Commission

A. There shall be a Municipal Officials Ethics Commission comprised of five members. Two members each shall be appointed by the Mayor. One member each shall be appointed by the President of the Board of Aldermen, the Comptroller and the Chairperson of the Legislation Committee. The members of the Municipal Officials Ethics Commission shall serve terms of four years.

B. An Auditor in the Comptroller's Office shall review campaign finance reports for the Municipal Officials Ethics Commission and make recommendations to the Municipal Officials Ethics Commission on any possible violations.

SECTION NINE. Duties of the Municipal Officials Ethics Commission.

A. 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 Commission shall investigate and report on possible violations of this ordinance.

B. 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.

C. Within the second business day 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 four (4) business days of delivery of the complaint to respondent.

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D. Within seven (7) business days of receipt of a complaint, the Commission shall investigate the allegations contained in the complaint.

E. 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 the person against whom the findings were made and to the city counselor who shall prosecute the violation upon his or her determination that probable cause exists.

F. The Commission shall at quarterly intervals publish violations of this ordinance in the City Journal.

SECTION TEN. Violations. It shall be a violation of this ordinance:

A. for any contributor to knowingly contribute to any candidate, committee or person acting on behalf of a candidate or committee any amount exceeding the limitation amounts;

B. for any candidate, committee or person acting on behalf of a candidate or committee to knowingly accept any contribution which exceeds the limitation amounts. An unauthorized contribution is knowingly accepted if it is not returned to the contributor within thirty (30) days of receipt of the unauthorized contribution;

C. for any committee treasurer to knowingly accept any contribution which exceeds the limitation amounts; a committee treasurer knowingly accepts an unauthorized contribution if it is not returned to the contributor within thirty (30) days of receipt of the unauthorized contribution;

D. for any candidate or committee treasurer to fail to return within thirty (30) days of receipt of the unauthorized contribution, a contribution which exceeds the limitation

amounts, including interest or other premium earned by the contribution exceeding the authorized limitations and each and every day or portion thereof during which any 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 ELEVEN. 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 TWELVE. 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) nor more than five hundred dollars (\$500.00) or a term of imprisonment not more than ninety (90) days or both a fine and term of imprisonment.

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