

Late Backup

Draft Item 034

08/19/2010

ORDINANCE NO. _____

1 AN ORDINANCE AMENDING CITY CODE CHAPTER 2-2 RELATING TO
2 CAMPAIGN FINANCE, TO IMPLEMENT ETHICS REVIEW COMMISSION
3 RECOMMENDATIONS REGARDING SECTION 2-2-14 (*DISCLOSURE OF*
4 *COMPLIANCE WITH CHAPTER*) AND SECTION 2-2-22 (*FUNDRAISING AND*
5 *BUNDLING BY INTERMEDIARIES*).

6
7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

8
9 PART 1. City Code Section 2-2-14 (*Disclosure of Compliance with Chapter*) is
10 amended to read:

11 § 2-2-14 DISCLOSURE OF COMPLIANCE WITH CHAPTER.

- 12
13 (A) A candidate who signs a campaign contract shall include the following notice in all
14 political advertising: "This campaign has agreed to comply with the contribution
15 and expenditure limits of the Austin Fair Campaign Chapter."
16
17 (4B) Except to the extent prohibited by the Federal Communications Act, a candidate
18 who chooses not to sign a campaign contract shall include the following notice in
19 all political advertising: "This campaign has not agreed to comply with the
20 contribution and expenditure limits of the Austin Fair Campaign Chapter."
21
22 (2C) The disclosures required by this section shall be clear and conspicuous:
23
24 (a1) On printed political advertising, the disclosure shall be printed in sufficient
25 type and size to be clearly readable, in two highly contrasting colors such as
26 dark text on a light background, but in no case smaller than eight point font
27 be printed in eight point type size or larger; and
28
29 (b2) On other forms of political advertising, including internet advertisement,
30 television, and radio, the disclosure shall appear in a clear, conspicuous
31 manner to provide the reader, viewer, or listener with actual notice of the
32 disclosure; and
33
34 (3) A disclaimer is not clear and conspicuous if it is difficult to read or hear, or
35 if the placement is easily overlooked.
36

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(D) The requirements of subsections (A) through (C) do not apply to bumper stickers, pins, buttons, pens, apparel, and similar small or impractical items upon which the notice cannot be conveniently printed.

(BE) A candidate or other campaign representative who authorizes the publication of political advertising without the notice required by this section commits an offense.

PART 2. City Code Section 2-2-22 (*Fundraising and Bundling by Intermediaries*) is amended to read:

§ 2-2-22 FUNDRAISING AND BUNDLING BY INTERMEDIARIES.

A candidate or office holder shall include in their contribution and expenditure report the name and address of any person who solicits and obtains contributions on their behalf, during a reporting period, of \$200 or more per person from five or more individuals, and provide the name and address of those individual donors. This disclosure requirement shall not apply to an individual who raises funds in an aggregate amount of \$5,000 or less for a candidate through a fundraising event held at the individual's residence.

PART 3. This ordinance takes effect on _____.

PASSED AND APPROVED

_____, 2010 § _____
 § _____
 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____
Karen M. Kennard
Acting City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk