ORDINANCE NO. <u>20120426-088</u>

AN ORDINANCE AMENDING CHAPTER 2-2 OF THE CITY CODE RELATED TO CAMPAIGN FINANCE AND BUNDLING BY INTERMEDIARIES; AND CREATING AN OFFENSE.

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

PART 1. Section 2-2-22 of the City Code (*Fundraising and Bundling by Intermediaries*) is repealed and replaced by a new Section 2-2-22 to read as follows:

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

(A) In this section:

    (1) **BUNDLER** means a person who bundles campaign contributions. The term does not apply to an individual whose only fundraising activity is a fundraising event held at the individual's residence if the event raises funds in an aggregate amount of less than $5,000.

    (2) **BUNDLING** means the soliciting and obtaining, during a campaign period, contributions on behalf of a candidate of $200 or more per person from five or more persons.

(B) For each reporting period in which a candidate for whom a bundler has bundled contributions must file a report of contributions and expenditures, the candidate must also file a separate report with the City Clerk disclosing:

    (1) the name and address of each bundler who has bundled for the candidate;

    (2) the bundler's occupation and the name of the bundler's employer; and

    (3) the name, address, occupation and employer of each individual contributor whose contribution was bundled by the bundler;

    (4) the amount contributed by each individual contributor whose contribution was bundled by the bundler;

    (5) the total amount the bundler has bundled for the candidate during the reporting period; and

    (6) the name of each person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*) employed by, or compensated to lobby, by:
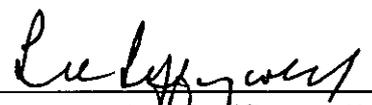
(a) the bundler;

(b) a business association through which the bundler does business; or

(c) the bundler's employer.

(C) A candidate who receives bundled contributions shall notify each bundler of the requirements of this section. A bundler shall provide to each candidate, at the time the bundler delivers bundled contributions to the candidate, the information necessary for the candidate to report the information required by this section. The failure of a bundler to provide the information required by this subsection does not excuse any failure by a candidate to report the required information.

(D) Except as may be further limited by Subsection (E), a person who is registered, who is required to register, or who is employed by a person who is registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*) may not bundle contributions totaling more than five times the contribution limit set by Article III, Section 8(A)(1) of the City Charter for any one candidate in a campaign period.

(E) This subsection applies only to a business association that is registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), that is owned in whole or in part by a person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), that employs a person registered or required to register under Chapter 4-8 (*Regulation of Lobbyists*), or that compensates another person to lobby on a municipal question of interest to the business association. Partners, shareholders, principals, employees, and persons who conduct business through the same business association, are considered to be a single bundler for the purpose of this subsection. The total amount bundled by all the partners, shareholders, principals, employees, and persons who conduct business through the same business association when added together may not exceed ten times the contribution limit set by Article III, Section 8(A)(1) of the City Charter for the entire business association for any one candidate in a campaign period.
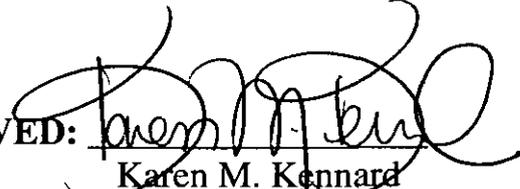
PART 2. This ordinance takes effect on August 1, 2012.

PASSED AND APPROVED

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_____April 26_____, 2012   §   _____
                                      Lee Leffingwell
                                      Mayor

APPROVED: _____   ATTEST: _____
          Karen M. Kennard   Shirley A. Gentry
          City Attorney   City Clerk