Legislation Details (With Text)

File #:	ID18-0302	**Version:** 1	**Name:**	
Type:	Action Item		**Status:**	Passed
File created:	2/22/2018		**In control:**	City Council
On agenda:	3/1/2018		**Final action:**	3/1/2018
Title:	BILL - (For introduction) - Amending Section 2-1104 of the Municipal Code relating to campaign contributions.			
Sponsors:	City Attorney's Office			
Indexes:				
Code sections:				
Attachments:	1. Ord- amending 2-1104.pdf			

Date	Ver.	Action By	Action	Result
3/1/2018	1	City Council	approved	

REPORT TO THE CITY COUNCIL

March 1, 2018

FROM: DOUGLAS T. SLOAN, City Attorney
City Attorney's Office

SUBJECT

BILL - (For introduction) - Amending Section 2-1104 of the Municipal Code relating to campaign contributions.

RECOMMENDATION

It is recommended Council approve the ordinance amending Section 2-1104 of the Municipal Code relating to campaign contributions.

EXECUTIVE SUMMARY

Charter Section 309 limits campaign contributions to a time window from the election filing date through the end of that calendar year. A recent court of appeals decision found such time restrictions to be unconstitutional. This ordinance provides the City will no longer enforce Charter Section 309 and effectively removes timing restrictions for fundraising for city offices.

BACKGROUND

The U.S. Fifth Circuit Court of Appeals decision of *Zimmerman v. City of Austin, Texas*, No. 16-

51366, 2018 WL 652854 (5th Cir. Feb. 1, 2018) recently held fundraising time limits violate the First Amendment absent specific findings that the time limits prevent actual or perceived corruption beyond contribution dollar limits. In light of the Zimmerman case, this ordinance amends Municipal Code Section 2-1104 to state Charter Section 309 will no longer be enforced.

ENVIRONMENTAL FINDINGS

Not applicable.

LOCAL PREFERENCE

Not applicable.

FISCAL IMPACT

None.

Attachment: Ordinance Amending Section 2-1104