



# Allegheny County Council

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## Legislation Text

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An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, Chapter 220, entitled “Campaign Finance Reports and Statements,” in order to establish a schedule for filing campaign finance reports by all candidates for Allegheny County elected office and to require publication of such reports in a searchable database that is accessible by the public.

**Whereas,** the right of candidates to campaign necessarily entails the need to finance such campaigns; and

**Whereas,** while the Allegheny County Code of Ordinances, Chapter 220, does contain some rudimentary provisions relating to campaign finance report filings, it does not specifically identify any particular report filing schedule; and

**Whereas,** under the terms of currently existing Commonwealth filing deadlines, candidates are only required to file an annual, 2nd Friday pre-primary, 30 Day post-primary, 2nd Friday pre-general and 30 day post-general finance reports; and

**Whereas,** this reporting schedule leaves a large gap between filings, especially during the months immediately before both primary and general elections, when such reporting is most relevant; and

**Whereas,** adding an additional reporting deadline would increase the financial transparency of our County political candidates;

**Whereas,** because the provisions of Chapter 220 have not been meaningfully altered since their original enactment in August of 2003, they reflect a state of technology that is two decades old; and

**Whereas,** transparency in campaign finance is a vital means of observing the influence of special interests and other parties in the political process, and it is the desire of the Council to make better use of technology to increase such transparency.

***The Council of the County of Allegheny hereby enacts as follows:***

### ***SECTION 1. Incorporation of the Preamble***

The provisions of the preamble to this Ordinance are hereby incorporated in their entirety by reference herein.

### ***SECTION 2. Amendment of the Allegheny County Code of Ordinances.***

The Allegheny County Code of Ordinances, Chapter 220, entitled “Campaign Finance Regulations,” is hereby amended as follows:

## Chapter 220 Campaign Finance Reports and Statements

### § 220-1. Definitions.

The following terms when used in this chapter shall have the following meanings:

CANDIDATE - Any individual who seeks nomination or election to ~~public office~~ County Office as defined ~~herein, other than a judge of elections or inspector of elections~~, whether or not such individual is nominated or elected. An individual shall be deemed to be seeking nomination or election to such office if he or she has received a contribution or made an expenditure or has given his consent for any other person or committee to receive a contribution or make an expenditure, for the purpose of influencing his nomination or election to such office, whether or not the individual has made known the specific office for which he or she will seek nomination or election at the time the contribution is received or the expenditure is made; or taken the action necessary under the laws of the commonwealth to qualify himself for nomination or election to such office.

COUNTY BALLOT QUESTION - Any question appearing on a ballot relating to amendment of the Home Rule Charter of Allegheny County, or relating to the enactment of any ordinance via voter referendum as provided for in Article 1101 of the Administrative Code of Allegheny County.

COUNTY OFFICE - The Allegheny County Chief Executive, Allegheny County Controller, Allegheny County District Attorney, Allegheny County Sheriff, Allegheny county Treasurer, and/or Member of Allegheny County Council.

POLITICAL COMMITTEE - Any committee, club, association or other group of persons which receives contributions or makes expenditures.

### ~~§ 220-2. Candidates to have access to system for electronic filing.~~

~~Beginning January 1, 2005, it shall be the policy of the County of Allegheny that any candidate who is required to file a campaign finance report or campaign finance statement with the Elections Division pursuant to the Campaign Expense Reporting Law, Act 171 of 1978, shall have access to a technical system so that they may use electronic means to file.~~

### ~~§ 220-3. Treasurers to have access to system for electronic filing.~~

~~Beginning January 1, 2005, it shall be the policy of the County of Allegheny that each Treasurer of a political committee which is required to file a campaign finance report or campaign finance statement with the Elections Division pursuant to the Campaign Expense Reporting Law, Act 171 of 1978, shall have access to a technical system so that they may use electronic means to file.~~

### ~~§ 220-4. Access to reports and statements filed electronically.~~

~~Beginning April 1, 2005, it shall be the policy of the County of Allegheny that campaign finance reports and~~

~~campaign finance statements filed electronically with the Elections Division shall be posted and accessible to the public through the County's Web site within 72 hours of each filing deadline and shall remain accessible for a period of five years.~~

**~~§ 220-5. Access to reports and statements on County Web site.~~**

~~Beginning January 1, 2007, it shall be the policy of the County of Allegheny that campaign finance reports and campaign finance statements, regardless of the means by which they were filed with the Elections Division, shall be posted and accessible to the public through the County's Web site within 72 hours of each filing deadline and shall remain accessible for a period of five years.~~

**~~§ 220-6. Web access guidelines, methods and specifications.~~**

~~Web access to the campaign finance reports and campaign finance statements shall include a searchable database. The development of the guidelines for submission, retrieval, storage and public disclosure of campaign finance reports and campaign finance statements by electronic means shall be at the discretion of the administration and shall mirror, as closely as possible, the guidelines established by the Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation. The Elections Division shall promulgate methods and specifications for the electronic submission of campaign finance reports and campaign finance statements no later than June 30, 2004.~~

**§220-2. Public Database and Reporting.**

- A. Candidates and candidate Political Committees shall, on the ninth Friday prior to election day, provide a campaign finance report, for all candidate Political Committees associated with the Candidate for County Office, in the form mandated by the regular Allegheny County Board of Elections pre-primary reporting forms and procedures, to the Allegheny County Division of Elections. In the event that a special election is scheduled in a fashion that precludes report filing by the ninth Friday prior to such election, these reports shall be due no later than thirty (30) days prior to such election. Included with all reports filed under the terms of this Section shall be an additional schedule that details the name of each contributor and the total contribution made by each contributor to the candidate committee both in the then current election cycle in a form to be promulgated by Division of Elections and made available via the Allegheny County website.
- B. The Division of Elections shall maintain an online database of all campaign finance reports required by this Chapter for County Office. This database shall be made accessible to the public at no charge, and shall be searchable by candidate committee name, candidate name, and by covered election year.
- C. All Political Committees shall report to the Division of Elections all expenditures to, or made on behalf of, any question appearing on the ballot, in the same manner required of a Candidate Committee, as described in subsection (1) of this section. Political Committees must also report in the same manner required of a Candidate Committee, as described in subsection (1) of this section, all Independent Expenditures made to encourage or defeat an election outcome, or to advocate the election or defeat of a clearly identified Candidate or question appearing on the ballot. This provision is in addition to any

other filing and reporting provisions of this Code that apply to such committees, their treasurers and chairpersons.

- D. Every person, other than a Political Committee or Candidate, who makes independent expenditures for the purposes of influencing the outcome of an election for County Office or regarding a County Ballot Question, or to advocate the election or defeat of a clearly identified Candidate for County Office or County Ballot Question appearing on the ballot, other than by contribution to a Political Committee or Candidate, in an aggregate amount over one hundred dollars (\$100.00) during a calendar year, shall file with the Division of Elections a form prepared by the Division of Elections, in physical or electronic form, based on the State's Independent Expenditure Report. Reports required by this subsection shall be filed by dates on which reports by Candidates making expenditures are required under this section.
- E. The Division of Elections shall develop and promulgate regulations governing campaign finance report audits no less frequently than every three years.

### **§ 220-73. Electronic submission not required.**

The filing of campaign finance reports and campaign finance statements through electronic means shall be permitted and encouraged, but not required. The Elections Division shall continue to accept reports filed by paper.

### **§220-4. Database report accessibility.**

Campaign finance reports and campaign finance statements, regardless of the means by which they were filed with the Elections Division, shall be posted and accessible to the public through the County's website within 72 hours of each filing deadline and shall remain accessible for a period of no less than five (5) years from the date of submission.

### **§220-5. Effect upon other law.**

Nothing contained within the terms of this Chapter shall be read or interpreted to abrogate, reduce, enlarge, or in any other way alter campaign finance reporting obligations imposed upon any candidate by other applicable law.

## ***SECTION 3. Effective Date and Implementation.***

This Chapter shall take effect on December 31, 2023.

## ***SECTION 4. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining***

*provisions of this Ordinance which shall be in full force and effect.*

***SECTION 5. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.***