Legislation Details (With Text)

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Title:	An Ordinance amending and supplementing the Pittsburgh Code of Ordinances at Title I: Administrative, Article XI: Human Resources, Chapter 198: Campaign Finance Regulations so as to permit the use of funds held by a candidate committee for childcare expenses.		
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Date	Ver.	Action By	Action	Result
11/1/2021	1	Mayor	Signed by the Mayor	
10/26/2021	1	City Council	Passed Finally	Pass
10/20/2021	1	Standing Committee	Affirmatively Recommended	Pass
10/12/2021	1	City Council	Read and referred	

An Ordinance amending and supplementing the Pittsburgh Code of Ordinances at Title I: Administrative, Article XI: Human Resources, Chapter 198: Campaign Finance Regulations so as to permit the use of funds held by a candidate committee for childcare expenses.

The Council of the City of Pittsburgh hereby enacts:

Section 1. The Pittsburgh Code of Ordinances is hereby amended and supplemented as follows at Title I: Administrative, Article XI: Human Resources, Chapter 198: Campaign Finance Regulations:

§ 198.05: CHILDCARE AS AN EXPENDITURE

(1) A candidate committee may make use of funds to pay for childcare expenses incurred by a candidate for City elected office or to reimburse a candidate for City elected office during an election cycle if said funds are used to pay for reasonable and necessary childcare for the time the candidate is engaging in campaign activity such that the childcare expenses would not otherwise be incurred but for or in absence of a campaign for City elected office.

(2) The funds eligible for use as per § 198.05(1) shall be those received and held by a candidate committee

as contributions authorized by and in line with the regulations and requirements established by § 198.02.

(3) For the purposes of this Section, "childcare" shall be considered care provided to a candidate's child or dependent, including, but not limited to, professional or casual baby-sitting services, non-profit or for-profit organizations that provide such services, and any other costs directly related to such services that occur as a result of campaign activity for City elected office, but not including pre-primary, primary, or secondary education.

(4) Childcare expenses shall not include payments to a member of the candidate's household or family.

> **(a) For the purposes of this Section, "family" shall be considered a candidate's parent, step-parent, child, step-child, sibling, step-sibling, grandparent, grandchild, parent-in-law, sibling-in-law, aunt, uncle, first cousin, or persons otherwise related by consanguinity or affinity.**

(5) The candidate committee shall disclose and report these expenditures in the same manner as all other expenditures that the candidate committee is required to disclose and report under all applicable law.

(6) The provisions of this Section shall take effect during the election cycle immediately following its adoption.

§ 198.0~~5~~**6**: PUBLIC DATABASE AND REPORTING.

(1) Candidates for City elected office and candidate committees shall, on the first business day of each of the three (3) months prior to election day, provide a campaign finance report, for all candidate committees associated with the candidate for any office sought, in the form mandated by the regular Allegheny County Board of Elections pre-primary reporting forms and procedures to the City's Ethics Hearing Board. In the case of special elections, these reports shall be due on the lesser of either (1) the first business day of each month between when the special election is called and election day or

(2) on the first business day of each of the three (3) months prior to election day. Included with these reports 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 the City of Pittsburgh and made available via the City of Pittsburgh website.(2)The Ethics Hearing Board shall maintain an online database of all campaign finance reports required by this Chapter for City elected office. This database shall be searchable by candidate committee name, candidate name, and by covered election year.

(3) All Political Committees shall report to the City's Ethics Hearing Board 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.

(4) Every person, other than a Political Committee or Candidate, who makes Independent Expenditures 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, 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 City's Ethics Hearing Board a form prepared by the Ethics Hearing Board, 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.

(5) Campaign finance reports will be regularly audited according to regulations promulgated by the Ethics Hearing Board.

§ 198.0~~6~~**7**: PENALTIES AND INVESTIGATIONS.

(1) Any person residing in the City of Pittsburgh, including the City Solicitor may bring an action for injunctive relief in any court of competent jurisdiction to enjoin any violations of, or to compel compliance with, the provisions of this Chapter.

(2) Pursuant to Chapter 197.09, the Ethics Hearing Board of the City of Pittsburgh shall be empowered to hear complaints from City of Pittsburgh residents regarding violations of this Chapter and may use all of its powers to investigate and adjudicate these alleged violations in accordance with its normal administrative procedures and powers.

(3) If the Ethics Hearing Board levies a fine on a candidate for violations of this Chapter, the fine shall be the greater of either one thousand dollars ($1,000.00) per instance of a violation of this law, in which an instance shall be a single donation above the campaign finance limit, or one thousand dollars ($1,000.00) for every two thousand dollars ($2,000.00) accepted by the candidate committee above the campaign finance limits set forth in this Chapter. Candidates shall also be required to fully refund all donations received above the campaign finance limits set forth in this Chapter.

(4) The Ethics Hearing Board may levy a fine of up to fifty dollars ($50.00)/day for the late filing of reports required under ~~Section 198.05~~ **§ 198.06** of this Chapter.

(5) No person elected to a public office of the City of Pittsburgh shall receive a salary or payment of funds of any sort from the City of Pittsburgh if they have outstanding fines owed to the Treasury of the City of Pittsburgh related to penalties levied by the Ethics Hearing Board, or if they have not completed any action required by the Ethics Hearing Board related to a penalty levied or issued by the Ethics Hearing Board.

§ 198.0~~7~~**8**: EFFECTIVE DATE; IMPLEMENTATION.

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This Chapter shall take effect on November 4, 2015. This shall mark the beginning of a new election cycle for all candidates. No donations received prior to the effective date shall count towards the new contribution limits.

§ 198.08**9**: SEVERABILITY.

The invalidity or unenforceability of any provisions of this Chapter shall not affect the validity or enforceability of any other provision of this Chapter, which shall remain in full force and effect.

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