

No. 39-03-OR

## AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, creating a policy that provides for the electronic submission of Campaign Finance Reports and Campaign Finance Statements on a voluntary basis; creating a policy that provides that Campaign Finance Reports and Campaign Finance Statements be posted on the County's website in a timely manner; and providing that the Administration take the appropriate steps to implement said policies.

**WHEREAS**, the members of the Allegheny County Council wish to support recommendations to require more timely and effective disclosure of political contributions and expenditures believing that such disclosure results in an informed and engaged voting public; and

**WHEREAS**, the public already has the right to view Campaign Finance Reports and Campaign Finance Statements of candidates but the methods are not always readily known to the average citizen and may be time-consuming and tedious; and

**WHEREAS**, electronic filing and Internet posting of Campaign Finance Reports and Campaign Finance Statements could simplify efforts of election officials in receiving filings and simplify efforts of citizens seeking access to that information in a user-friendly manner; and

**WHEREAS**, the opportunity to file electronically is already available at a state level and should also be afforded to candidates seeking office within Allegheny County to facilitate filing of reports and public disclosure of such data; and

**WHEREAS**, the implementation of a policy that provides for electronic filing of Campaign Finance Reports and Campaign Finance Statements, and effective disclosure of such data through the Internet, benefits everyone involved in the process.

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

**Section 1.** The following terms when used in this Ordinance shall have the following meanings:

**"Candidate"** shall mean any individual who seeks nomination or election to public office, 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 has (1) Received a contribution or made an expenditure or has given his consent for any other person or committee to received 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 (2) Taken the action necessary under the laws of the Commonwealth to qualify himself for nomination or election to such office.

**“Political Committee”** shall mean any committee, club, association or other group of persons which receives contributions or makes expenditures.

**Section 2.** 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.

**Section 3.** 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.

**Section 4.** 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 website within 72 hours of each filing deadline and shall remain accessible for a period of five years.

**Section 5.** 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 website within 72 hours of each filing deadline and shall remain accessible for a period of five years.

**Section 6.** 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 & 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.

**Section 7.** 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.

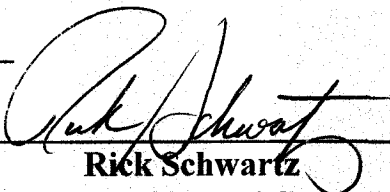
**SECTION 8.** *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

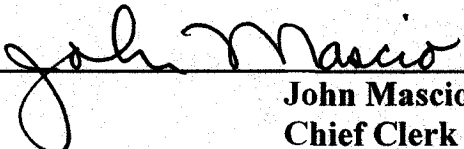
**SECTION 9.** *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.*

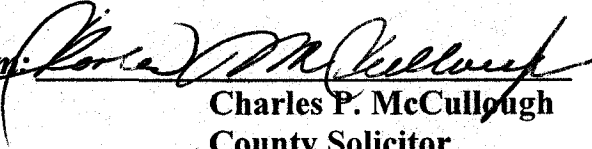
**SPONSORED BY PRESIDENT SCHWARTZ**

Enacted in Council, this 19<sup>th</sup> day of August, 2003

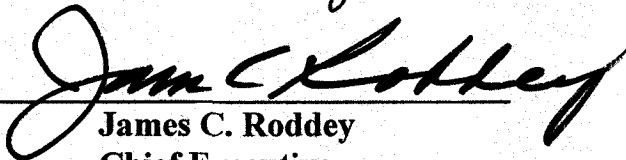
Council Agenda No. 1143-03


  
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Rick Schwartz  
President of Council

Attest:   
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John Mascio  
Chief Clerk of Council

Approved as to form:   
\_\_\_\_\_  
Charles P. McCullough  
County Solicitor

Chief Executive Office August 26, 2003

Approved:   
\_\_\_\_\_  
James C. Roddey  
Chief Executive

Attest:   
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Victoria Spence  
Executive's Secretary