

## ORDINANCE NO.

### AN ORDINANCE AMENDING SECTION 2-2-26 OF THE CITY CODE RELATED TO THE ELECTRONIC FILING OF INFORMATION IN CAMPAIGN FINANCE REPORTS; AND CREATING AN OFFENSE.

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

**PART 1.** The city manager and the city clerk shall create a publicly accessible, searchable, and downloadable database of the contents of campaign finance reports required by law to be filed with the city clerk by candidates, officeholders, and political committees. The city manager and, through the city manager, any City departments shall provide the technical support and resources needed for the effective, full, and timely establishment and maintenance of the database.

**PART 2.** Not later than the 30<sup>th</sup> day after the effective date of this ordinance, the city clerk and the city manager shall make an initial report to the Council Audit and Finance Committee. The report must include a detailed implementation plan and recommendations for the future development of an electronic filing system. The city clerk and the city manager shall report monthly to the Council Audit and Finance Committee on progress toward having a database accessible to the public on February 1, 2016.

**PART 3.** Section 2-2-26 of the City Code (*Electronic Filing*) is repealed and replaced with a new Section 2-2-26 to read:

- (A) A candidate, officeholder, or political committee required by the City Code or state law to file a campaign finance report with the city clerk shall, in addition to the required report, also provide to the city clerk a structured data file containing the contents of the campaign finance report. The data file must comply with specifications and be on media determined by the city clerk. The data file must be provided to the city clerk no later than the date that the associated campaign finance report must be filed.
- (B) The city manager, in consultation with the city clerk, shall maintain for the use of the city clerk a Web site that allows public access to a searchable and downloadable database capable of executing queries.
- (C) The clerk must upload a data file into the database exactly as the file is received, except that the city clerk may not upload a data file that does not comply with the clerk's technical specifications. A filer who provides a non-compliant data file to the clerk shall resubmit the data in the required format.

A data file that must be resubmitted is timely filed if resubmitted no later than the next business day after the date that the clerk notifies the filer that the data file is non-compliant.

- (D) The city clerk shall upload the data related to a campaign finance report to the database available from the City's Web site on the first business day after the date that the clerk receives the data file. The city clerk shall post a campaign finance report to the City's Web site on the first business day after the date that the clerk receives the report.
- (E) This ordinance is cumulative of, and does not supersede, another requirement of law regarding the deadline, filing, form, signing, or acknowledgement of a campaign finance report. A person who must file a report under this chapter shall file the report with the city clerk.
- (F) A data file has the same records retention period as the associated campaign finance report.
- (G) The requirement to provide a data file under this section does not apply to a candidate if the candidate files a signed statement with the city clerk stating that the candidate has not raised and does not intend to raise more than \$10,000 in contributions for the candidate's campaign. If contributions to a candidate who has signed a statement under this subsection exceed \$10,000, the candidate shall provide a data file for each subsequent report that the candidate is required to file, and, no later than the filing deadline for the first report that is due after the contributions to the candidate exceeded \$10,000, the candidate shall provide a data file for each report that was due before the contributions to the candidate exceeded \$10,000. An exemption under this subsection from providing a data file associated with a required report does not exempt the candidate from filing the report.
- (H) Notwithstanding subsection (G), a candidate who signs a campaign contract shall comply with the requirement to provide a data file associated with each report filed with the city clerk regardless of the amount of contributions the candidate has raised or intends to raise.
- (I) The city clerk may adopt rules under Chapter 1-2 (*Adoption of Rules*) to administer this section.

**PART 4.** Except as provided, this ordinance takes effect on \_\_\_\_\_, 2015. The first campaign finance report for a candidate or officeholder that is subject to the amendments enacted by this ordinance is the report due to be filed by January 15, 2016. The first campaign finance report for a political committee that is subject to the amendments

**PASSED AND APPROVED**

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