

SUBSTITUTE

ITEM # _____ ON THE AGENDA

Introduced by: **LUIS E. COTTO, MINORITY LEADER**

HEADING
AND
PURPOSE

***NEW* AN ORDINANCE PROHIBITING POLITICAL CONTRIBUTIONS FROM CITY CONTRACTORS TO CANDIDATES FOR MUNICIPAL OFFICE IN THE CITY OF HARTFORD**

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

March 23, 2011

Be It Ordained by the Court of Common Council of the City of Hartford that the following article is added to the Municipal Code where appropriate:

Sec. . Title.

City of Hartford Municipal Campaign Finance Reform Ordinance

Sec . Findings and Background.

(a) Monetary contributions to political campaigns are a legitimate form of participation in our political process, but the financial strength of certain individuals or organizations should not enable them to exercise a disproportionate or controlling influence on the election of candidates. The rapidly increasing costs of political campaigns have forced many candidates to raise larger and larger percentages of money from interest groups with a specific financial stake in matters under consideration by city government. This has caused the public perception that votes are being improperly influenced by monetary contributions. This perception is undermining the credibility and integrity of the governmental process. Candidates are raising less money in small contributions and more money in large individual and organizational contributions. The integrity of the governmental process, the competitiveness of campaigns and public confidence in local officials are all diminishing.

(b) Circumstances in the Governor’s Office in the State of Connecticut led the General Assembly and Governor to adopt landmark campaign finance legislation to limit the influence of money on politics. Circumstances in Hartford amongst elected official have led us as a City to create an ordinance that seeks to hold elected officials in the City of Hartford to the same high standards.

Sec. . Definitions.

Candidate means any elector in the City of Hartford running for the office of Mayor, Court of Common Council, Registrar of Voters, Treasurer, or Board of Education.

Contribution means a contribution as defined in §9-601a of the Connecticut General Statues.

Contract means an agreement or contract with the City of Hartford, Hartford Parking Authority, Hartford Housing Authority, or Board of Education, or a combination or series of such agreements, having a value of twenty-five thousand (\$25,000.00) dollars or more in a fiscal year, for the rendition of personal services; the furnishing of any material, supplies or equipment; the construction, alteration or repair of any public building or public work; the acquisition, sale or lease of any land or building; a licensing arrangement; a grant, loan, or loan guarantee; a tax abatement; or a tax incremental financing agreement.

Contractor means any person, business entity or nonprofit organization that enters into a contract with the City of Hartford, Hartford Parking Authority, Hartford Housing Authority and Board of

Education. Such person, business entity or nonprofit organization shall be deemed a “contractor” until the termination of said contract.

Prospective Contractor means a person, business entity or nonprofit organization that submits a bid in response to a bid solicitation by the City of Hartford, Hartford Parking Authority, Hartford Housing Authority, or Board of Education or a proposal in response to a request for proposals by the City of Hartford, Hartford Parking Authority, Hartford Housing Authority, or Board of Education.

Principal of a Contractor or Prospective Contractor means an individual who is

- (i) A member of the board of directors of, or has an ownership interest of five (5) percent or more in, a contractor or prospective contractor, which is a business entity;
- (ii) An individual who is employed by a contractor or prospective contractor, which is a business entity, as president, treasurer or executive or senior vice president;
- (iii) An individual who is the chief executive officer of a contractor or prospective contractor, which is not a business entity;
- (iv) An employee of any contractor or prospective contractor or prospective contractor who has managerial or discretionary responsibilities with respect to a contract;
- (v) The spouse or a dependent child of an individual described in this definition;
- (vi) The executive director of a nonprofit organization, where the contractor or prospective contractor is a nonprofit organization;
- (vii) A political committee established by or on behalf of an individual described in this definition.

Sec. . Prohibition on donations by contractors or prospective contractors.

- (a) No contractor, principal of a contractor or prospective contractor shall:
 - (i) Make a contribution to a candidate;
 - (ii) Make a contribution to a political committee authorized to make contributions or expenditures to or for the benefit of such candidates;
 - (iii) Make a contribution to a party committee;
 - (iv) Make a contribution to a candidate’s exploratory committee.
- (b) The provisions of this article shall not apply to contributions and contracts made or created before the effective date of this ordinance.
- (c) The Procurement Division of the Finance Department or similar City authority charged with contract compliance duties shall, at the time of bidding and/or contract execution, ensure that contractors and/or prospective contractors are aware of and in compliance with this article.

Sec. . Violations.

- (a) If a principal of a contractor or prospective contractor makes a contribution to a candidate in violation of Section ____ of this article, the City of Hartford may void the existing contract with said contractor. Contractors or prospective contractors found in violation of Section ____ of this article shall be barred for bidding on contracts with the City of Hartford for three (3) years.
- (b) Candidates found to be receiving contributions from contractors must return the contributions in full.
- (c) If a contribution made in violation of this article is returned or retracted within thirty (30) days of determination and notice of violation, said contribution shall not be considered to be a violation.

Sec. . Exemption

The provisions of this article shall not restrict the principal of a contractor or prospective contractor from establishing an exploratory or candidate committee for said principal’s own campaign or from

soliciting contributions for such committees from persons not prohibited from making contributions under this article.

Sec. __. Promulgation of rules.

Each contract and request for proposal shall include the applicable provisions of this article as conditions of said documents.

Sec. __. Severability.

If any provision of this article is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

Sec. __. Date of Effect.

This article shall take effect July 1, 2011.



