

Testimony on Proposed Campaign Finance Disclosure Rules

Philadelphia City Council

Committee on Law and Government

Bill No. 150368

May 29, 2015

The Committee of Seventy applauds the initiative taken by the Philadelphia Board of Ethics and City Council to improve the city's campaign finance ordinance and urges this Committee to vote in favor of Bill 150368.

Philadelphia could not have foreseen the U.S. Supreme Court's 2010 Citizens United decision that opened the floodgates to unlimited political spending by outside groups. The city's campaign finance law was in the vanguard prior to this decision and continues to be. However, the rise of super PACs and "dark money" nonprofits resulting from Citizens United has created the need for the city to update its campaign finance rules. This bill is a good start.

Given the reality that outside groups will continue to – uncoordinated with candidates' campaigns – raise and spend unlimited funds to influence city elections, full and frequent disclosure of this spending is critical to protect the integrity of the electoral process. Philadelphia's 2015 municipal primary confirmed that millions of dollars will flow into city races to bombard voters with television ads, sample ballots and other forms of electioneering. And, despite journalists' vigorous effort to elucidate the sources of this money, a full picture of the spending was impossible to obtain until 11 days prior to polls opening.¹

¹ The only campaign finance disclosure deadline currently required for city races is on the second Friday prior to a municipal primary or election.

Bill 150368 significantly enhances the transparency of political spending by instituting additional reporting requirements for political committees, nonprofit organizations and others in the six weeks prior to Election Day. The increased disclosure of independent expenditures, in particular, which this bill focuses on, is the appropriate response to a post-Citizens United spending landscape.

While the proposed changes are a step in the right direction, the Committee of Seventy encourages Council members to remain open in considering future changes to the city's campaign finance law. As state or federal law (or their interpretation) change, additional amendments may become necessary. Further, and especially as a new City Council and Mayor take office in 2016, the Board of Ethics must continue to have sufficient funding and personnel to enforce the city's rules.

Seventy looks forward to working with City Council and the Board of Ethics in the future to ensure Philadelphia remains a leader in campaign finance law and transparency.

Thank you.