Legislation Details (With Text)

File #:	Int 0978-2012 **Version:** A	**Name:**	Campaign Finance Board
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Governmental Operations
On agenda:	12/10/2012		
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Title: A Local Law to amend the New York city charter, in relation to the campaign finance board.

Sponsors: Rosie Mendez, James G. Van Bramer, Jumaane D. Williams, Ruben Wills, Ydanis A. Rodriguez, Charles Barron, James F. Gennaro, Robert Jackson, Andy L. King, Darlene Mealy

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Date	Ver.	Action By	Action	Result
12/10/2012	*	City Council	Introduced by Council	
12/10/2012	*	City Council	Referred to Comm by Council	
1/16/2013	*	Committee on Governmental Operations	Hearing Held by Committee	
1/16/2013	*	Committee on Governmental Operations	Amendment Proposed by Comm	
1/16/2013	*	Committee on Governmental Operations	Laid Over by Committee	
1/22/2013	*	Committee on Governmental Operations	Hearing Held by Committee	
1/22/2013	*	Committee on Governmental Operations	Amendment Proposed by Comm	
1/22/2013	*	Committee on Governmental Operations	Amended by Committee	
1/22/2013	A	Committee on Governmental Operations	Approved by Committee	Pass
1/23/2013	A	City Council	Approved by Council	Pass
1/23/2013	A	City Council	Sent to Mayor by Council	
2/22/2013	A	Mayor	Vetoed by Mayor	
3/12/2013	A	Committee on Governmental Operations	Hearing Held by Committee	
3/12/2013	A	Committee on Governmental Operations	Approved by Committee	Pass
3/13/2013	A	City Council	Overridden by Council	Pass

Int. No. 978-A

By Council Member Mendez, Van Bramer, Williams, Wills, Rodriguez, Barron, Gennaro, Jackson, King and

Mealy

A Local Law to amend the New York city charter, in relation to the campaign finance board.

Be it enacted by the Council as follows:

Section 1. Clause i of subparagraph a of paragraph 15 of subdivision a of section 1052 of the New York city charter is amended to read as follows:

(i) "Independent expenditure" shall mean a monetary or in-kind expenditure made, or liability incurred, in support of or in opposition to a candidate in a covered election or municipal ballot proposal or referendum, where no candidate, nor any agent or political committee authorized by a candidate, has authorized, requested, suggested, fostered or cooperated in any such activity. The term "independent expenditure" shall not include:

(1) the value of services provided without compensation by individuals who volunteer a portion or all of their time,

(2) the use of real or personal property and the cost of invitations, food and beverages voluntarily provided by an individual, to the extent such services do not exceed five hundred dollars in value,

(3) the travel expenses of any individual who on his or her own behalf volunteers his or her personal services, to the extent such expenses are unreimbursed and do not exceed five hundred dollars in value, [and]

(4) any expenditure made, or liability incurred, that is considered to be a contribution to a candidate under any provision of this charter or local law, or under any rule promulgated by the board[.] , and

(5) any communication by a labor or other membership organization aimed at its members, or by a corporation aimed at its stockholders. This exemption does not apply to party committees, constituted committees, political clubs, or other entities organized primarily for the purpose of influencing elections. For purposes of this subparagraph:

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(A) "member" shall mean (I) any individual who, pursuant to a specific provision of an organization's articles or bylaws, has the right to vote directly or indirectly for the election of a director or directors or an officer or officers or on a disposition of all or substantially all of the assets of the organization or on a merger or on a dissolution; (II) any individual who is designated in the articles or bylaws as a member and, pursuant to a specific provision of an organization's articles or bylaws, has the right to vote on changes to the articles or bylaws, or pays or has paid membership dues in an amount predetermined by the organization so long as the organization is tax exempt under section 501(c) of the Internal Revenue Code of 1986; or (III) any individual who resides within the same household as a "member" as defined in this paragraph;

(B) members of a local union shall be considered to be members of any national or international union of which the local union is a part and of any federation with which the local, national or international union is affiliated; and

(C) "stockholder" shall mean any individual who has a vested beneficial interest in stock, has the power to direct how that stock shall be voted, if it is voting stock, and has the right to receive dividends, or any individual who resides within the same household as a “stockholder” as defined in this paragraph.

(6) any *de minimis,* incidental communication by a labor or other membership organization or corporation with non-members or non-stockholders, provided that the labor or other membership organization or corporation uses reasonable efforts to restrict the communication to its members or stockholders.

§ 2. This local law shall take effect immediately.

dss
1/8/13 10:42am