



## ORDINANCE

### AMENDING CAMPAIGN CONTRIBUTION REPORTING REQUIREMENTS

#### *CITY OF NASHUA*

*In the Year Two Thousand and Seven*

*The City of Nashua ordains* that Chapter 7 “Elections and Meetings” of the Nashua Revised Ordinances, as amended, be and hereby is further amended as follows:

1) Amend Article IV “Campaign Contributions” by deleting the struck-through language and adding the new underlined language:

**”Sec. 7-56. Applicability.**

This article is enacted in order to promote open and fair elections, to safeguard the integrity of the electoral process, to provide the electorate with information regarding the distribution of capital affecting candidates or issues in a campaign, and/or to deter actual or perceived corruption by exposing the source of large expenditures.

The provisions of this article shall apply to ~~the holders~~ of the offices of mayor, alderman at large, ward alderman, board of education, fire commissioner and board of public works, commission and to candidate for any of these offices to municipal ballot measures.

**Sec. 7-57. Definitions.**

Certain words and phrases, as used in this article, shall have the meaning given in this section:

“Ballot measure” shall mean any charter amendment or question which is submitted or intended to be submitted to a popular vote at a municipal election.

*Candidate* means any duly nominated person, and any person announcing as a write-in candidate ~~at least twenty (20) days prior to an election,~~ and for whom votes are sought in that election.

Communication shall include, but not be limited to, publication in any newspaper or other periodical or on any internet site, broadcasting on radio, television, or over any public address system, transmission by telephone or facsimile, placement on any billboards, outdoor facilities, window displays, posters, cards, pamphlets, leaflets, flyers, or other circulars, or in any direct mailing.

*Election* means any special, regular or run-off municipal election.

*Items of value* means any service or property, real or personal, being of a tangible nature, except the personal services or labors of volunteers who are not compensated therefor.

Person includes a natural person, corporation, company, partnership, firm, association, organization, society, labor union, business trust, trust, financial institution, or any other group, organization or entity of any nature.

*Political committee* means any organization of two (2) or more persons to influence elections or ballot measures ~~which has organized for the purpose of effecting the election of a candidate or candidates.~~

#### **Sec. 7 – 58. Registration of Political Committee.**

A political committee shall register with the city clerk not later than 24 hours before making or contracting for any expenditure relative to the municipal election for which the political committee is organized. The committee shall file with the city clerk a statement of the purpose of the political committee and a statement of the name, address, occupation and principal place of business, of its chairman, treasurer and other officers.

#### **Sec. 7-58 59. Publication.**

(a) Each candidate or political committee ~~which shall have received, during the year prior to any election that the candidate is engaged in, anything of value or who shall have expended during that same year anything of value~~ whose combined expenditures for the purpose of influencing the election of any candidate, and each person or political committee whose combined expenditures for the purpose of influencing any ballot measure, which equals or exceeds \$100 dollars during the year prior to any election, shall file statements with the city clerk detailing each receipt and expenditure, covering both the amount and source thereof, including dates, names and addresses of contributors. In cases where receipts from any one (1) person total ten dollars (\$10.00) or less, the receipt will be entered by amount only.

(b) Statements of receipts and expenditures relative to an election shall cover a period of three hundred sixty-five (365) days expiring two (2) days prior to the filing of the statements, which shall be filed ~~ten (10)~~ twenty (20) days prior to the election, and again thirty (30) days after the election, in totum. Provided, however, that the statement of receipts and expenditures due after the November Municipal Election, provided for under Sec. 5 of the City Charter, shall be filed on December 1 of that year rather than thirty (30) days after the election.

(c) On December 31 1 of each year any office holder who during that year shall have received any item of value shall file a statement with the city clerk detailing each such receipt including the value, date, and name and address of the contributor thereof. An office holder who files the campaign statement of receipts and expenditures required on December 1 under subsection b, shall be deemed in compliance with the requirement of this subsection.

(d) Filings shall be in a form determined by the city clerk. Filings may be submitted electronically. However, electronic filers are responsible for ensuring that the City Clerk has received such reports within the time required.

~~(d)~~ (e) Statements shall become public information immediately upon filing. Copies may be furnished on request, and upon payment of reproduction costs to the city clerk.

### **Sec. 7 – 60. Surplus Campaign Contributions.**

Surplus campaign contributions may be used after a general or special election for fund raising activities and for other politically related activity sponsored by the candidate, or for donations to charitable organizations. Such surplus campaign contributions, however, shall not be used for personal purposes.

### **Sec. 7-59 61. Penalty.**

(a) It shall be unlawful for any candidate, person, or political committee to try to circumvent the filing of an item of value larger than ten dollars (\$10.00) by any means. Any candidate, person, or political committee having been found guilty of such a circumvention shall be guilty of failing to comply.

(b) Any candidate, person, or political committee failing to comply with the provisions of this article shall, upon conviction, be guilty of a violation, and fined not more than one hundred dollars (\$100.00) for each day that lack of compliance exists. Each day that lack of compliance exists shall constitute a separate offense.

### **Sec. 7-60 62 – 7-64 65. Reserved.**

2) Delete in its entirety Article V “Receipts and Expenditures to Influence Ballot or Referendum Questions” as follows:

### **~~Sec. 7-65. Reports required.~~**

~~(a) *Definitions.* [The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:]~~

~~*Ballot measure* shall mean any question which is submitted or intended to be submitted to a popular vote at a municipal election.~~

~~*Ballot measure political committee* means any organization of two (2) or more persons which has organized for the purpose of influencing a ballot measure at a municipal election.~~

~~(b) With respect to any election in which it expends anything of value to influence a ballot measure, each ballot measure political committee shall be subject to the same reporting requirements for receipts and expenditures and penalties as are candidates and political committees under NRO Article IV, sections 7-56 et seq.~~