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# INITIATIVE PETITION

Columbus City Charter, Sections 42 and 43  
Ohio Revised Code, Sections 3501.38, 3503.06

**NOTICE – Whoever knowingly signs this petition more than once, signs a name other than one’s own on this petition, except as provided by general laws of the state; or signs the petition when not a qualified elector of the City of Columbus, is liable to prosecution.**

**To the City Clerk of the city of Columbus:**

We, the undersigned, electors of the city of Columbus, Ohio respectfully request that the ordinance proposed herein be adopted by the Council or submitted to a vote of the electors of this city for their approval or rejection at the next regular municipal election to be held not less than 60 days nor more than 120 days thereafter:

The following is a full and correct copy of the title and text of the proposed Ordinance:

**To amend Section 107 of the Columbus City Code to reduce campaign contribution limits, amend reporting requirements, and enact additional campaign finance regulations to create and regulate the Columbus Fair Campaigns Fund, Columbus Campaign Finance Reform Advisory Committee, and Columbus Competitive Campaigns Advisory Board.**

1) **107.02 - Campaign finance.**

(A) Definitions. As used in this chapter:

- (1) "Federal Political Committee" means a committee registered with the Federal Election Commission.
- (2) "Municipal ballot issue" means any ballot issue to be submitted solely to the electors of the City of Columbus.
- (3) "Municipal ballot issue committee" means a political action committee that is organized to propose, support, or oppose a municipal ballot issue.
- (4) "Municipal campaign committee" means a municipal candidate or one or more persons authorized by a municipal candidate under section 3517.081 of the Ohio Revised Code to receive contributions and make expenditures.
- (5) "Municipal candidate" means any individual who has filed, at any election, a petition or statement of write-in candidacy to be a candidate for nomination or election to office

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- for mayor, city council, city auditor, or city attorney for the City of Columbus, and also includes any person who, at any time before or after an election, receives contributions or makes expenditures or other use of contributions, has given consent for another to receive contributions or make expenditures or other use of contributions, or appoints a campaign treasurer, for the purpose of bringing about the person's nomination or election to office for mayor, city council, city auditor, or city attorney for the City of Columbus.
- (6) "Municipal office holder" means an individual elected, appointed, or otherwise holding the office of mayor, city auditor, city attorney, or member of city council for the City of Columbus.
  - (7) For the purpose of sections 107.02(E)(5) and 107.03 below, entities referred to as tax exempt under section 527 of the Internal Revenue Code shall not include a "political party" as defined in section 3517.01(A) of the Ohio Revised Code.
  - (8) The definitions set forth in sections 3517.01 and 3517.102 of the Ohio Revised Code shall apply to this chapter except to the extent modified in this chapter.
  - (9) References to the city clerk and/or city attorney shall also include any designee(s) thereof.
  - (10) "Municipal election period" means the period of time commencing 90 days before the filing deadline of a nominating petition for a municipal candidate and ending 60 days following the General or Special election for that candidate's office.

(B) Contribution Limits

- (1) Individual.
  - a) No individual shall make a contribution or contributions aggregating more than ~~ten thousand dollars (\$10,000.00)~~ five hundred dollars (\$500.00) to any one municipal campaign committee in a calendar year.
  - b) In the case of a contribution made by a partner of a partnership or an owner or a member of any other unincorporated business from any funds of the partnership or other unincorporated business, applicable provisions of section 3517.10 of the Ohio Revised Code apply regarding making and reporting such contribution.
- (2) Political Action Committee, Political Contributing Entity, Municipal Campaign Committee, Other Campaign Committees, and Federal Political Committee.

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- a) No political action committee, political contributing entity, municipal campaign committee, ~~campaign committee that is not a municipal campaign committee under division (A)(3) of this section~~, or federal political committee shall make a contribution or contributions aggregating more than ~~ten thousand dollars (\$10,000.00)~~ five hundred dollars (\$500.00) to any one municipal campaign committee in a calendar year.
- (3) Municipal Campaign Committee.
- a) No municipal campaign committee shall make a contribution or contributions aggregating more than ~~ten thousand dollars (\$10,000.00)~~ five hundred dollars (\$500.00) to any one municipal campaign committee in a calendar year.
- b) A municipal campaign committee for a candidate who either was last a candidate for nomination or election to an office other than a City of Columbus office or who was undeclared as a municipal candidate, and that accepted one or more contributions in excess of the applicable limits or from a prohibited source under this chapter beginning the day following such election or beginning the day the committee was established, whichever is applicable, shall dispose of the excess amount of the contributions and prohibited contributions in accordance with section 107.05(A) not later than five days after the candidate declares his or her candidacy for a City of Columbus office.
- c) No municipal campaign committee may maintain a balance above \$25,000 outside of a municipal election period. Excess funds may be returned to contributors, provided to other council campaigns subject to the above limitations, donated to the Columbus Fair Campaigns Fund established under Section 107.7, or donated to a charitable cause prior to the start of every municipal election period.
- d) As used in division (3)(a) "contribution" does not include any in-kind contributions.
- (4) Prohibited Contributions from City Employees. No person shall solicit or accept a contribution from a City of Columbus employee to the municipal campaign committee of the individual who is the employee's appointing authority or will be the employee's

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appointing authority if elected to the office for which the committee is established. If such a contribution is received, the municipal campaign committee shall dispose of it in accordance with section 107.05(A).

(5) Adjustments to contribution limits. All contribution limits established herein shall be adjusted forthwith by the city clerk in each odd-numbered year as provided for state contribution limits in section 3517.104 of the Ohio Revised Code. The adjusted contribution limits shall be made publicly available by electronic means and shall apply to that calendar year and the next calendar year.

(C) Disclosure of Contributors and Employers of Contributors. Municipal campaign committees and municipal ballot issue committees shall include on the campaign finance reports required to be filed under section 3517.10 of the Ohio Revised Code and by this chapter, the name and address of each contributor regardless of the amount of the contribution and the name of contributor's employer and occupation. If a contributor is self-employed, the name of the contributor's business and the contributor's occupation shall be included on the campaign finance reports. If a contributor is not employed, this fact shall be noted by use of the phrase "not applicable."

(D) Campaign Finance Reports. Municipal campaign committees and municipal ballot issue committees shall file complete, accurate, and itemized campaign finance reports required by this section and/or state law with the Franklin County Board of Elections in accordance with state law and with the city clerk by electronic means. Such campaign finance reports shall be filed no later than 4 o'clock p.m. In addition to the reports required by state law, municipal campaign committees and municipal ballot issue committees shall file the following reports with the City of Columbus on the following dates:

(1) The sixtieth day before the primary, general, or special election in the case of municipal candidates or municipal ballot issues at the election to reflect contributions made or received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the sixty-eighth day before the election.

(2) The fifth day before the primary, general, or special election in the case of municipal candidates or ballot issues at the election to reflect contributions made or

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received and expenditures made from the close of business on the nineteenth day before the election through the close of business on the sixth day before the election.

~~(3) The last business day of April of every year, except in a year in which the municipal campaign committee or municipal ballot issue committee was required to file a report under division (D)(1) of this section prior to the primary election, to reflect the contributions made or received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of March of that year.~~

~~(4) The last business day of October of every year, except in a year in which the municipal campaign committee or municipal ballot issue committee was required to file a report under division (D)(1) of this section prior to the general election, to reflect the contributions made or received and expenditures made from the close of business on the last day reflected in the last previously filed statement, if any, to the close of business on the last day of September of that year.~~

~~(5) The last business day of July, except in a year in which the committee was required to file a post primary election report under Ohio Revised Code section 3517.10(A)(2) and/or this section, to reflect contributions made or received and expenditures made since the last previously filed statement through the last day of June of that year.~~

(6) A municipal campaign committee or municipal ballot issue committee with cumulative contributions, expenditures, and debts equal to or exceeding one thousand (\$1000) dollars shall file a report for each reporting period as required by divisions (D)(1) through (D)(5) of this section and by Ohio Revised Code section 3517.10(A)(1). In lieu of filing a required report, a municipal campaign committee or municipal ballot issue committee that has cumulative contributions made or received, expenditures, and debts less than one thousand (\$1000) dollars may report to the city clerk in a manner or form prescribed by the clerk that it is exempt from filing a campaign finance report. All contributions, expenditures, and debts not reported by filing the clerk's exemption from filing form for cumulative amounts less than one thousand (\$1000) dollars shall be subsequently reported on

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the next post-election report or annual report as applicable and as required by state law and/or by this section.

(E) Filing Requirements.

(1) The campaign finance reports required to be filed by a municipal campaign committee or municipal ballot issue committee under Ohio Revised Code section 3517.10 and under division (D) of this section shall be filed with the Franklin County Board of Elections in accordance with instructions issued by the board, as well as with the city clerk by electronic means.

(2) Municipal campaign committees of candidates certified by the Franklin County Board of Elections are required to file all the campaign finance reports required by division (D)(1) and (2) of this section and that would be required by section 3517.10 of the Ohio Revised Code even when no primary election is held that year for the office for which the candidate was certified under [section 41-3\(b\)](#) of the Columbus City Charter.

(3) Municipal campaign committees and municipal ballot issue committees required to file campaign finance reports by this section shall file a designation of treasurer, as required by division (D) of section 3517.10 of the Ohio Revised Code, setting forth the full name and address of the campaign treasurer and also of each deputy treasurer, with the city clerk by electronic means. In the case of a ballot issue committee that intends to circulate a petition proposing a municipal ballot issue, the designation of treasurer form shall be filed before receiving donations or making expenditures required to be reported under division (E)(4) of this section.

(4) Municipal ballot issue committees shall itemize on reports required under this section all contributions made or received, expenditures, and debts incurred and outstanding at the close of a reporting period in connection with preparing, printing, distributing, promoting, and circulating a petition seeking to place a municipal ballot issue on the ballot to the same extent and in the same manner as contributions, expenditures, and debts for the purpose of influencing the results of an election are required to be reported.

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(5) Municipal ballot issue committees that file a campaign finance report disclosing a contribution from a person whose aggregate monetary or in-kind contribution and to whom debts are owed equal or exceed one thousand (\$1000) dollars, and is either tax exempt under section 501(c) or 527 of the Internal Revenue Code, or registered as a partnership, closely-held company, or limited liability company, must also disclose all donors who provided a monetary or in-kind contribution or extended debt to that person equal to or exceeding an aggregated amount of two hundred (\$200) dollars with the expectation that the amount would be used for the purpose of influencing the results of a municipal ballot issue election.

(F) Addendum, Correction, or Amendment. If a campaign finance report required under this section is found to be incomplete or inaccurate, the committee shall file an addendum, correction, or amendment as provided by Ohio Revised Code section 3517.11 and shall file a copy with the city clerk. The city clerk shall adopt procedures to govern these provisions, consistent with applicable general laws and this chapter.

(G) Tax Credit for Campaign Contributions.

(1) A nonrefundable credit is allowed against a taxpayer's aggregate City of Columbus municipal tax liability for contributions of money made to the campaign committee of candidates for mayor, city attorney, city auditor, or member of city council.

(2) The amount of the credit for a taxable year shall equal the lesser of the combined total contributions made during the taxable year by each taxpayer filing a return for City of Columbus municipal taxes, or fifty dollars for an individual return or one hundred dollars for a joint return.

107.04 - Administration—Campaign Finance.

(A) Duties of the City Clerk.

(1) The city clerk or designee shall conduct such administrative functions as may be necessary to implement the requirements of this chapter. The city clerk shall designate and assign a classified employee to oversee applicable requirements of this chapter.

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(2) The city clerk or designee shall review report filings for compliance with this chapter, and shall enter into a memorandum of understanding with the city attorney to secure internal or outside counsel, as needed, to advise the city clerk or designee on matters related to the requirements of this chapter.

(3) The city clerk or designee shall establish a process to receive and seek legal review of sworn complaints alleging a violation of this chapter.

(4) No municipal officer or municipal candidate shall attempt, or have another person attempt on their behalf, to unlawfully interfere with or influence the city clerk, designee, or the clerk's staff, in the performance of the city clerk's or the city clerk's staffs' duties under this chapter.

(5) The city clerk or designee shall establish and maintain an electronic filing portal for the filing of reports required by this chapter and shall provide filing instructions on the city website containing the portal. Such reports shall be immediately accessible by the public on the website.

(6) The city clerk may establish fees for the filing of reports required by sections 107.02 and 107.03 to cover a portion or all of the costs of administering the provisions of this chapter. The fees shall be the same for like filings and may be adjusted on an annual basis.

(B) Authority of the City Attorney. The city attorney, in the city attorney's sole discretion, may designate special counsel to investigate compliance with the requirements of this chapter. The city attorney or special counsel designee of the city attorney shall investigate compliance with this chapter upon presentation of evidence by the city clerk of an alleged violation, or upon a written affidavit based on personal knowledge alleging a violation filed with the city clerk or designee in accordance with the process established by the city clerk as provided for herein.

(C) Severability. If any section, subsection, clause, sentence, or paragraph of this chapter or the application thereof to any person or circumstances shall be held unconstitutional or otherwise invalid by a court of competent jurisdiction, such holding shall not affect the other provisions of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

(D) Columbus Elections Fund. There is hereby created the Columbus Elections Fund. All fees and administrative fines imposed under this chapter shall be deposited in such Fund. The Fund shall be



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used solely for the purpose of paying expenses related to the administration of this chapter, or for other elections-related expenses that are allowable uses of public funds.

107.05 - Violation—Penalty and Process

(A) Excess or Prohibited Contribution.

(1) If a municipal campaign committee receives a contribution in excess of the limits or from a source prohibited by city code, or a municipal ballot committee receives a contribution from a person unable or unwilling to identify a donor pursuant to sections 107.02(E)(5) and 107.03(D), the committee shall dispose of the donor's funds in any of the following ways:

(a) Refund the contribution or excess amount of the contribution to the contributor; or

(b) Donate the amount of the contribution or excess amount of the contribution to a tax-exempt non-profit organization; or

(c) Pay the amount of the contribution or excess amount of the contribution to the Columbus Elections Fund.

(2) If a municipal campaign committee disposes of the excess amount of a contribution within five business days of the initial receipt of the contribution, the receipt shall not be deemed a violation of this code and the provisions of division (C) shall not apply.

(3) If a municipal campaign committee disposes of a contribution from a prohibited source within five business days of becoming aware of the source, the receipt of the contribution shall not be deemed a violation of this code and the provisions of division (B) and (C) shall not apply.

(4) If a municipal ballot committee disposes of a contribution from an entity for whom it is unable or unwilling to identify a donor pursuant to sections 107.02(E)(5) and 107.03(D) within fifteen (15) days of the initial receipt of the contribution, the failure to disclose any required donor information pursuant to section 107.02(E)(5) and 107.03(D) shall not be deemed a violation of this code and the provisions of division (B) and (C) shall not apply.

(B) Prohibitions and Criminal Sanctions.

(1) Prohibitions.

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(a) No person shall knowingly fail to file a campaign finance report or election period communication report required under section 107.02 or section 107.03 or a report under section 107.03(D). A violation of this division (B)(1)(a) is a misdemeanor of the fourth degree.

(b) No person shall knowingly file a false campaign finance report or election period communication report required under section 107.02 or section 107.03 or a report under section 107.03(D). A violation of this division (B)(1)(b) is a misdemeanor of the first degree.

(c) No person shall knowingly solicit or accept a campaign contribution that the person knows is from a prohibited source pursuant to this chapter. A violation of this division (B)(1)(c) is a misdemeanor of the first degree.

(d) No issuer of an election period communication shall knowingly fail to comply with division (B)(3) of section 107.03. A violation of this division is a misdemeanor of the first degree.

(e) Whoever knowingly violates chapter 107.04(A)(4) shall be guilty of unlawful interference with a city clerk. A violation of this division is a misdemeanor of the first degree.

(C) Administrative Fines.

(1) Upon a finding of a violation, the city clerk may impose administrative fines in accordance with the amounts set forth under division (C)(2), (3), or (4) of this section.

(2) No person shall knowingly accept a contribution or contributions aggregating more than the contribution limits established in this chapter. A person who is found to have violated this division (C)(2) shall be fined five hundred (\$500) dollars or an amount equal to three times the amount contributed in excess of the amount permitted, whichever is greater.

(3) A fine of one hundred (\$100) dollars per day shall be assessed for each day that a report required by chapter 107.02 or chapter 107.03 is not timely filed.

(4) A fine of up to five hundred (\$500) dollars may be assessed for any other violation of this chapter.

(5) The city clerk shall establish procedures for reports to be amended and civil fines to be waived or reduced accordingly.

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(D) Finding of violation.

(1) Administrative Violation.

(a) If the city attorney or designated special counsel find that an administrative violation of this chapter has occurred, such finding shall be reported to the city clerk, who shall notify the affected party in writing within five business days of the finding and the administrative fine to be assessed. The affected party shall have fifteen days from the date of notification to file an appeal. If the affected party does not file an appeal within fifteen days, the city clerk shall forthwith assess and collect the fine associated with the violation.

(b) Any appeal to the imposition of any finding or administrative fine pursuant to this section must be filed with the city clerk within fifteen days of the date of the city clerk's issuance of a written notice of the finding or fine. Upon receipt of a timely filed appeal, the city clerk or designee shall cause such appeal to be heard by an independent hearing officer, who shall conduct an oral hearing and issue a written decision to the city clerk and the affected party within sixty days of the filing of the appeal. The decision of the hearing officer may affirm, reverse, or modify the city clerk's imposition of the finding and/or fine and shall be final. If the finding and/or fine is sustained, the city clerk shall forthwith assess and collect the fine associated with the violation.

(2) Criminal Violation.

(a) If the city attorney or designated special counsel finds that there is probable cause to believe that a criminal violation of this chapter has occurred, including the requisite intent if applicable, the city attorney or designated special counsel shall institute such proceedings as are appropriate.

**107.1 Voluntary Aggregate Limitations on Contributions and Expenditures**

(A) The City shall establish and maintain a program whereby candidates for member of city council may agree to voluntary limitations on election-related contributions and expenditures in exchange for a set of publicly-provided benefits designed to promote fair and competitive elections. The publicly-provided benefits shall include public-funding of campaigns for qualifying candidates in each municipal election year.

(B) Candidates for member of council are not required to participate in this voluntary program.

**107.11 Voluntary Campaign Contract**

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- (A) A candidate for city council may sign a contract with the Director of Finance or such other designated official of the city agreeing to abide by limitations on that candidate's contributions and expenditures as specified in this chapter in exchange for benefits provided under this chapter.
- (B) A candidate must personally sign the campaign contract the earlier of:
  - (1) 30 days after he or she becomes a candidate under the Ohio Election Code; or
  - (2) the date the candidate accepts a nomination for a place on the ballot.
- (C) Only a candidate who signs a campaign contract with the city will qualify for public funds from the Columbus Fair Campaigns Finance Fund under section 107.7.
- (D) A candidate who signs a campaign contract must report a contribution or expenditure during the first reporting period in which it is made and apply the contribution or expenditure to the candidate's voluntary limits.

**107.12 Candidates' Expenditure Limits**

- (A) Except as otherwise provided herein, a candidate who signs a campaign contract under this chapter shall not, during their municipal election period, make expenditures exceeding \$60,000.
- (B) A candidate in a race for city council shall not make expenditures from his or her own funds that exceed five percent of the applicable voluntary expenditure limits in this section for an election. An expenditure by a candidate is an expenditure by his or her campaign. A candidate shall report expenditures from personal funds consistent with state requirements.
- (C) If a candidate has signed a campaign contract under this chapter, expenditures on behalf of the candidate other than independent expenditures shall apply to the candidate's voluntary expenditure limits.
- (D) A candidate makes an expenditure subject to this article on the date that:
  - (1) a payment is actually made; or
  - (2) an agreement requiring payment is entered into; or
  - (3) an obligation to make a payment is incurred.

**107.13 Candidates' Contribution Limits**

- (A) Except as provided in subsection (b), a candidate who signs a campaign contract under this chapter shall not accept contributions from an individual or any political party or political action committee exceeding the following limits:

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(1) aggregate contributions of more than \$60,000 for the campaign period for the election; and

(2) more than \$500 in contributions in a campaign period from any candidate, candidate committee, municipal campaign, campaign fund, political party, business or labor organization, political action committee, political club, or any other political contributing entity for the election.

(B) A candidate for mayor or city council who signs a campaign contract may spend personal funds on his or her own campaign up to the applicable five percent expenditure limits set out in section 107.12. Expenditures from personal funds shall be reported in a manner consistent with state law.

(C) A candidate accepts a contribution subject to this section on the date that:

(1) it is accepted under the Ohio Election Code;

(2) an agreement is made to accept the contribution; or

(3) an obligation is incurred to accept a transfer.

(D) The limits in this section include third party expenditures that are not independent expenditures.

**107.14 Disclosure of Compliance with Chapter**

(A) A candidate who signs a campaign contract shall include the following notice in all political advertising: “This campaign has agreed to comply with the Columbus Fair Campaigns Code.”

(B) The disclosures required by this section shall be clear and conspicuous:

(1) On printed political advertising, the disclosure shall be printed in sufficient type and size to be clearly readable, in two highly contrasting colors such as dark text on a light background, but in no case smaller than eight point font;

(2) On other forms of political advertising, including internet advertisement, television, and radio, the disclosure shall provide the reader, viewer, or listener with actual notice of the disclosure; and

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(3) A disclaimer is not clear and conspicuous if it is difficult to read or hear, or if the placement is easily overlooked.

(C) The requirements of subsections (a) through (c) do not apply to bumper stickers, pins, buttons, pens, apparel, and similar small or impractical items upon which the notice cannot be conveniently printed.

(D) A candidate or other campaign representative who authorizes the publication of political advertising without the notice required by this section commits an offense with a fine of not more than \$50.00 per occurrence.

**107.15 Liquidated Damages**

(A) Each campaign contract shall provide for liquidated damages payable to the city and to other candidates for the same office who sign a campaign contract, in substantially the following form:

“The actual damages that may be sustained by the city and by another candidate by reason of a candidate’s breach of a campaign contract are uncertain and would be difficult to determine. The parties stipulate that a reasonable and just compensation to each damaged party, including the city and another candidate, for a candidate’s breach in excess of \$5,000 of the contribution or expenditure limits in a campaign contract would be three times the amount or value of the excessive expenditure made or contribution accepted. In addition, the City may recover as damages from a candidate campaign which breaches a campaign contract the amount paid to that campaign from the Columbus Fair Campaigns Finance Fund.

A candidate who signs a campaign contract shall promise to pay, and the city and each other candidate for the same office who signs a campaign contract shall agree to accept, in lieu of other damages, the amounts set out in this section as liquidated damages, and not as a penalty, in the event of a breach of the campaign contract. The city and each candidate with standing to enforce the campaign contract may recover reasonable attorney’s fees from the breaching party in connection with a lawsuit for liquidated damages.”

(B) Notwithstanding the above, campaigns with a breach of the contribution or expenditure limits in a campaign contract of less than \$5,000 shall refund the amount of the breach to the Columbus Fair Campaigns Finance Fund no later than the end of the campaign period, without sanction or penalty for noncompliance.

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**107.16 Other Enforcement and Sanctions**

(A) A candidate who breaches the terms of a campaign contract shall not be considered as a provider of goods or services to the city under a contract for a period of four years following the date of the election in which the breach occurs, unless controlling state law requires that his or her bid or proposal be accepted by the city. The city council may waive this ineligibility by a unanimous vote.

(B) This section is enforceable as a matter of contract law in the courts of the state of Ohio. This section is not intended to create criminal liability.

**107.17 Waiver of Voluntary Limits**

(A) A candidate who signs a campaign contract need not comply with the voluntary contribution and expenditure limits and may continue to use on campaign advertising the statement of compliance with the Columbus Fair Campaigns Code if:

(1) another candidate who signed a campaign contract has exceeded the voluntary contribution and expenditure limits at the time of filing a contribution and expenditure report;

(2) one or more candidates files for the same city office who by the filing deadline has not entered into a campaign contract or filed a notice of intent to the city clerk to raise and spend less than \$500; or

(3) independent expenditures in a race for the same office by, or on behalf of, one person exceed \$10,000 at any time before the election.

(B) A candidate who signed a campaign contract may, up to the end of the filing period for a place on the ballot, elect to opt out of the contract if another candidate has filed a designation of campaign treasurer for that office and has not within 30 days signed a campaign contract or a notice of intent to raise and spend less than \$500. If a candidate opts out of a contract, he or she shall not be eligible to receive funds from the Columbus Fair Campaigns Finance Fund.

**Chapter 107.7 - Columbus Fair Campaigns Finance Fund**

**107.71 Establishment**

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This section establishes a separate city account known as the Columbus Fair Campaigns Finance Fund (hereinafter sometimes referred to as “the fund”). The fund provides public support for qualifying candidates as such term is defined in section 107.73. The fund may also be used to offset city costs of handling disclosure filings, and the costs of administering this chapter.

**107.72 Funding for the Columbus Fair Campaigns Finance Fund**

(A) The city staff shall maintain a plan setting out financing options for the funding of the Columbus Fair Campaign Finance Fund. The staff is directed to include in the financing plan the following options for dedicated or appropriated funds, and such funds shall be available for distribution to candidates by February 15, 2021:

(1) Two percent (2.0%) of the annual proceeds of the tax on casino revenues collected by the state of Ohio and distributed to the city pursuant to Art. 15, Section 6 of the Ohio Constitution, subject to a yearly appropriation of the funds by City Council and certification of availability by the City Auditor as required by Section 159 of the Columbus City Charter. The City Auditor is hereby directed to certify the availability of such funds prior to certifying the availability of any other funds anticipated to be drawn against the casino tax proceeds account.

(2) contributions or donations from individuals, political committees, and business entities;

(3) a fee charged to the owners of real property tax abated parcels for abatements enacted after June 30, 2020, with such fee set in the amount of two percent (2.0%) of the foregone real property tax revenue as calculated for the first year of the abatement. Such fee shall be assessed annually, in advance, against the owner and subsequent owners until the expiration of the tax abatement period.

(4) refunds and/or contributions pursuant to sections 107.54 and 107.75.

(5) liquidated damages and fines collected for violations of campaign contracts or this chapter; and

(6) a \$1 voluntary check-off or add-on to City utility bills.

(B) Notwithstanding any other provisions of this code, there are no limits on contributions or donations to the Columbus Fair Campaigns Finance Fund.



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(C) In the event the fund exceeds two times the projected maximum draw, funds in excess of that amount may be removed from the fund and allocated to other uses.

**107.73 Qualifying Candidates**

To become a qualifying candidate eligible to receive public funds from the Columbus Fair Campaigns Finance Fund, a candidate for member of city council must:

- meet the qualifications for the office established by the Charter of the City of Columbus;
- report, on a form prescribed by the city clerk, either the receipt of at least twenty (20) contributions ranging from \$5.00 to \$100.00, or the receipt of \$1,000 in total contributions;  
and
- sign a campaign contract under section 107.11 and agree to participate in specified debates arranged by the Columbus Community Relations Commission pursuant to this chapter.

**107.74 Funding for Qualifying Candidates**

(A) To the extent that funds are available from the Columbus Fair Campaigns Finance Fund, qualifying candidates shall receive access to an equal allocation of the available balance of funds in the Fund, subject to and not to exceed the limitations on contributions in section 107.13. If no candidate in an election is eligible or excess funds are available after distribution, the remaining funds will be reserved in the fund for future elections.

(B) Funding from the Columbus Fair Campaigns Finance Fund shall be distributed to qualifying candidates under the following procedure and formula:

- (1) the auditor shall certify the available balance in the Fund as of the end of the year, in every even year prior to the municipal election year (beginning December 21, 2020), by no later than January 15<sup>th</sup> of that election (odd) year;
- (2) the city may reserve up to ten percent of the available balance to be allocated by ordinance to the auditor, city clerk, or other city department to offset expenses incurred in the administration of this chapter; and
- (3) the clerk shall certify the qualifying candidates and an equal division of funds from the balance remaining after application of 107.3(b)(2) from the Fund among those candidates no later than ninety (90) days prior to the nominating election.

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(4) the clerk and the director of finance shall develop a process to receive, review, and document campaign invoices evidencing the receipt of contributions of \$25.00 or less from unique donors, and shall sum the total small dollar donations. The clerk shall certify to the director of finance an amount that is four (4) times the dollar value of unique small donor contributions, and payment in such amount subject to the limitations of subsection (3) above shall be issued as distributions to each invoicing campaign within 15 days of receipt of such properly documented invoices.

(5) the city clerk shall review the “Semi-Annual” and “Pre-General” election contribution and expenditure reports and any supporting materials filed by qualifying candidates seeking public funds to verify compliance with the expenditure limits of the candidate’s campaign contract.

(6) Any candidate or candidate campaign may, upon review of the public campaign invoices, file a complaint with the clerk alleging a violation of the expenditure limits or other provision of the Fair Campaigns Fund rules.

(C) Funding from the Columbus Fair Campaigns Finance Fund shall not be made available to candidates in uncontested elections, recall elections, or elections to fill vacancies created by a recall election.

**107.75 Refund of Fair Campaigns Fund Contributions at End of Election Period**

Candidates receiving funds from the Columbus Fair Campaigns Finance Fund pursuant to section 107.3 shall calculate the ratio of fair campaigns fund contributions to total contributions at the end of said municipal election period, and from any remaining campaign fund balance, shall refund such proportion of fair campaigns fund of the total campaign fund balance to the Columbus Fair Campaigns Finance Fund within 60 days of the end of the period.

**107.76 Other Considerations for Campaign Contract**

(A) A candidate who signs a campaign contract pursuant to city codes 107.11 must participate in a series of candidate forums, whether or not the candidate qualifies for funds.

(1) The Columbus Community Relations Commission shall produce not fewer than four debate forums for candidates for each office for municipal elections as follows. All candidates shall be invited to participate, qualifying candidates shall be required to participate:

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a. Two debate forums for candidates shall be held no later than 15 days prior to the nominating election and two debate forums for candidates shall be held no later than 15 days prior to the general municipal election.

b. All forums must air on City of Columbus Government Television “CTV-3” government cable television, or its equivalent or successor; and

c. All forums must be produced and made available to the public for re-broadcast or private use by radio, broadcast, publication on the Internet, and other means approved by the commission.

(B) Qualifying Candidates may opt to use city-owned television, studio, and/or broadcast facilities during specified portions of the campaign period, as follows:

(1) For all nominating (primary) elections in a municipal election year, the City shall provide the following access to qualifying candidates:

a. Up to 5 hours of publicly-owned television studio time and technical support for all qualifying candidates for Mayor and Council, to be used within one hundred fifty (150) days of the start of the municipal election period. Qualified Candidates shall be supplied with unedited, raw audio and video of all recorded studio time. City personnel may be used to operate the recording equipment on an equal basis to all qualifying candidates, but the City shall not provide editing equipment, software, or editing time to any candidate. Electronic records produced under this section do not record City business and are thus not subject to Ohio Open Records Act requirements. No copyrights shall vest with such electronic records produced by CTV-3.

b. CTV-3 shall broadcast no less than two times per day, each of two primary debates sponsored by the Columbus Community Relations Commission. Such debates shall be broadcast within two business days of the debate and shall run until nominating election day, and at least one such broadcast each day shall be during the period 6:00PM – 10:00PM each night and shall take priority over the provisions of subsection 107.76(b)(2)a.

c. for the period beginning 30 days prior to the nominating election and ending on the nomination election day, the city shall reserve at least five hours per day on CTV-3 or its successor City-controlled television channel, for 5-minute, 15-minute, and/or 30-minute political and/or educational programming prepared by qualifying candidates to educate voters about candidate qualifications and election issues.

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This reserved time shall include at least two hours each day between the hours of 6:00PM and 11:00PM, and shall be allocated evenly among candidates on a daily basis through the nomination election period.

d. for the period beginning 30 days prior to the General election and ending on the General election eve, the city shall reserve at least eight hours per day on every other cable television channel controlled by the city, including Time Warner Cable Channel 21 (“Community 21”), or any other successor city-controlled television channel that is not CTV-3, for television programming prepared by qualified candidates. This reserved time shall be allocated evenly among candidates on a daily basis through the election.

2) The city shall provide the following access to qualifying candidates for a municipal election from the day after Labor Day until the day after that election, and shall provide to qualifying candidates for a special election from a period 60 days prior to that special election until the day after that election:

a. a minimum of three hours daily cumulative broadcast time on CTV-3 on an equal basis to all qualifying candidates, between the hours of 6:00AM and 9:00AM and 6:00PM to 11:00PM. Such broadcast time shall be divided equally among candidates for Council, and any Charter or other City of Columbus initiatives, referendums, recalls or other City ballot issues (which shall not include local liquor options).

b. CTV-3 shall broadcast no less than two times per day, each of two municipal election debates sponsored by the Columbus Community Relations Commission. Such debates shall be broadcast within two business days of the debate, and at least 50% of such broadcasts shall be during the period 6:00PM – 10:00PM each night and shall take priority over the provisions of subsection 107.76(b)(2)a.

c. To the extent CTV-3 broadcasts incumbent candidates performing official duties that are not decision-making on the public’s behalf during this period, such as ribbon-cuttings, ground breakings, ceremonies, and other promotional events, equal time shall be offered to the opposing qualified candidate(s) for that office on CTV-3. This provision does not apply to incumbents engaged in the conduct of official business, such as public hearings, committee hearings, and other council or mayoral meetings and events subject to public notice requirements of the Ohio open meetings act.

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d. The City shall make at least 5 cumulative hours of programming time per day available on the public access television station community 21, or on any successor to community 21, between the hours of 11:00AM to 4:00PM and 6:00PM to 11:00PM upon the request of any city ballot issue committee, local election, or qualified candidate. The flat rate for this access shall be set at \$10,000 for each qualifying candidate for mayor, \$5,000 for each qualifying candidate for city council, and \$200 for any city ballot issue committee. This rate may be adjusted following the mechanism outlined in section 107.6 of the city codes, and adjusted in increments of \$25.00, as described in section 107.76. All such funds shall be paid to the Columbus Fair Campaigns Finance Fund.

e. No access to Community 21 TV access during these reserved periods must be granted to candidates who did not sign contracts under this chapter. However, nothing in this section shall prevent any candidate for office from securing access under the general rules related to public access television that may be adopted by the city, which rules shall not infringe upon the priority dates and times for qualifying candidates established under this chapter.

f. In providing television broadcast access under this section, the city shall set standards for broadcast tape to be received by the qualified candidates and other entities specified in this section, and shall run the tape presented that complies with those standards, which standards shall not be unduly burdensome.

**107.8 Extension of Fair Campaigns Code Benefits to Other Local Ballot Issues**

(A) To support the goals of an informed electorate and to reduce the impact of campaign expenditures on election outcomes, the City shall also make available, on a fee basis, Community 21 television access to the following entities in a nominating (primary), municipal, special, or other non-municipal election:

(1) Registered ballot issue committees in support, or in opposition to, a local initiative or referendum under sections 43 or 44 of the City Charter.

(2) Registered ballot issue committees in support, or in opposition to, proposed Charter amendments under Section 45 of the City Charter.

(3) City-recognized Civic Associations or Neighborhood Area Commissions addressing a local liquor option ballot issue.

(4) The affected party of a local liquor option ballot issue.

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(5) Such other ballot issues as may be adopted by subsequent ordinance.

(B) During the campaign period, the city shall reserve up to two hours per day for other local ballots described by this section, which must include at least one hour between 5:00PM and 11:00PM, and which shall be divided evenly among issues.

(C) The city shall charge fees for the provisions of this section, and such fees shall be in the form of one-time access fees, as follows:

(1) \$1,000 for proponents or opponents of proposed local initiatives, referendums, or charter amendments.

(2) \$200 for proponents or opponents of a local liquor option.

(3) Fees may be adjusted pursuant to the mechanism established in section 107.6 of the city codes, and adjusted in increments of \$25.00. All such fees shall be paid into the Columbus Fair Campaigns Finance Fund.

**107.7 Fifteen Minutes for the First Amendment**

(A) To promote transparency in governance and the continuing accountability of officials during the campaign period, during the 60 days preceding an election, the council shall create and maintain at each regular meeting of the council a period of time lasting a minimum of 15 minutes for public comment on any issue, whether an agenda item or a non-agenda item. Said 15 minute public comment period shall be, pursuant to rules adopted by council, either during each regular council meeting or immediately thereafter upon the adjournment of each regular council meeting.

(B) The council shall adopt such rules for said public comment time that are consistent with the rules of speaking before council, within 30 days of enactment of this chapter.

(C) If the regular council meeting described in this section is televised and broadcast on any public access channel controlled by the city, including CTV-3, this 15 minute public comment period shall be televised and broadcast in the same manner, and in the order and timeframe in which it occurred in relation to the regular meeting.

**107.8 Campaign Finance Reform Advisory Commission**

(A) There is hereby created the Campaign Finance Reform Advisory Commission (“the commission”), a commission formed for the purpose of submitting recommendations for

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technical corrections to this chapter to the city council for enactment, to maintain consistency in form and substance with existing provisions of city code and to make other recommendations to the council on measures that may be taken to improve or facilitate implementation of this chapter.

(B) The commission shall consist of the petition committee of electors who have sponsored this initiated ordinance, which by majority vote of the members of that committee shall appoint a member to act on behalf of the committee, and the Chair of Council's Rules & Reference Committee. The commission shall make decisions by unanimous vote only while it is two members, and by majority vote if additional members are added. The commission may, by unanimous vote of its original members, add such other members as it deems necessary or prudent and seek any input from any sources it deems necessary.

(C) The commission shall meet within 60 days of enactment of this ordinance, upon the call of any one of its members: the citizen's petition committee acting as one, or the chair of the rules and reference committee, for the purposes outlined in subsection (a).

(D) Upon the unanimous vote of the commission, the commission is hereby authorized for a period of 120 days after enactment of this Chapter 107 of Columbus City Codes, 1959, to propose to council such amendments to these chapters as are required for the efficient and effective administration of these chapters.

(E) The council shall have the power to enact such amendments to this Chapter 107 of Columbus City Codes, 1959, as such amendments are recommended by the unanimous vote of the campaign finance reform advisory commission, provided such recommendations and enactment by council occur within 135 days following enactment of this ordinance.

(F) The Campaign Finance Advisory Commission shall be advised by the City Attorney, and such funds as are necessary and appropriate for its work shall be appropriated by the council.

(G) The meetings of the Campaign Finance Advisory Commission are public meetings and its records are public records. At the expiration of 120 days, the commission shall terminate its activities, returning all records to the clerk, and disband.

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**107.9 Columbus Competitive Campaigns Advisory Commission**

(A) There is hereby created the Columbus Competitive Campaigns Advisory Commission (“the competitive campaigns commission”), a body formed for the purpose of providing legislative recommendations to the council, for the purpose of proposing policies, procedures, and structures for city elections to provide for competitive city elections that support broad-based representation of Columbus’s diverse constituencies, where the electorate will receive accurate and sufficient information about all candidates and issues.

(B ) The council shall pass such ordinances or resolutions necessary to appoint commissioners, not to exceed 13 commissioners in number, within 90 days of enactment of this Chapter. The council shall appoint the Director of the Columbus Community Relations Commission, who shall serve as chair of the commission.

In addition, the council shall solicit potential appointees from each of the political parties that have had candidates on any Franklin County electoral ballot during the ten election years preceding the year of enactment of this ordinance. The council shall accept and shall appoint such commission nominees as submitted by the most local division of each respective such party, city or state in order.

In addition the council shall solicit applicants from, and subsequently appoint, 1) a commission member with a background in political science or elections, who is employed in central Ohio and who conducts research and/or teaches in the area of elections, 2) two members from a neighborhood area commission: one who serves in an area commission whose boundaries lie entirely or primarily within I-270, and one who serves in an area commission whose boundaries lie entirely or primarily in areas outside of I-270, 3) the competitive campaigns commission shall include at least one representative designated to reflect views and perspectives of new Americans or recently-arrived immigrant communities in Columbus, and 4) the council may appoint such other members as required to complete the commission.

(C)The council shall designate by ordinance or resolution a vice chair for the competitive campaigns commission.

(D) The competitive campaigns commission shall set forth a series of not less than six meetings, to take place within 365 days of enactment of this ordinance. The commission



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shall operate in public, and shall hold at least two public hearings. The commission shall make decisions by majority vote; however, the chair of the commission who shall preside over the meetings shall not have a vote. The commission shall be staffed by community relations commission staff, and such funds as are needed shall be appropriated by the council.

(E) The commission shall, within one year of formation, issue a Final Report. This Final Report shall make such recommendations as the commission deems appropriate to enhance competitive elections for all local elective offices for Columbus. This report may contain recommended amendments to the charter to be submitted to the electorate, or recommended ordinances for enactment by council. Within 90 days of submission of the Final Report, the commission shall wind up its affairs and disband.

**107.10 Miscellaneous Provisions**

(A) The city may sell advertising promoting the candidate forums. Any such funds raised shall be paid into the Columbus Fair Campaigns Finance Fund.

(B) The community relations commission shall establish equitable guidelines to coordinate and produce the candidate forums, which shall be open to all candidates for Mayor and Council.

(C) The clerk, the auditor and all appropriate city departments and offices shall prepare such administrative processes, forms, rules, and regulations as are necessary to implement this chapter in an efficient and an effective manner.

(D) The council shall adopt such ordinances as are necessary to provide for no less than the minimum standards outlined in this ordinance.

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NOTICE: Whoever knowingly signs this petition more than once; signs a name other than one's own on the petition, except as provided by the general laws of the state; or signs this petition when not a qualified elector of the City of Columbus, is liable to prosecution.

We hereby designate the following petitioners as a committee to be regarded as filing this petition:

COMMITTEE OF NOTE LESS THAN FIVE PETITIONERS	ADDRESS
Miriam Abbott	46 Sheffield Rd., Columbus, OH 43214
Jonathan C. Beard	1815 Franklin Park South, Columbus OH 43205
David S. Harewood	515 E. Deschler Ave., Columbus OH 43026
Asad Z. Shabazz	1332 Smith Road, Columbus, OH 43207
Tyrone Thomas	6175 Zachary Wood Lane, Columbus, OH 43232
Charles Traylor	2344 Minerva Park Pl., Columbus, OH 43229
Ernest Whitted	191 East Hinman Ave., Columbus, OH 43207

Signatures on this petition must be from only one county and must be written in ink.

	SIGNATURE	VOTING RESIDENCE ADDRESS STREET AND NUMBER	CITY	COUNTY	DATE OF SIGNING
1	Signature:				
	Printed Name:				
2	Signature:				
	Printed Name:				
3	Signature:				
	Printed Name:				
4	Signature:				
	Printed Name:				

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**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**To amend Section 107 of the Columbus City Code to reduce campaign contribution limits and to enact additional campaign finance regulations to create and regulate the Columbus Fair Campaigns Fund, Columbus Campaign Finance Reform Advisory Committee, and Columbus Competitive Campaigns Advisory Board.**

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**CIRCULATOR STATEMENT – Must be completed and signed by circulator.**

I, \_\_\_\_\_, declare under penalty of election falsification that I  
(Printed Name of Circulator)

reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing \_\_\_\_\_ signatures; that I witnessed the affixing of every signature; that all signers were  
(Number)

to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code. I am provided or promised moneys or things of value to circulate this petition by \_\_\_\_\_.  
(Name and address of employer)

<b>WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE</b>
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\_\_\_\_\_  
(Signature of Circulator)

\_\_\_\_\_  
(Permanent residence address)

\_\_\_\_\_  
(City or Village, State and Zip Code)