

Summary of Substantive Proposed Changes to the Ethics and Municipal Campaign Finance Codes
6/13/18

2013 Ethics Code and Municipal Campaign Finance Code	Proposed 2018 Ethics Code and Municipal Campaign Finance Code Amendments
Currently gifts and meals are limited at \$50 per occurrence with \$500 aggregate annual maximum in a single calendar year from a single source.	Add entertainment to existing limitations Section 2-45
No provisions for self-reporting of potential violations	Add self-reporting option of potential violation after occurrence Provide for ERB option to review for past action of City officials or employees. Section 2-54
Ethics complaints shall be reported to: a) The Compliance Auditor or his or her designee; b) The Ethics Review Board; or c) The City Attorney's Office.	Remove option to report violations to the Office of the City Attorney in order to honor the attorney-client confidentiality privilege. Section 2-54
Code silent with regards to campaign contributions by those seeking Council support or no objection for housing projects seeking tax credits.	Add disclosure requirement anyone seeking: • a resolution of support or no objection from the City for a multi-family housing project seeking housing tax credits through the Texas Department of Housing and Community Affairs; • the approval of the issuance of revenue bonds by or through the San Antonio Housing Trust Finance Corporation, the San Antonio Housing Trust Public Facility Corporation, or any other similarly-created City special purpose entity; • City Council appropriation of funds for an economic development incentive by or through a City created entity; • zoning changes Section 2-59
When an ethics complaint is filed, copies shall be forwarded by the City Clerk to the Compliance Auditor and City Attorney's Office. The Compliance Auditor shall review the complaint for compliance with the filing requirements. The ERB currently receives complaints only if the Compliance Auditor determines complaint meets the requirements set forth in the Code.	Amend Code to require that the Chair and Vice-Chair of the ERB receive all complaints. Then Chair and Vice-Chair of ERB, Compliance Auditor and City Attorney's Office shall each independently review the complaint for compliance with the filing requirements Section 2-83

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There is no allowance for the City Clerk to forward a complaint to the respondent (the one being complained about).	The City Clerk shall notify the respondent(s) of a complaint filed. This notification is for information purposes only. The City Clerk shall notify the respondent(s) of the resolution of a complaint. Section 2-83
There are no provisions for a waiver of violations of the Ethics or Municipal Campaign Finance Code.	Any City Official or employee or person subject to the Ethics Code or Municipal Campaign Finance Code who believes they have unknowingly committed an act in violation of the Ethics Code or the Municipal Campaign Finance Code may submit a sworn request for a waiver of the application of either code for that past act. The Ethics Review Board shall investigate and make known its findings, and make any recommendations to the City Council concerning the issue. The City Council may only act to waive the application of either code following receipt of the recommendation of the Ethics Review Board. Section 2-88
Candidate campaign finance reports are required to be filed <u>semi-annually</u> and 30 days, 8 days, and 3 days before an election date.	Require candidate campaign finance reports to be filed <u>quarterly</u> and 30 days and 8 days before an election date. This will provide more timely campaign contribution data when reviewing high profile contract contribution prohibitions. The 3 day campaign finance report would no longer be required. Therefore, in non-election years, reports would be due on the 15th of Jan, April, July, and Oct. In election years, reports are due the 15th of Jan, July, Oct, and 30 days and 8 days before the May election date. The net effect of the filing changes will increase number of filings by 2 per two year election cycle (from 7 to 9). Section 2-307

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For high-profile discretionary contracts, any <u>owner or officer</u> of an entity seeking a high-profile contract is prohibited from making contributions during the prohibited period. The <u>spouses</u> of any person not allowed to make contributions are also prohibited from making contributions during the prohibited period.	Expand Code to also prohibit any <u>officer of board, and executive committee member</u> of an entity seeking a high-profile contract from making contributions during the prohibited period. Also adding subcontractors hired or retained to provide services under the high-profile contract; and Any <u>first-degree member of the household</u> of any person not allowed to make contributions to also be prohibited from making contributions. Section 2-309