Article XIII. - CAMPAIGN FINANCE

Section 1.

Limits on Contributions

a. In the period from the day after the municipal election of any member of council through the next general election for any member of council, a person may contribute not more than $1,100 to any one candidate for council, except that a political action committee may contribute not more than $2,700, and a political party or legislative campaign fund may contribute not more than $10,500. Such amounts shall be subject to periodic adjustment pursuant to Section (4)(f)(2) herein.

b. In the period from the day after the municipal general election of a mayor through the next primary for the selection of candidates for mayor, if a primary is held, a person may contribute not more than $1,100 to any one candidate for mayor, except that a political action committee may contribute not more than $2,700, and a political party or legislative campaign fund may contribute not more than $10,500. Such amounts shall be subject to periodic adjustment pursuant to Section (4)(f)(2) herein.

c. In the period from the day after the primary for the selection of candidates for mayor through the next municipal general election of a mayor, identical limitations as in subsection b apply to contributions to any one candidate for mayor in the regular or special election for mayor. If there is no mayoral primary, the contribution limits for mayoral candidates provided in this section shall apply to the period from the day after the municipal general election of a mayor through the next municipal general election of a mayor.

d. A candidate in a council or mayoral election may not solicit or accept a contribution proscribed by this section.

e. 1) The limit set forth in this section on contributions by a political action committee applies to the combined contributions of all the political action committees established, financed, maintained, or controlled by the same corporation, organization, labor union, continuing association, or other person, including a subsidiary, division, or department thereof.

2) A limit on contributions by a political party applies to the combined contributions of national, state, and local organizations of the same party.

f. 1) No partnership or other unincorporated business shall make a contribution or contributions solely in the name of the partnership or unincorporated business.

2) Any contribution made from the funds of a partnership or other unincorporated business shall allocate the contribution or a portion of the contribution to the person, owner, member, and/or partner making the contribution.

3) The contribution allocation shall be included in the $1,100 individual contribution limit for that person, owner, member, and/or partner.

g. The limitations in this section do not apply to:

1) (Repealed)

2) an unexpended permissible contribution raised in one period and carried over to the next, or

3) the personal contributions of a candidate or the candidate's spouse.

(Amended by Ord. No. 304-2012, eff. Aug. 1, 2012; election of Nov. 2, 2012; amended by Emer. Ord. No. 254-2014, eff. Nov. 4, 2014; election of Nov. 4, 2014; Emer. Ord. No. 229-2018, effective Aug. 1, 2018, election of Nov. 6, 2018; Emer. Ord. No. 264-2025, eff. Aug. 6, 2025, election of Nov. 4, 2025)

Section 2.

Reporting of Contributions and Expenditures.

a. A candidate, political action committee, legislative campaign fund, or political party that made or received a contribution or expenditure supporting a candidate for city council or mayor shall file with the Commission a full, true, and itemized report of each contribution or expenditure in the manner and form required by the Commission, and in accordance with the deadlines and reporting periods established for such reports under Section 3517.10 of the Ohio Revised Code, or any successor provision. Each report shall include the full name and address of each person from whom a contribution was received or to whom an expenditure was made, the date and value of each contribution or expenditure, and for any individual contributing more than $100 in the reporting period, the employer or, if self-employed, the occupation of the individual. The Commission may require additional information to be included in each report.

b. If a report to the Commission would be required pursuant to section a, but a candidate, political action committee, legislative campaign fund, or political party has received no contributions and made no expenditures since the period covered by its most recently filed statement, it shall instead file a statement with the Commission affirming that no activity occurred, in the manner and form required by the Commission, and by the same deadlines set forth in section a.

c. Reporting of independent expenditures:

1) Within 10 days of making independent expenditures totaling more than $1,000 in a period specified in section 1a, b, or c, the person making the expenditures shall file a report of the expenditures with the Commission in the manner and form required by the Commission. If a portion of the expenditures is made within 30 days of the election, the person shall file the report within 48 hours, and if made within 7 days of the election the person shall file the report within 24 hours.

2)

If a person makes independent expenditures totaling more than $3,000 and accepts a contribution to the expenditures over $100, the person shall include in the report of the expenditures the name, residence address and employer or, if self-employed, the occupation of the contributor.

d. Penalties.

1) Contribution. When the Commission chooses to impose a penalty for making, soliciting, or accepting a contribution that exceeds the maximum permitted by this section, the penalty shall be a civil fine equal to three times the excess contribution.

2) Reporting. The penalty for failure to file a report required by this section is a civil fine for each day of violation a) in a council election, $100, and b) in a mayoral election, $200.

3) A penalty under subsection (2) does not apply if an addendum supplying the required information is filed within the time established in section 4d.

(Amended by Ord. No. 252-2011, effective Nov. 8, 2011, election of Nov. 8, 2011; Emer. Ord. No. 229-2018, effective Aug. 1, 2018, election of Nov. 6, 2018; Emer. Ord. No. 264-2025, eff. Aug. 6, 2025, election of Nov. 4, 2025)

Section 3.

Prohibition on Public Financing of Campaigns

Notwithstanding anything in this Charter to the contrary, no monies of the City of Cincinnati or any of its Boards or Commissions, from any source whatsoever, or funds of any other entity disbursed by the City or any of its Boards or Commissions, may be disbursed to any candidate for any public office, campaign committee of any candidate for any public office, political action committee, or political party, or may be expended for the purpose of advocating the election or defeat of any candidate for any public office, or for the passage or defeat of any ballot issue.

(Amended by Ord. No. 284-2002, effective 12-5-02; election of November 5, 2002; amended by Emer. Ord. No. 254-2014, eff. Nov. 4, 2014; election of Nov. 4, 2014)

Section 4.

Cincinnati Elections Commission

a. The Commission shall administer and enforce this Article.

b. Membership.

1) Number. The Commission consists of at least five members to include a) one member affiliated with each political party with which one or more council members or the mayor is affiliated, and b) the minimum number of members not affiliated with a political party necessary to have five members or an uneven number, but not fewer than one.

2) Nomination and appointment.

a) Party-affiliated member: Within 7 days of the occurrence of a vacancy in a party-affiliated position on the Commission, the city shall send written notification of the existence of a vacancy to the local executive committee of the same political party. Within 30 days of the listed date of the written notification of the occurrence of a vacancy in a party-affiliated position on the Commission, the local executive committee of the same political party with which the former Commission member was affiliated shall submit to the mayor the names of three individuals affiliated with that party. Within 15 days of receiving the three names, the mayor shall appoint one of the nominees. If the party committee fails to submit a total of three names within the required time, the mayor shall appoint an individual affiliated with that party within 15 days.

b) Non-party affiliated member: Within 30 days of the occurrence of a vacancy in a non-party affiliated position on the Commission, the mayor shall appoint a person who has not been nominated by a political party during the current election cycle to fill the vacancy. The Commission may grant an extension if additional time is reasonably necessary to identify and appoint an eligible non-party affiliated candidate.

3) Terms.

a) Except as provided in subsections (d) and (f) a Commission member serves a four-year term, which shall begin on December 1 of the year in which the member is appointed unless the Commission member is appointed to fill an unexpired term.

c) If appointed to fill an unexpired term, a Commission member serves until the expiration of the predecessor's term.

d) The Commission members serving on November 6, 2018, shall continue in office until the expiration of their existing terms. Subject to subsection (e), such members are eligible to be appointed to serve additional terms on the Commission.

e) The members appointed to fill the expired terms of the members serving on November 6, 2018 shall serve a term of four years plus whatever additional time is necessary for their terms to expire on November 30 of that year.

f) A Commission member may not serve more than two consecutive terms but any period in which the member filled an unexpired term less than 3 years in length shall not count toward the prohibition against serving two consecutive terms.

g) Commission members' terms shall be staggered so that no more than a simple majority of the terms expire in a single year. If additional members are appointed to the Commission pursuant to section 4(b) of this Article, the mayor shall have the discretion to appoint such members to an initial term of 3, 4, or 5 years so that the terms of no more than a simple majority of the members expire in a single year.

4) Qualifications and prohibitions. A Commission member must be a resident registered to vote in the city of Cincinnati but may not:
    a) hold or be a candidate for public office;
    b) be an officer of a political party;
    c) be a legislative agent;
    d) be in the unclassified service under Ohio civil service law or an individual or employee described in Ohio Revised Code section 4117.01(C)(1) through (12); and
    e) as to a Cincinnati municipal election,
        i) make or solicit a contribution supporting or opposing a candidate or ballot question or issue; or
        ii) serve on a committee of a political party, political action committee, or contributing entity.
        iii) Any Commission member who violates one of the prohibitions as to a Cincinnati municipal election shall have 30 days to cure the violation.
5) Organization and staff.
    a) The Commission shall:
        i) elect from its members a chairperson and a vice-chairperson, both of whom may not be affiliated with the same political party, to serve a four-year term. The chairperson may not have served more than one previous term as chairperson and may not be affiliated with the same political party as the immediately preceding chairperson;
        ii) adopt rules of procedure;
        iii) meet on the call of the chairperson or the written request of a majority of members; and
        iv) act only with the concurrence of a majority of members.
    b) The Commission may request the City Solicitor to assist it in carrying out its duties.

c. Duties of the Commission. The Commission shall adopt rules to administer and enforce this article including provisions for:
1) the filing of reports by electronic means, and other means it considers appropriate;
2) review and investigation of a) a report filed with it for compliance with this Article, and b) a sworn complaint based on personal knowledge alleging a violation of this Article;
3) making a preliminary determination that a report filed with it is complete and accurate, and does not indicate any overcontributions;
4) immediate notice to a person alleged to have violated this Article;
5)

holding a hearing that meets due process requirements for the alleged violator within 30 days of receipt of the notice of the alleged violation; and

6) sending to the alleged violator and the complainant within 30 days of the end of the hearing a written decision on the alleged violation.

d. Addendum to the report.

1) If the Commission makes a preliminary determination that a report filed with it is incomplete, inaccurate, or contains an overcontribution, it shall conditionally accept the report and by certified mail notify the filer of its determination.

2) Within 7 days of receipt of the notice, the filer may submit an addendum that corrects the deficiency or indicates the refund or return of an overcontribution. The Commission may grant an extension to file the addendum. If the filer fails to submit an acceptable addendum, the Commission shall conduct further proceedings in accordance with subsection c.

e. Finding a violation. After finding a violation of this Article, the Commission may impose a civil fine or other penalty authorized by this Article. The Commission shall refer to the appropriate city agency collection of a civil fine the Commission imposes or recovery of excess payments to a candidate.

f. Additional powers and duties of the Commission.

1) The Commission may:

a) apply to council to issue and compel compliance with a subpoena ordering attendance of a witness or production of a document, and to administer oaths; or

b) render an advisory opinion. A person who reasonably relies on a Commission advisory opinion is not liable for a violation of this Article.

2) Every four years, the Commission shall adjust the contribution limits in section 1 by the same percentage as the periodic adjustments to the salaries of the mayor and a council member, rounded up to the nearest one hundred dollars.

3) Periodically, the Commission shall file timely reports on the operation of this Article, including one comprehensive report each election cycle within five months after an election.

(Amended by Ord. No. 304-2012, eff. Aug. 1, 2012; election of Nov. 2, 2012; amended by Emer. Ord. No. 254-2014, eff. Nov. 4, 2014; election of Nov. 4, 2014; Emer. Ord. No. 229-2018, eff. Aug. 1, 2018, election of Nov. 6, 2018; Emer. Ord. No. 264-2025, eff. Aug. 6, 2025, election of Nov. 4, 2025)

Section 5.

Repealed

(Repealed by Emer. Ord. No. 254-2014, eff. Nov. 4, 2014; election of Nov. 4, 2014)

Section 6.

Council and Article IX of the Charter of the City of Cincinnati

The council may not exercise a power under Article IX, Section 1, inconsistent with this Article.

Section 7.

Definitions

a. In this Article

1) "commission" means the Cincinnati elections commission;

2) "candidate" includes a candidate's campaign committee;

3) "report" includes a statement or other document;

4) "mayoral election" includes a primary election for the selection of candidates for mayor;

5) "partnership or other unincorporated business" means the same as the definition of "partnership or other unincorporated business" in Section 3517.10(I)(6) of the Ohio Revised Code or any successor to Section 3517.10(I)(6);

6) "party-affiliated member" means a nominee for the commission who was nominated by a political party for a current vacancy on the commission;

7) "political party" means an organization (a) whose candidate received a number of votes equal to at least five percent of the number of persons voting for candidates for council in the last election for that office, or (b) is recognized as a political party for any purpose by a federal court;

8) "the period between successive elections of members of council" means the period beginning on the thirty-second day after the municipal general election of members of council and ending on the thirty-first day after the next municipal general election of members of council;

9) "person" as used in this Article means the same as the definition of "person" in Section 3517.01(C)(17)(a) of the Ohio Revised Code or any successor to Section 3517.01(C)(17)(a);

10) "special election" means an election to fill the unexpired term of mayor which is held on the date of the regular municipal election as indicated in Article III, Section 3;

11) "day" shall mean a calendar day, unless stated otherwise;

12) "legislative agent" means any individual, except a member of the council, the city manager, or a member of the staff of the council or the city manager, who is engaged during at least a portion of his or her time to promote, advocate, or oppose the passage, modification, or defeat of any legislation by direct communication with any member of the council or appointee of the council, the city manager, the director of any department listed in the charter or administrative code of the city, or any city employee who is required to file a

financial disclosure statement under Article XXVI of the administrative code and whose official duties are to formulate policy and who exercises administrative or supervisory authority or who authorizes the expenditure of city funds. "Legislative agent" does not include any person not engaged by an employer who has a direct interest in legislation if the person, acting under Section 3 of Article I, Ohio Constitution, assembles together with other persons to consult for their common good, instructs a public officer or employee who is listed in this chapter, or petitions that public officer or employee for the redress of grievances.

b. Unless otherwise defined in this Article, a word used in this Article has the same meaning as in Section 3517.01 of the Ohio Revised Code.

(Added by Ord. 258-2001, effective September 6, 2001; election of November 6, 2001; amended by Ord. No. 304-2012, eff. Aug. 1, 2012; election of Nov. 2, 2012; Emer. Ord. No. 229-2018, effective Aug. 1, 2018, election of Nov. 6, 2018)