

INTRODUCED BY: COUNCILWOMAN PAM CAMERON

AN ORDINANCE CALLING ON CONGRESS TO AMEND THE UNITED STATES CONSTITUTION TO ESTABLISH THAT CORPORATIONS ARE NOT PEOPLE AND MONEY IS NOT SPEECH.

WHEREAS, free and fair elections are essential to American democracy and effective self-governance; and

WHEREAS, in a 2010 decision by the U.S. Supreme Court, *Citizens United v. Federal Elections Commission*, the Supreme Court ruled that corporate entities have the same rights as individual human beings to free speech protections and unrestricted spending on political speech; and

WHEREAS, the judicial bestowal of civil and political rights upon corporations usurps basic Constitutional rights guaranteed to human beings, and also empowers corporations to sue municipal and state governments for adopting laws that violate “corporate free speech,” even when those laws serve to protect and defend the rights of human persons and communities; and

WHEREAS, money is property, not speech, and therefore the judicial interpretation of money as equivalent to political speech in effect contradicts the principle of one person, one vote by allowing unlimited spending by wealthy individuals and corporations to influence campaigns, elections, lawmaking and public policy decisions; and

WHEREAS, local governments play an important role in protecting the integrity of our political process.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF UNIVERSITY HEIGHTS, CUYAHOGA COUNTY, OHIO, THAT:

Section 1: The City Council hereby enacts Codified Ordinance Section 222.01 which shall read in its entirety as follows:

Section 222.01 Political Influence by Corporate Entities

(a) Beginning in 2019, the Mayor and City Council shall designate one day, every two years, during the month of February, as “Democracy Day.” On this day, the Mayor and City Council shall sponsor a public hearing to study the impact on the City, the state and the nation of political influence by corporate entities in connection with the most recent and upcoming elections. “Corporate entities” include business corporations, Political Action Committees, Super PACs, 501(c)(4) groups and unions. Members of the general public in attendance shall be afforded the opportunity to speak on these matters for up to five minutes per person. The public hearing shall be held during an evening or weekend time. The City shall record the hearing and make such recording or a transcript available to the public by posting such recording or transcript on the City’s website within 10 days following the hearing.

(b) Within **30 (thirty) days** following the biennial public hearing, the Clerk of City Council shall send a letter to the leaders of the Ohio House and Senate, to the U.S. Congressional Representative who represents the City, and to both Ohio Senators.

(1) Only human beings, not corporations, are legal persons with Constitutional rights, and

(2) Money is not equivalent to speech, and therefore regulating political contributions and spending does not equate to limiting political speech.

(c) The biennial public hearings will no longer be required if and when a Constitutional Amendment reflecting the principles set forth in sub-section (b) is ratified by three-quarters (3/4) of the state legislatures.

Section 2: The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which results in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

CITY OF UNIVERSITY HEIGHTS, OHIO



MICHAEL DYLAN BRENNAN, MAYOR

FIRST READING: November 19, 2018

PASSED: June 17, 2019

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:



LUKE F. MCCONVILLE, LAW DIRECTOR