



CITY OF HOUSTON

Legal Department

Interoffice

Correspondence

To: All Candidates

Subject: Campaign contributions

The period for solicitation and acceptance of campaign contributions by persons who are candidates for City elective office in the November General Election commenced on February 1, 2009. HOUSTON CITY CODE § 18-35.

Attached is a copy of Chapter 18 of the Code of Ordinances. A summary of some key provisions follows:

- Candidates will be required to file a comprehensive personal financial statement on or before September 22, 2009. See: Section 145.004(c), Texas Local Government Code. The statement will cover the period from January 1, 2008, through December 31, 2008. See: Article III of Chapter 18.
- Political contributions may not be delivered in the City Hall or Margaret Westerman City Hall Annex. See: § 18-32.
- Contributions may not be solicited by any member of the Planning Commission nor by any of those members of the METRO Board, the Port of Houston Authority of Harris County (Port Authority) or of the Harris County Houston Sports Authority Board (Sports Authority) who are appointed by the City. Candidates may not accept contributions that were solicited by the foregoing persons. See: § 18-33(a) & (b).
- Currently, the City's appointees to the METRO Board are David S. Wolff, Gerald B. Smith, George A. DeMontrond, III, Bishop James Dixon, II, Carmen Orta, Trinidad ("Trini") Mendenhall Sosa, and C. Jim Stewart, III. The current members of the Planning Commission are: Carol A. Lewis, Chair, Lee D. Schlanger, Richard Rice, James R. Jard, Mark Kilkenny, Kay Crooker, David Collins, John W. H. Chiang, Robin Reed, Talmadge Sharp, Sr., Shaukat Zakaria, Algenita Scott Davis, Ed Emmett, Ed Chance, Grady Prestage, David Fred Martinez, Jon Strange, Jeff E. Ross, Medardo "Sonny" E. Garza, Marlene Gafrick, Ex-Officio, Dawn Ullrich, Ex-Officio, Mike Marcotte, Ex-Officio, M. Marvin Katz, Ex-Officio, Jackie L. Freeman, Mark J. Mooney, and Jesse D. Hegemeir. Currently, the City's appointees to the Port Authority are Kase Lawal, Position 3, and Janiece M. Longoria, Position 7. The City's appointees to the Sports Authority are as follows: Sylvia K. Barnes, Position 1, Ba Mau Nguyen, Position 2, Haroon R. Shaikh, Position 3, Curtis V. Flowers, Position 4, Janie Reyes, Position 5, and Roland Garcia, Position 11. These members are subject to change as terms expire and members resign from time to time.

- Solicitation of political contributions by City employees during their work hours is restricted. See: § 18-33(c).
- The acceptance of political contributions from persons who have litigation pending against the City is restricted. See: § 18-34.
- Candidates for the November 3, 2009, City General Election may neither solicit nor receive political contributions except during the period from February 1, 2009, through March 4, 2010. If there is a runoff election, those persons who are candidates in the runoff election may continue to solicit political contributions through April 4, 2010. See: § 18-35.
- The acceptance of political contributions from City contractors is restricted. See: § 18-36 and the definitions of “contract,” “contract award period” and “contractor” in § 18-2. It is necessary to check the weekly City Council agendas in order to determine which persons may not make political contributions at any given time. Additionally, the City Secretary maintains and posts a contractor list to assist candidates with compliance.
- The use of campaign funds to reimburse or repay personal loans is restricted, and the amount allowed depends upon the office that is sought. See: § 18-37.
- There is a contribution limit of \$5,000, per election, for contributors other than political committees and \$10,000, per election, for political committees, including “coordinated campaign expenditures.” Additional restrictions apply to transferred campaign and office holder funds. See: 18-38.
- Candidates will be offered the opportunity to subscribe to a voluntary campaign contract that will impose further restrictions if the candidate elects to subscribe to the contract. Contract forms are distributed at the time that candidates file for office. See: § 18-51.

The foregoing is intended only as a summary. It is the responsibility of each candidate to comply with local and state election laws. Each violation is punishable by a penal fine of up to \$500, and continuing violations are a separate offense for each day. HOUSTON CITY CODE §§ 18-41 & 1-6. A copy of this memorandum is being provided to each current City elected office holder. You are requested to provide a copy to each other person who files a campaign treasurer designation with intent to run in the November General Election.

Attachment