

An Ordinance of the City of Plano, Texas authorizing the City Secretary to terminate the campaign treasurer appointments of inactive candidates and inactive political committees; providing a severability clause, a savings clause, a repealer clause, a publication clause and an effective date.

WHEREAS, candidates for City Council and political committees are required to file a Campaign Treasurer Appointment; and

WHEREAS, the appointment of a Campaign Treasurer triggers the requirement to file semi-annual campaign finance reports; and

WHEREAS, the City Secretary is the local filing authority for said reports; and

WHEREAS, Section 252.0131 of the Texas Election Code provides that City Council may adopt a process by which the City Secretary of the political subdivision may terminate the campaign treasurer appointment of an inactive candidate or political committee that is required to file a campaign treasurer appointment with the City Secretary.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. Definition. In this section, "inactive candidate" or "inactive political committee" means a candidate or political committee that:

- (a) has not filed a required report under Texas Election Code, Chapter 254 (Political Reporting), for more than one year since the last reporting deadline;
- (b) in the case of a candidate, has not been elected to an office for which a candidate is required to file a campaign treasurer appointment with the city secretary; and
- (c) has not filed:
 - (1) a final report under Texas Election Code, Section 254.065 (Final Report) or 254.125 (Final Report of Committee for Supporting or Opposing Candidate or Measure); or
 - (2) a dissolution report under Texas Election Code, Section 254.126 (Dissolution Report of Committee for Assisting Officeholder) or 254.159 (Dissolution Report).

Section II. Authority. The City Secretary may terminate the campaign treasurer appointment of an inactive candidate or inactive political committee.

Section III. Process. Before the City Secretary may terminate a campaign treasurer appointment under this section, the following steps must be taken:

(a) The City Secretary must provide written notice to the affected candidate or political committee of:

- (1) the proposed termination of the candidate's or political committee's campaign treasurer appointment;
- (2) the date, time, and place of the meeting at which the city council will consider the proposed termination; and
- (3) the effective date of termination of the candidate's or political committee's campaign treasurer appointment.

(b) The City Council must consider and approve the proposed termination in a regularly scheduled and properly noticed open meeting. The City Secretary will include the name of each inactive candidate or inactive political committee whose treasurer is being terminated in the meeting agenda.

(c) The City Secretary shall promptly notify the affected candidate or political committee that the appointment has been terminated. The notice must state the effective date of the termination.

Section IV. Termination. The termination of a campaign treasurer appointment under this section takes effect on the 30th day after the date of the meeting at which the City Council votes to terminate the appointment.

Section V. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section VI. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

Section VII. All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section VIII. This Ordinance shall become effective immediately upon its passage and publication.

PASSED AND APPROVED on the 8th day of May, 2023.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, City Secretary

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY