



“Defend Our Democracy” Ordinance *Frequently Asked Questions*

1. What does the proposed ordinance do?

The proposed ordinance will establish limits on contributions to “independent-expenditure only” political action committees, known as super PACs, effectively abolishing them. It will also require corporations that spend \$5,000 or more on St. Petersburg elections to certify they are not owned or controlled in significant part by foreign entities.

2. Who is involved in this effort?

Councilmember Darden Rice, Vice Chair of the St. Petersburg City Council, is championing the ordinance. Public support for the ordinance is led by **American Promise** (Tampa Bay Chapter) under the leadership of Rae Claire Johnson and Karen Lieberman, and the **St. Petersburg League of Women Voters**, under the leadership of Julie Kessel. The ordinance was developed with input from **Free Speech For People**, a national non-partisan non-profit organization, with the assistance and advice of an acclaimed team of legal experts.

3. What are super PACs?

A super PAC is a political action committee that can accept—and spend—an unlimited amount of money so long as it does not coordinate with a candidate.

4. Why limit contributions to super PACs in St. Petersburg?

Super PAC spending is on the rise in Florida. According to the *Miami Herald*, donations to “groups [that] enjoy no limits on individual donations,” such as super PACs, “have skyrocketed” in recent years across the state.¹ Super PAC spending in local elections has already been documented in Alachua, Brevard, and Miami-Dade counties.

5. Why address foreign corporate spending?

As a result of the U.S. Supreme Court’s ruling in *Citizens United v. FEC*, foreign entities are able to buy stakes in U.S.-based corporations, which can spend as much money as they want on American elections. This problem has surfaced in cities and states across the country.

6. Is the ordinance constitutional?

We believe it is. The ordinance has been carefully designed to comply with all precedent of the U.S. Supreme Court, the Florida Supreme Court, and the U.S. Court of Appeals for the Eleventh Circuit. If it is challenged in court, it might well provide the U.S. Supreme Court the opportunity to overrule the lower court decision that created super PACs (*SpeechNow.org v. FEC*), and could lead to a ruling that overturns *Citizens United*.

¹ David Ovalle, “Auto insurance political committee flexes muscle in Miami judicial races,” MIAMI HERALD, Aug. 19, 2014, <http://hrlld.us/29HWMiD>.