

CITY OF READING
BOARD OF ETHICS
ADVISORY OPINION 2015 -1

Michelle Katzenmoyer, Deputy City Clerk, has requested an Advisory Opinion of The Board of Ethics. This relates to the definition of “Pre-Candidacy.”

This Advisory Opinion is limited to matters that fall within the jurisdiction of the Board of Ethics.

Section 3 of the City of Reading Code of Ethics contains definitions. The term “Pre-Candidacy Contributions” is defined as “a contribution made to a Political Committee that: (a) has been transferred to, or otherwise becomes available for expenditure by, a candidate for City Elective Office; and (b) was made before such candidate became a candidate.” Thus, it is our opinion that the term “pre-candidacy” means any time before the candidate became a candidate. It is the opinion of the Board that an individual becomes a candidate who publically announces his or her candidacy for City Elected Office or who files nomination papers or petitions for City Elected Office under Section 3. C.

Section 12 of the City of Reading Code of Ethics is entitled Campaign Contributions and Reporting Requirements. Section 12, Subsection D is entitled Pre-Candidacy Contributions and provides:

- i. No Candidate or Candidate Political Committee may spend any excess Pre-Candidacy Contributions for the purpose of influencing the outcome of a Covered Election in which he or she is a Candidate.
- ii. No Candidate or Candidate Campaign Committee may spend any excess Pre-Candidacy Contributions or excess Post-Candidacy Contributions for the purposes of:

- a. Transition or inauguration expenses; or
 - b. Retiring debt that was incurred to influence the outcome of an already completed Covered Election, or cover transition or inauguration expenses related to an already completed Covered Election.
- iii. A Pre-Candidacy Contribution made in the same calendar year that a person becomes a Candidate shall count toward those limitations on the contributions set forth in the Code of Ethics as part of the Administrative Code, as amended.

CITY OF READING, BOARD OF ETHICS

Date: 9-21-15

By: 