



R-9

Date: October 22, 2013

To: Mayor and Members of the City Council

From: Councilmember Al Austin, Eighth District *al*
Councilmember Patrick O'Donnell, Fourth District *PO*

Subject: Resolution in support of overturning *Citizens United* decision

RECOMMENDED ACTION:

Request the City Attorney to draft a resolution in support legislative action so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, including a constitutional amendment. Upon adoption of this resolution, request the City Manager to forward copies of the resolution to our elected representatives in Congress and the state legislature, and include the position in our federal and state legislative agendas.

BACKGROUND:

In 2010, the U.S. Supreme Court issued a 5-4 decision in *Citizens United v. the Federal Election Commission* that rolled back legal restrictions on corporate spending in the electoral process.

The Supreme Court decision afforded corporations the same political free speech protections as persons in the context of campaign expenditures. Since the ruling that independent spending on elections by corporations and other groups could not be limited by government regulation, Super Political Action Committees (Super PACs) have spent millions of dollars to influence elections at the federal, state and local levels.

The *Citizens United* decision also supercedes state and local efforts to regulate corporate activity in their elections.

Several dozen cities, including Los Angeles, San Diego, Oakland and New York, and at least 16 states have successfully passed resolutions opposing the Supreme Court's interpretation of the Constitution in *Citizens United* and supporting a constitutional amendment.

We request the City of Long Beach to also go on record against the *Citizens United* decision and supporting a constitutional amendment to protect the integrity and fairness of our electoral process.

FISCAL IMPACT: There is no fiscal impact.