TO: City Council

FROM: Lori J. Barker, City Attorney

RE: Resolution to End Corporate Personhood

REPORT IN BRIEF

At its March 13, 2012, meeting, the Internal Affairs Committee forwarded a recommendation to the City Council that it consider the adoption of a resolution urging the amendment of the United States Constitution to regulate corporate personhood.

The Council considered that recommendation at its meeting of April 17, 2012, and directed the City Attorney to draft a resolution which supported the adoption of a constitutional amendment to establish that corporations are not entitled to a constitutional right of free political speech, that the expenditure of money by corporations is not speech, and that the expenditure of money by corporations for political purposes should be regulated, limited and subject to disclosure. A proposed resolution is attached.

RECOMMENDATION

The City Council consider whether to adopt the attached resolution entitled:

RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO SUPPORTING A CONSTITUTIONAL AMENDMENT STATING THAT CORPORATIONS ARE NOT ENTITLED TO A CONSTITUTIONAL RIGHT TO POLITICAL FREE SPEECH

Lori J. Barker, City Attorney

cc: City Manager
Assistant City Manager
City Clerk

Attachments:

Resolution

Item #2.3
RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO
SUPPORTING A CONSTITUTIONAL AMENDMENT STATING THAT
CORPORATIONS ARE NOT ENTITLED TO A CONSTITUTIONAL RIGHT TO
POLITICAL FREE SPEECH

WHEREAS, the ability of corporations to expend unlimited amounts of money to influence
political campaigns allows corporations to unduly influence and impact those political campaigns
in a manner which is detrimental to the democratic process:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chico as follows:
The ability of corporations to expend money on political campaigns should be regulated and,
to the extent that such regulation is currently impermissible, the United States Constitution
should be amended to allow such regulation and to establish that:

1. Corporations are not entitled to a constitutional right to political free speech; and

2. The expenditure of money by corporations to support or oppose political campaigns is not
   entitled to the free speech protections of the First Amendment and should be regulated, limited
   and clearly disclosed.

THE FOREGOING RESOLUTION WAS ADOPTED by the Council of the City of Chico at
its meeting held on ________________________, by the following vote:

AYES:
NOES:
ABSENT:
DISQUALIFIED:
ABSTAIN:

ATTEST:                        APPROVED AS TO FORM:

Deborah R. Presson              Lori J. Barker, City Attorney
City Clerk