

**CITY OF BALTIMORE
COUNCIL BILL 12-0051R
(Resolution)**

Introduced by: Councilmembers Clarke, Henry, Middleton, Curran, Branch
Introduced and adopted: May 14, 2012

A COUNCIL RESOLUTION CONCERNING

Request for Federal Action - Constitutional Amendment to Overturn *Citizens United*

FOR the purpose of stating the Baltimore City Council’s opposition to the United States Supreme Court’s *Citizens United* decision, supporting a Constitutional amendment to overturn *Citizens United* and remove corporate money from the electoral process, and calling on Congress to begin the process of amending the Constitution.

Recitals

The United States Supreme Court’s 5-4 *Citizens United v. FEC* decision in 2010 opened the door to unlimited corporate spending on elections. Since that ruling, each subsequent election cycle has seen unprecedented levels of overall spending, greater corporate involvement in politics, and increasing amounts of independent negative advertising targeting candidates at the behest of unknown interests.

However, the broad reading of the Court’s decision in *Citizens United* has severely hampered the ability of federal, state, and local governments to respond to these concerns through reasonable campaign finance reforms or regulation of corporate political activity. If government regulation of corporate political activity remains so constrained, there will be no way to protect our democratic system from the distorting effects of political spending motivated solely by profit rather than any animating principle.

There are very grave dangers inherent in unlimited political activity by entities with “no consciences, no beliefs, no feelings, no thoughts, no desires” - as Justice Stevens accurately described corporations in his powerful dissent from the *Citizens United* majority opinion. In recognition of these dangers, several constitutional amendments that would overturn *Citizens United*, and restore the traditional ability of governments to regulate corporate political spending, have been introduced in Congress. So long as *Citizens United* stands as precedent, it is likely that only such an amendment could succeed in halting the dangerous flood of corporate funds into our electoral system.

Any proposed constitutional amendment must be approved at both the state and federal level. Many Maryland General Assembly members recently demonstrated their support for an amendment to overturn *Citizens United*, and their willingness to take the necessary action at the state level should Congress act on an amendment. It is important that local governments act similarly to signal their support for action on this issue at both the state and federal level.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Baltimore City Council opposes the United States Supreme Court’s *Citizens United* decision, supports a Constitutional amendment to overturn *Citizens United* and remove corporate money

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

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1 from the electoral process, and calls on Congress to begin the process of amending the
2 Constitution.

3 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Maryland
4 Delegation to the 112th Congress, the Mayor, and the Mayor's Legislative Liaison to the City
5 Council.