

A RESOLUTION SUPPORTING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO PROVIDE THAT CORPORATIONS ARE NOT ENTITLED TO THE ENTIRETY OF PROTECTIONS OR "RIGHTS" OF NATURAL PERSONS, SPECIFICALLY SO THAT THE EXPENDITURE OF CORPORATE MONEY TO INFLUENCE THE ELECTORAL PROCESS IS NO LONGER A FORM OF CONSTITUTIONALLY PROTECTED SPEECH, AND CALLING ON CONGRESS TO BEGIN THE PROCESS OF AMENDING THE CONSTITUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2010 the United States Supreme Court issued its decision in *Citizens United v. Federal Election Commission*, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and,

WHEREAS, in reaching its decision, a majority of the Supreme Court interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and,

WHEREAS, in his eloquent dissent, Justice John Paul Stevens rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and,

WHEREAS, the Court's decision in *Citizens United* severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and,

WHEREAS, corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and,

WHEREAS, several proposed amendments to the Constitution of the United States have been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:**

Section 1. That the City Council of the City of Tampa hereby supports amending the United States Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.

Section 2. That this resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
TAMPA, FLORIDA, ON MARCH 15, 2012.**

ATTEST:


SHIRLEY FOXX-KNOWLES
CITY CLERK


MARY MULHERN, CHAIR PRO TEM
TAMPA CITY COUNCIL

APPROVED AS TO FORM:


MARTIN SHELBY
CITY COUNCIL ATTORNEY