



Bill number: 241056

Resolution number: 241070

Introduced by: Thomas

Cosponsor(s): Brooks, Harry

Assigned committee: Law and Government

Date introduced: 11/14/2024

Fiscal Note

Overview

The bill and resolution would propose changes to the Philadelphia Home Rule Charter. It is anticipated that there would be no fiscal impact resulting from the enactment of this legislation.

Legislative Summary

This legislation would propose changes to the Philadelphia Home Rule Charter for voters to consider on the May 20, 2025 election ballot. Voters would be asked to answer Yes or No to the following question:

Should the Philadelphia Home Rule Charter be revised to allow City officers and employees to run for any elected office without having to resign from their city position?

Proposed Effective Date

The charter amendment would take effect upon certification of the election at which the amendments were approved.

Fiscal Impact Analysis

There would be no fiscal impact resulting from the enactment of this legislation.

Legislative History

The proposed Charter amendment would eliminate the requirement that City officers and employees resign from their City office or employment before becoming candidates for public office. The requirement for elected officials to resign to run for another office has been in the Philadelphia Home Rule Charter since its 1951 adoption. Since then, there have

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been numerous unsuccessful attempts to amend or repeal this provision, two of which were rejected by the voters. The history of these legislative efforts is as follows:

2004

Bill 040155, Resolution 040170 - Lapsed

On February 26, 2004, former Councilmember Goode introduced legislation that, among other things, would have permitted Councilmembers, as well as an Acting Mayor, to run for certain other City offices without having to resign current positions. Due to Council inaction, the legislation lapsed at the end of the legislative session.

2006

Bill 060617, Resolution 060638 – Passed, but rejected by voters

On September 14, 2006, former Councilmember Kenney, with co-sponsor former Councilmember Goode, introduced legislation that would have allowed elected City officers to run for public office without resigning from their current position. The bill also set the date for a special election. The Mayor signed the legislation into law on November 16, 2006. However, voters rejected the measures during the May 2007 primary election.

2012

Bill 120248, Resolution 120253 – Lapsed

On March 29, 2012, former Councilmember Kenney introduced legislation to require elected public officials holding positions outside the City to resign their positions before becoming a candidate for any City office. The legislation lapsed at the end of the legislative session due to Council inaction.

2013

Bill 130701, Resolution 130715 – Passed, but rejected by voters

On October 3, 2013, former Councilmember Oh, with co-sponsors former Councilmembers Tasco, Quiñones Sánchez, Reynolds Brown, Kenney, Henon and current Councilmembers Bass, Squilla and O'Neill introduced legislation to allow City elected officials to run for public office without resigning from their current City office, provided that they are not running for re-election on the same ballot. Council unanimously overrode the Mayor's veto, and the proposed Charter amendment was placed on the May 20, 2014, ballot. However, voters ultimately rejected the measure during the election.

Prepared by: Policy and Fiscal Analyst Unit, Mayor's Office of Legislative Affairs

Date: 11/21/2024

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