

Ordinance No. 120831

Council Bill No. 114204

The City of Seattle  
Council Bill/Ordinance

*TWC*  
*WACK-D1*

AN ORDINANCE relating to election campaigns; amending various sections in Chapter 2.04 of the Seattle Municipal Code.

6/11/02  
6/12/02 Passed

CF No. \_\_\_\_\_

Date Introduced:	<u>6/10/02</u>	
Date 1st Referred:	<u>6/10/02</u>	
To: (committee)	<u>Neighborhoods Art and Civic Rights</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	<u>6-17-02</u>	
Full Council Vote:	<u>7-0</u>	
Date Presented to Mayor:	<u>6-18-02</u>	
Date Approved:	<u>6/25/02</u>	
Date Returned to City Clerk:	Date Published:	T.O. _____ F.T. <u>✓</u>
<u>6/25/02</u>	<u>13 PP</u>	
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

*Law Department*

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

*[Handwritten Signature]*

Councilmember

**Committee Action:**

6/11/02 Pass NL, JC, RC  
6/17/02 Passed 7-0 (Excused: Sternbroeck, Wills)

This file is complete and ready for presentation to Full Council.

Committee: \_\_\_\_\_

(initial/date)

*Law Department*

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Law Dept. Review

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City Clerk  
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ORDINANCE 120831

AN ORDINANCE relating to election campaigns; amending various sections in Chapter 2.04 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 2.04.010 (21) of the Seattle Municipal Code is amended as follows:

**2.04.010 Definitions.**

\*\*\*

21. "Independent expenditure" means expenditure on behalf of, or opposing the election of, any candidate, or any City ballot proposition, when such expenditure is made independently of the candidate, his/her political committee, or agent, or of any ballot proposition committee or its officers or agents, and when such expenditure is made without the prior consent, or the collusion, or the cooperation, of the candidate or his/her agent or political committee, or the ballot proposition committee or its officers or agents, and when such expenditure is not a contribution as defined in ~~((the last sentence of))~~ SMC Section 2.04.010 (13). An independent expenditure is made by a person on the earliest of the following events: (a) the person agrees with a vendor or provider of services to make an independent expenditure; or (b) the person incurs the obligation to make an independent expenditure; or (c) the person pays for an independent expenditure.

\*\*\*

Section 2. Subsection 2.04.160 A(2) of the Seattle Municipal Code is amended as follows:

**2.04.160 Political committees to file statement of organization.**

A.

\*\*\*

2. The officer(s) of each political committee first having the expectation of receiving contributions or making expenditures during and for that election campaign twenty-one (21) or fewer days before an election shall file a statement of organization within ~~((twenty four (24) hours))~~ three (3)



1 business days of the time when they first have the expectation of receiving contributions or making  
2 expenditures.

3 \*\*\*

4 Section 3. Subsection 2.04.180 B of the Seattle Municipal Code is amended as follows:

5 **2.04.180 Contributions by written instrument or credit card – Deposit of contributions in  
6 designated account.**

7 \*\*\*

8 B. 1. All monetary contributions received by a candidate, political committee, campaign  
9 treasurer or deputy campaign treasurer shall be deposited within five (5) business days after receipt by  
10 the campaign treasurer or a deputy campaign treasurer in a campaign depository in an account  
11 established and designated for that purpose. If the deposit is made by a deputy campaign treasurer, the  
12 original or a copy of the deposit shall be forwarded to the campaign treasurer for retention with  
13 campaign records.

14 2. If a candidate or committee is unable to open a bank account in time to make a deposit  
15 within five (5) business days of receipt of contribution, the candidate or committee shall return the  
16 contribution to the contributor no later than five (5) business days after receiving the contribution.

17 \*\*\*

18 Section 4. Section 2.04.220 of the Seattle Municipal Code is amended as follows:

19 **2.04.220 Low-cost fundraising activities – Reports.**

20 A. A campaign treasurer or deputy campaign treasurer may report funds derived from low-cost  
21 fundraising activities as such, in accordance with the provisions of subsection C of this section, in lieu of  
22 reporting such funds pursuant to Section 2.04.210; provided, that:

23 1. The income resulting from the conduct of the activity is derived solely from either: (a)  
24 the retail sale of goods or services at prices that do not exceed a reasonable approximation of the fair



1 market value of each item or service sold at the activity, ~~((or))~~ (b) a gambling operation licensed,  
2 conducted, or operated in accordance with the provisions of RCW Chapter 9.46, or (c) events at which  
3 an entry fee is charged, so long as the total of all the per person entry fees for the campaign's low-cost  
4 fundraiser events held in a single election cycle does not exceed Twenty-five Dollars (\$25); and

5           2. Any such fundraising activity conforms with such other standards as the Commission  
6 may adopt as rules under the Administrative Code (Chapter 3.02) to prevent frustration of the purposes  
7 of this chapter.

8           B. No person responsible for receiving money at such activity shall knowingly accept payment  
9 from a person of more than Twenty-five Dollars (\$25) ~~((or more))~~ unless the name and address of the  
10 person making such payment are obtained for disclosure in the report to be filed pursuant to subsection  
11 C of this section.

12           C. On the report of deposit of the funds derived from a low-cost fundraising activity, in  
13 accordance with Section 2.04.180 , the campaign treasurer or a deputy campaign treasurer making the  
14 deposit shall include the following information:

15           1. The date on which the activity occurred;  
16           2. The location at which the activity occurred;  
17           3. A precise description of the fundraising methods used in the activity;  
18           4. The monetary value of wagers made and prizes distributed for winning wagers, where  
19 appropriate;

20           5. The name and address of each person who contributed goods or services to the  
21 candidate or political committee for sale at the activity if the fair market value of the goods or services  
22 contributed equals more than Twenty-five Dollars (\$25) ~~((or more))~~ in the aggregate from such person,  
23



1 together with a precise description of each item or service contributed and its estimated market value;  
2 and

3 6. The name and address of each person whose identity can be ascertained and who  
4 makes payments to the candidate or political committee at such activity of more than Twenty-five  
5 Dollars (\$25) (~~or more~~)).

6 Section 5. Subsections B, C, D and F of Section 2.04.250 of the Seattle Municipal Code are  
7 amended as follows:

8 **2.04.250 Treasurer's reports -- Procedures.**

9 \*\*\*

10 B. At the following intervals each campaign treasurer shall file with the City Clerk a further  
11 report of the contributions received and expenditures made since the date of the last report:

12 1. On the twenty-first (21st) day and seventh (7th) day immediately preceding the date on  
13 which the election is to be held; and

14 2. On the tenth (10th) day of the first (1st) month after the election; provided, that this  
15 report shall not be required following a primary election from;

16 a. A candidate whose name will appear on the subsequent general election ballot,

17 b. Any continuing political committee; and

18 3. On the tenth (10th) day of each month in which no other reports are required to be filed  
19 under this section prior to the fifteenth (15th) day of the month; provided, that such report shall only be  
20 filed if the committee has received a contribution or made an expenditure in the preceding calendar  
21 month and either the total contributions received or total expenditures made since the last such report  
22 exceed Two Hundred Dollars (\$200);

23 4. In the case of a City general election or a special election held in conjunction with any  
24 general election, the campaign treasurer shall file a final report no later than the tenth (10th) day of May



1 after the date of the general election; and in the case of a special election that is not held in conjunction  
2 with any general election, the final report shall be filed no later than the tenth (10th) day of the sixth  
3 (6th) month after the date of the special election.

4 The period for which activity shall be reported (the "reporting period") in the required reports  
5 shall be as follows:

6 a. The report to be filed twenty-one (21) days before the election shall report all  
7 contributions received and expenditures made from the closing date of the last report filed through the  
8 end of the fifth (5th) business day before the date of the report.

9 b. The report to be filed seven (7) days before the election shall report all  
10 contributions received and expenditures made from the closing date of the last report filed through the  
11 end of one (1) business day before the date of the report.

12 c. Reports which are to be filed on the tenth (10th) day of the month shall report  
13 all contributions received and expenditures made from the closing date of the last report filed through  
14 the last day of the month preceding the date of the report.

15 C. For the period beginning the first (1st) day of the fourth (4th) month preceding the date on  
16 which the special or general election is held and ending on the ~~((Friday))~~ Monday ~~((eleven (11)))~~ eight  
17 (8) days before the date of that election, the campaign treasurer or deputy treasurer shall file with the  
18 City Clerk each ~~((Friday))~~ Monday a report of each contribution deposited during the previous seven (7)  
19 days. On the ~~((Friday))~~ Monday ~~((eleven (11)))~~ eight (8) days before the date of the election and each  
20 day thereafter until and including the date of the election, the campaign treasurer or deputy treasurer  
21 shall file with the City Clerk a report of each deposited contribution on the same day that the deposit is  
22 made in the campaign depository. On the day after the date on which the general or special election is  
23 held and each day thereafter until and including the Tuesday after the date of the election, the campaign  
24



1 treasurer or deputy treasurer shall file with the City Clerk a report of each deposited contribution on the  
2 same day that the deposit is made in the campaign depository if the contributions deposited that day total  
3 Five Hundred Dollars (\$500) or more.

4 D. Each ~~((such))~~ report filed pursuant to this section 2.04.250 shall contain (1) the name and  
5 address of each person making a contribution of more than Twenty-Five Dollars (\$25) or an aggregate  
6 of contributions totaling more than Twenty- Five Dollars (\$25) during the applicable period; (2) the  
7 dollar amount of each such contribution; (3) the aggregate contributed by each such contributor during  
8 the applicable period; and (4) the occupation and the employer's name, city and state of each individual  
9 whose aggregate contributions during the applicable period equal more than One Hundred Dollars  
10 (\$100) ~~((or more))~~. Contributions from any person that total Twenty-Five Dollars (\$25) or less in the  
11 applicable period may be reported by a candidate, candidate committee, ballot proposition committee or  
12 continuing political committee as a lump sum without identifying the contributor(s) by name. The  
13 campaign treasurer shall retain a copy of each report in his or her campaign records. Each record shall  
14 be certified as correct by the campaign treasurer or a deputy campaign treasurer making the deposit.

15 \*\*\*

16 F. All reports filed pursuant to ~~((subsection A or B of))~~ this section shall be certified as correct  
17 by the candidate and the campaign treasurer, except that a report reporting only a deposit may instead be  
18 certified as correct by the candidate or the campaign treasurer or the deputy treasurer who made that  
19 deposit.

20 \*\*\*

21 Section 6. Section 2.04.260 of the Seattle Municipal Code Section is amended as follows:

22 **2.04.260 Treasurer's reports - Contents.**

23 A. Each report required under Section 2.04.250 shall disclose:  
24



1 1. The funds on hand at the beginning of the reporting period;

2 2. The name and address of each person who has made one (1) or more contributions  
3 during the reporting period, together with:

4 a. The money value and date of each contribution,

5 b. The aggregate value of all contributions received from each such person,

6 c. The occupation and the employer's name, city and state of each individual  
7 whose contributions in the aggregate during the applicable period (~~equal to~~) exceed One Hundred  
8 Dollars (\$100).

9 Contributions of Twenty-Five Dollars (\$25) or less in the aggregate from any one  
10 (1) person during the applicable period may be reported as one (1) lump sum so long as the campaign  
11 treasurer maintains a separate list of the contributor's names, addresses, and the amounts of each of their  
12 contributions but if the treasurer does not maintain such a list, then the name, address, and amount of  
13 each contribution shall be reported;

14 3. Each loan, promissory note, or security instrument to be used by or for the benefit of  
15 the candidate or political committee made by any person, together with the names and addresses of the  
16 lender and each person liable directly, indirectly, or contingently and the date and amount of each such  
17 loan, promissory note, or security instrument;

18 4. The name and address of each political committee from which the reporting committee  
19 or candidate received, or to which that committee or candidate made, any transfer of funds, together  
20 with the amounts, dates, and purpose of all such transfers;

21 5. All other contributions not otherwise listed or exempted;



1           6. The name and address of each person to whom one or more expenditures were made in  
2 the aggregate amount of more than Fifty Dollars (\$50) during the reporting period, and the amount, date,  
3 and purpose of each such expenditure;

4           7. The total sum of expenditures;

5           8. The surplus or deficit of contributions over expenditures;

6           9. The disposition made of any surplus of contributions over expenditures;

7           10. Such other information as the Commission requires by rule adopted pursuant to the  
8 Administrative Code in conformance with the policies and purposes of this chapter;

9           11. Funds received from a political committee not domiciled in the state and not  
10 otherwise required to report under this chapter (a "nonreporting committee"). Such funds shall be  
11 forfeited to the state unless the nonreporting committee (~~or the recipient of such funds~~) has filed or  
12 within ten (10) days following such receipt shall file with the City Clerk a statement disclosing:

13                 a. The name and address of the nonreporting committee,

14                 b. The purposes of the nonreporting committee,

15                 c. The names, addresses, and titles of its officers or, if it has no officers, the  
16 names, addresses, and titles of its responsible leaders,

17                 d. A statement whether the nonreporting committee is a continuing one,

18                 e. The name and office sought of each candidate in the City in support of whom  
19 the nonreporting committee made an expenditure,

20                 f. The City ballot proposition concerning which the nonreporting committee made  
21 an expenditure, and whether such committee is in favor of or opposed to such proposition,

22                 g. The name and address of each person residing in the state or corporation which  
23 has a place of business in the state that has made one (1) or more contributions in the aggregate of more  
24



1 than Twenty-Five Dollars (\$25) to the nonreporting committee during the current calendar year, together  
2 with the money value and date of such contributions,

3 h. The name and address of each person in the state to whom an expenditure was  
4 made by the nonreporting committee on behalf of a candidate or political committee, the amount, date  
5 and purpose of such expenditure, and the total sum of such expenditures; and

6 12. Investments made of campaign funds under Section 2.04.215 and interest dividends  
7 and/or other income received.

8 B. The ~~((campaign treasurer and the candidate shall certify the))~~ correctness of each report shall  
9 be certified as required by all applicable laws and ordinances.

10 Section 7. Subsection 2.04.265 A of the Seattle Municipal Code is amended as follows:

11 **2.04.265 Special reports of late contributions totaling over ~~((Five Hundred))~~ One Thousand**  
12 **Dollars -- Certain late contributions prohibited.**

13 A. During the twenty-one (21) day period before the election in which the candidate or  
14 proposition will appear on the ballot, the treasurer or deputy treasurer shall file with the Commission a  
15 special report of each contribution or aggregate of contributions that: (1) equals or exceeds ~~((Five~~  
16 ~~Hundred))~~ One Thousand Dollars ~~(((\$500)))~~ (\$1,000); (2) is from a single person or entity; and (3) is  
17 received during that twenty-one (21) day period or was received before that period began but was not  
18 yet reported. Such report shall be filed electronically ~~((or by facsimile within twenty-four (24) hours~~  
19 ~~of))~~ by 4:30 p.m. the next business day after receipt of the contribution or of the time the aggregate  
20 contributions equal or exceed ~~((Five Hundred))~~ One Thousand Dollars ~~(((\$500)))~~ (\$1,000) or, in the case  
21 of contributions received but not reported prior to the twenty-first day, such report shall be filed by 4:30  
22 p.m. on the twenty-first day prior to the election. Contributions reported under this section shall also be  
23 reported to the City Clerk as required by other provisions of this chapter.



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Section 8. Subsection 2.04.270 A 2 of the Seattle Municipal Code is amended as follows:

**2.04.270 Independent expenditures; contributions to out-of-state committees – Reports.**

A. 1. Every independent expenditure not required to be reported pursuant to Sections 2.04.180 through 2.04.210, 2.04.230, 2.04.250 and 2.04.260 shall be reported pursuant to this subsection A.

2. Each person who makes an independent expenditure that by itself or when added to all other such independent expenditures made by the same person, in connection with the same position or proposition, equals One Hundred Dollars (\$100) or more, or for which no reasonable estimate of monetary value is practicable, shall within five (5) business days of making the independent expenditure or of the date on which the expenditures in the aggregate equal One Hundred Dollars (\$100) or more, whichever occurs first, file with the City Clerk an initial report of all independent expenditures made during such campaign prior to and including such date.

Each person who, within twenty-one (21) days before an election makes an independent expenditure that by itself, or when added to all other independent expenditures made previously during those twenty-one (21) days, exceeds (~~Five Hundred Dollars (\$500))~~ One Thousand Dollars (\$1,000) shall (~~within twenty-four (24) hours of~~) by 4:30 p.m. the next business day after making each such independent expenditure file (~~by facsimile or~~) electronically with the Commission a special report of that independent expenditure.

\*\*\*



1 Section 9. Subsection 2.04.275 B of the Seattle Municipal Code is amended as follows:

2 **2.04.275 Certification of independent expenditures – Special reports of late independent**  
3 **expenditures.**

\*\*\*

4 B. Each person who, within twenty-one (21) days before an election makes an independent  
5 expenditure that by itself, or when added to all other independent expenditures made previously during  
6 those twenty-one (21) days, equals or exceeds (~~((Five Hundred))~~) One Thousand Dollars (~~(((\$500)))~~)  
7 (\$1,000) or has made such an expenditure that has not yet been reported, shall (~~((within twenty-four (24)~~  
8 ~~hours of))~~) by 4:30 p.m. the next business day after making each such independent expenditure file (~~((by~~  
9 ~~facsimile or))~~) electronically with the Commission a special report of that independent expenditure, or, in  
10 the case of expenditures made prior to the twenty-first day, such report will be filed by 4:30 p.m. on the  
11 twenty-first day prior to the election. Expenditures reported under this section shall also be reported to  
12 the City Clerk when and as required by other provisions of this chapter.

13 Section 10. Subsection 2.04.290 B(1) of the Seattle Municipal Code Section is amended as follows:

14 **2.04.290 Identification of contributions and communications.**

\*\*\*

15  
16 B. 1. All (~~((radio, and television))~~) audio and video broadcast political advertising, whether  
17 relating to candidates or ballot propositions, shall include the sponsor's name. All other political  
18 advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and  
19 address. Political advertising paid for by someone other than an agent of the committee that benefits  
20 from the advertising, i.e., in-kind contributions, must state "paid for by..." followed by the name and  
21 address of the person who paid for the advertising, and "sponsored by" followed by the name and  
22 address of the committee(s) that will benefit from the advertising. The use of an assumed name shall be  
23 unlawful.  
24



1 \*\*\*

2 Section 11. Subsection 2.04.370 D(1) of the Seattle Municipal Code Section is amended as follows:

3 **2.04.370 Mandatory limits on contributions.**

4 \*\*\*

5 D. No candidate for Mayor, member of the City Council or City Attorney of the City shall solicit  
6 or receive campaign contributions of more than Six Hundred Dollars (\$600) from any person in any  
7 election cycle; provided:

8 1. a. The limitations imposed by this section shall not apply to a candidate's  
9 contributions of his or her own resources to his or her own campaign, or contributions to the candidate's  
10 campaign by the candidate or the candidate's spouse of assets of their marital community;

11 b. The limitations imposed by this section apply to contributions of the candidate's  
12 spouse's separate property;

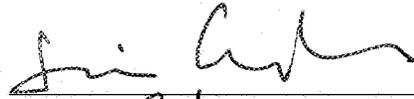
13 \*\*\*

14 Section 12. The amendments made to Section 2.04.250 of the Seattle Municipal Code by Section 5  
15 of this ordinance shall apply to all reports due on or after July 1, 2002.



1 Section 13. This ordinance shall take effect and be in force thirty (30) days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
3 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

4 Passed by the City Council the 17<sup>th</sup> day of June, 2002, and signed by me in open  
5 session in authentication of its passage this 17<sup>th</sup> day of June, 2002.

6   
7 \_\_\_\_\_  
8 President Pro Tempore of the City Council

8 Approved by me this 25<sup>th</sup> day of June, 2002.

9   
10 \_\_\_\_\_  
11 Mayor

12 Filed by me this 25<sup>th</sup> day of June, 2002.

13   
14 \_\_\_\_\_  
15 City Clerk

15 (Seal)

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23  
24





**City Of Seattle**  
**Ethics and Elections Commission**

Carolyn M. Van Noy, Executive Director

June 6, 2002

Council President Peter Steinbrueck  
Council Member Nick Licata, Chair  
Neighborhoods, Arts & Civil Rights Committee  
11<sup>th</sup> Floor, Municipal Building  
600 Fourth Avenue  
Seattle, WA 98104

Re: Proposed Revisions of the Elections Code, SMC 2.04

Dear Council President Steinbrueck and Council Member Licata,

At its June 5, 2002 meeting, the Ethics and Elections Commission voted to recommend the attached revisions to the Elections Code. The attached draft includes explanation boxes before each section. Most of the amendments bring the City into conformity with State law or correct errors. The following revisions do not fall into that category or have other implications:

**SMC 2.04.180: Opening Bank Account Delayed.** If a candidate or committee is unable to open a bank account in time to make deposit within 5 business days of receipt of contribution, the candidate or committee shall return the contribution to the contributor. This states the advice that the Commission staff and the Public Disclosure Commission staff give campaigns who are not able to receive an ID number from the IRS in time to open the account and deposit checks within the 5 business day requirement. It gives campaigns notice of the possible consequences of accepting contributions before opening a bank account.

**SMC 2.04.220: Low Cost Fundraiser Events.** Add an option to hold events at which an entry fee is charged, so long as the total of all the per person entry fees for the campaign's low cost fundraiser events held in a single election cycle does not exceed \$25. For example: a campaign could hold five (5) low cost fundraisers with a ticket price of \$5 each, or, two (2) events at \$10 and one (1) event at \$5, or, one (1) event at \$25. This change was requested by the campaigns that are not able to raise large amounts from individual contributors and will help them participate in the election process.

**SMC 2.04.250: July C-4.** File a July C-4 on August 10 in Election Year. Currently campaigns file a C-4 on July 10 reporting June's activity and then not again until the last week in August (21 days before the Primary) for approximately seven weeks of activity from July 1 through the third week in August (4 weeks before the Primary). After filing the June C-4, the C-4 reporting schedule for candidates or issues on the Primary Ballot Sept. 17 would be as follows:

July 1 – July 31	Due August 12 (10 <sup>th</sup> falls on a Saturday)
Aug. 1 – Aug. 20	Due on August 27 (21 days before the election)
Aug. 21 – Sept. 9	Due Sept. 10 (7 days before the election)

Continue filing pursuant to SMC 2.04.250.

This revision closes a six week hole in reporting, when during the previous months, campaigns reported every four weeks.





City Of Seattle

**Ethics and Elections Commission**

Carolyn M. Van Noy, Executive Director

**SMC 2.04.250 and SMC 2.04.260: Occupation & Employer Threshold.** Change threshold for reporting occupation and employer from "\$100 or more" to "more than \$100." This will bring the City Code into conformity with State law. It will reduce the burden on treasurers in that they have fewer occupations and employers to report. I have highlighted it here, however, because **Commission staff estimates that one-third of the data that City campaigns provide regarding the occupation and employer of contributors will no longer be required. Nonetheless, the Commission staff and the Commission are recommending this change to conform with State law and because the treasurers who responded to our inquiries unanimously asked that we make this change.**

**SMC 2.04.265: Special Reports Due by 4:30 p.m. next business day.** Change the times for reporting the Special Late Reports from within twenty-four hours of receipt to before 4:30 p.m. the next business day. This was requested by the campaigns because many volunteer treasurers complete campaign finance reports after 5:00 PM on the day of receipt and find it hard to file the reports within 24 hours of receipt. It also gives those campaigns who receive funds on Friday the weekend to complete and file the reports. This change will not appreciably diminish disclosure.

**SMC 2.04.370(D)(1): Contribution Limit—Candidate's Spouse.** Since candidates can use an unlimited amount of their own resources to fund their campaigns, we believe it makes no sense to limit the candidate's spouse when he or she contributes from the same pool of funds that the candidate would use.

These recommendations are on the June 11, 2002 meeting agenda of the Neighborhoods, Arts & Civil Rights Committee. I will attend that meeting to provide further clarification or to answer questions. Please let me know if I can provide further assistance in advance of that meeting.

Yours truly,

Carolyn M. Van Noy,  
Executive Director

cc: Seattle Ethics and Elections Commission



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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146832  
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120831/ORD IN FULL

was published on

7/1/2002

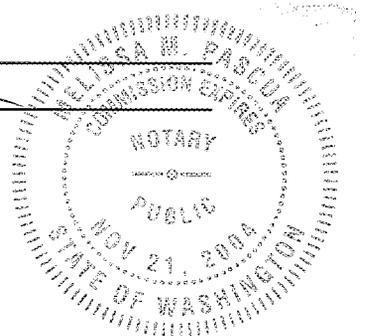
G. Stedman

Subscribed and sworn to before me on

7/2/2002

Melissa W. Pascoe  
Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication



# State of W

## City of Seattle ORDINANCE 126831

AN ORDINANCE relating to election campaigns; amending various sections in Chapter 2.04 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 2.04.010(21) of the Seattle Municipal Code is amended as follows:

### 2.04.010 Definitions

21. "Independent expenditure" means expenditure on behalf of, or opposing the election of, any candidate, or any City ballot proposition, when such expenditure is made independently of the candidate, his/her political committee, or agent, or of any ballot proposition committee or its officers or agents, and when such expenditure is made without the prior consent, or the collusion, or the cooperation, of the candidate or his/her agent or political committee, or the ballot proposition committee or its officers or agents, and when such expenditure is not a contribution as defined in ~~(the last sentence of)~~ SMC Section 2.04.010 (13). An independent expenditure is made by a person on the earliest of the following events: (a) the person agrees with a vendor or provider of services to make an independent expenditure; or (b) the person incurs the obligation to make an independent expenditure; or (c) the person pays for an independent expenditure.

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2.04.160 Political committees to file statement of organization.

### A.

2. The officer(s) of each political committee first having the expectation of receiving contributions or making expenditures during and for that election campaign twenty-one (21) or fewer days before an election shall file a statement of organization within ~~(the last sentence of)~~ three (3) business days of the time when they first have the expectation of receiving contributions or making expenditures.

Section 3. Subsection 2.04.180 B of the Seattle Municipal Code is amended as follows:

2.04.180 Contributions by written instrument or credit card - Deposit of contributions in designated account.

B. 1. All monetary contributions received by a candidate, political committee, campaign treasurer or deputy campaign treasurer shall be deposited within five (5) business days after receipt by the campaign treasurer or a deputy campaign treasurer in a campaign depository in an account established and designated for that purpose. If the deposit is made by a deputy campaign treasurer, the original or a copy of the deposit shall be forwarded to the campaign treasurer for retention with campaign records.

2. If a candidate or committee is unable to open a bank account in time to make a deposit within five (5) business days of receipt of contributions, the candidate or committee shall return the contribution to the contributor no later than five (5) business days after receiving the contribution.

Section 4. Section 2.04.230 of the Seattle Municipal Code is amended as follows:

tion.

The period for which activity shall be reported (the "reporting period") in the required reports shall be as follows:

a. The report to be filed twenty-one (21) days before the election shall report all contributions received and expenditures made from the closing date of the last report filed through the end of the fifth (5th) business day before the date of the report.

b. The report to be filed seven (7) days before the election shall report all contributions received and expenditures made from the closing date of the last report filed through the end of one (1) business day before the date of the report.

c. Reports which are to be filed on the tenth (10th) day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the report.

C. For the period beginning the first (1st) day of the fourth (4th) month preceding the date on which the special or general election is held and ending on the ~~(seventh)~~ Monday ~~(seventy-two)~~ eight (8) days before the date of that election, the campaign treasurer or deputy treasurer shall file with the City Clerk each ~~(seventy)~~ Monday a report of each contribution deposited during the previous seven (7) days. On the ~~(seventy)~~ Monday ~~(seventy-two)~~ eight (8) days before the date of the election and each day thereafter until and including the date of the election, the campaign treasurer or deputy treasurer shall file with the City Clerk a report of each deposited contribution on the same day that the deposit is made in the campaign depository. On the day after the date on which the general or special election is held and each day thereafter until and including the Tuesday after the date of the election, the campaign treasurer or deputy treasurer shall file with the City Clerk a report of each deposited contribution on the same day that the deposit is made in the campaign depository if the contributions deposited that day total Five Hundred Dollars (\$500) or more.

D. Each ~~(seventy)~~ report filed pursuant to this section 2.04.250 shall contain (1) the name and address of each person making a contribution of more than Twenty-Five Dollars (\$25) or an aggregate of contributions totaling more than Twenty-Five Dollars (\$25) during the applicable period; (2) the dollar amount of each such contribution; (3) the aggregate contributed by each such contributor during the applicable period; and (4) the occupation and the employer's name, city and state of each individual whose aggregate contributions during the applicable period equal more than One Hundred Dollars (\$100) ~~(see above)~~. Contributions from any person that total Twenty-Five Dollars (\$25) or less in the applicable period may be reported by a candidate, candidate committee, ballot proposition committee or continuing political committee as a lump sum without identifying the contributor(s) by name. The campaign treasurer shall retain a copy of each report in his or her campaign records. Each record shall be certified as correct by the campaign treasurer or a deputy campaign treasurer making the deposit.

F. All reports filed pursuant to ~~(seventy-two)~~ this section shall be certified as correct by the candidate and the campaign treasurer, except that a report regarding only a deposit may instead be certified as correct by the candidate or the campaign treasurer or the deputy treasurer who made that deposit.

Section 5. Section 2.04.260 of the Seattle Municipal Code Section is amended as follows:

2.04.260 Treasurer's reports - Contents.

A. Each report required under Section 2.04.250 shall disclose:

1. The funds on hand at the beginning of the reporting period;
2. The name and address of each person who has made one (1) or more contributions during the reporting period, together with:
  - a. The money value and date of each contribution;
  - b. The aggregate value of all contributions received from each such person;
  - c. The occupation and the employer's name, city and state of each individual whose contributions in the aggregate during the applicable period ~~(seventy-two)~~ exceed One Hundred Dollars (\$100).

Contributions of Twenty-Five Dollars (\$25) or less in the aggregate from any one (1) person during the applicable period may be reported as one (1) lump sum so long as the campaign treasurer maintains a separate list of the contributor's names, addresses, and the amounts of each of their contributions but if the treasurer does not maintain such a list,

(\$1,000) or, in the case of contributions received but not reported prior to the twenty-first day of the month preceding the election, such report shall be filed by 4:30 p.m. on the twenty-first day prior to the election. Contributions reported under this section shall also be reported to the City Clerk as required by other provisions of this chapter.

Section 8. Subsection 2.04.270 A 2 of the Seattle Municipal Code is amended as follows:

2.04.270 Independent expenditures; contributions to out-of-state committees - Reports.

A. 1. Every independent expenditure not required to be reported pursuant to Sections 2.04.180 through 2.04.210, 2.04.230, 2.04.250 and 2.04.280 shall be reported pursuant to this subsection A.

2. Each person who makes an independent expenditure that by itself or when added to all other such independent expenditures made by the same person, in connection with the same position or proposition, equals One Hundred Dollars (\$100) or more, or for which no reasonable estimate of monetary value is practicable, shall within five (5) business days of making the independent expenditure or of the date on which the expenditures in the aggregate equal One Hundred Dollars (\$100) or more, whichever occurs first, file with the City Clerk an initial report of all independent expenditures made during such campaign prior to and including such date.

Each person who, within twenty-one (21) days before an election makes an independent expenditure that by itself, or when added to all other independent expenditures made previously during those twenty-one (21) days, exceeds ~~(Five Hundred Dollars (\$500))~~ One Thousand Dollars (\$1,000) shall ~~(within twenty-four (24) hours of)~~ by 4:30 p.m. the next business day after making each such independent expenditure file ~~(by electronic means)~~ electronically with the Commission a special report of that independent expenditure.

Section 9. Subsection 2.04.275 B of the Seattle Municipal Code is amended as follows:

2.04.275 Certification of independent expenditures - Special reports of late independent expenditures.

B. Each person who, within twenty-one (21) days before an election makes an independent expenditure that by itself, or when added to all other independent expenditures made previously during those twenty-one (21) days, equals or exceeds ~~(Five Hundred Dollars (\$500))~~ One Thousand Dollars ~~((\$1,000))~~ (\$1,000) or has made such an expenditure that has not yet been reported, shall ~~(within twenty-four (24) hours of)~~ by 4:30 p.m. the next business day after making each such independent expenditure file ~~(by electronic means)~~ electronically with the Commission a special report of that independent expenditure, or, in the case of expenditures made prior to the twenty-first day, such report will be filed by 4:30 p.m. on the twenty-first day prior to the election. Expenditures reported under this section shall also be reported to the City Clerk when and as required by other provisions of this chapter.

Section 10. Subsection 2.04.290 B(1) of the Seattle Municipal Code Section is amended as follows:

2.04.290 Identification of contributions and communications.

B. 1. All ~~(radio and television)~~ audio and video broadcast political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name. All other political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address. Political advertising paid for by someone other than an agent of the committee that benefits from the advertising, i.e., in-kind contributions, must state "paid for by" followed by the name and address of the person who paid for the advertising and "sponsored by" followed by the name and address of the committee(s) that will benefit from the advertising. The use of an assumed name shall be unlawful.

Section 11. Subsection 2.04.370 D(1) of the Seattle Municipal Code Section is amended as follows:

2.04.370 Mandatory limits on contributions.

D. No candidate for Mayor, member of the City Council or City Attorney of the City shall solicit or receive campaign contributions of more than Six Hundred Dollars (\$600) from any person in any election cycle, provided:

1. a. The limitations imposed by this section shall not apply to a candidate's contributions of his or her own resources to his or her own campaign, or contribu-