

**CITY OF SEATTLE**  
**ORDINANCE** \_\_\_\_\_  
COUNCIL BILL 118300

AN ORDINANCE related to reports of campaign contributions from continuing political committees; amending Seattle Municipal Code Sections 2.04.230 and 2.04.155.

WHEREAS, one of the chief purposes of Seattle's Election Campaign Contributions Code is to provide information on the contributions and expenditures made by political committees to Seattle candidates and ballot propositions; and,

WHEREAS, continuing political committees that are primarily active in State campaigns and contribute little to Seattle candidates and ballot proposition committees still must file monthly reports with the Seattle Ethics and Elections Commission; and,

WHEREAS, for those continuing political committees that make only a few contributions to City of Seattle candidates and ballot proposition committees, the City has determined that filing with the Seattle Ethics and Elections Commission does not advance the public's knowledge to an extent that outweighs the burden on those committees; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Seattle Municipal Code Section 2.04.230, which was last amended by Ordinance 123070, is amended as follows:

**2.04.230 Continuing political committee ----- ((R))reports.**

A. In addition to the provisions of this section, a continuing political committee shall file and report on the same conditions and at the same times as any other committee in accordance with the provisions of Sections 2.04.160 through 2.04.210. However, continuing political committees that contribute no more than ten times the total amount of the contribution limit established under SMC 2.04.370 to candidate or ballot measure committees in any election cycle, make no other contributions or expenditures in support

1 of or opposition to Seattle candidates or ballot measures in that election cycle, and make  
2 timely and accurate filings with the PDC, are exempt from the remainder of the filing and  
3 reporting provisions in this section 2.04.230 for that election cycle.

4 \* \* \*

5 Section 2. Seattle Municipal Code Section 2.04.155, which was last amended by  
6 Ordinance 123070, is amended as follows:

7 **2.04.155 Electronic filing required -- ~~(E)~~exemption.**

8 A. Each candidate or political committee that expects to receive or receives  
9 ~~((\\$10,000))~~ \\$5,000 or more in aggregate contributions during the applicable period must  
10 file all reports required by this chapter with the City Clerk by electronic transmission of  
11 the required information. All political committees that (1) are neither ballot proposition  
12 nor candidate political committees, and (2) expect to make contributions or expect to  
13 make expenditures, including independent expenditures of \$5,000 or more, in the  
14 aggregate during the applicable period, to or for the benefit of candidates or candidate  
15 political committees or to or for the benefit of ballot proposition political committees  
16 must file all reports required by this chapter with the City Clerk by electronic  
17 transmission. The electronic format of the filing and the method of transmission shall  
18 meet requirements designated in rules adopted by the Commission. In addition, each  
19 political committee that files electronically with the PDC and is not exempt from filing  
20 reports under SMC 2.04.230 must file electronically with the City Clerk.  
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1 B. The Executive Director may exempt a candidate or a committee from the  
2 requirements of this section where the candidate or the committee has shown that the  
3 requirements constitute an undue burden.

4 Section 3. This ordinance shall take effect and be in force 30 days from and after its  
5 approval by the Mayor, but if not approved and returned by the Mayor within ten days after  
6 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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8 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2015, and  
9 signed by me in open session in authentication of its passage this  
10 \_\_\_\_ day of \_\_\_\_\_, 2015.

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13 \_\_\_\_\_  
14 President \_\_\_\_\_ of the City Council

15 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

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17 \_\_\_\_\_  
18 Edward B. Murray, Mayor

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20 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2015.

21  
22 \_\_\_\_\_  
23 City Clerk

24 (Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
SEEC	Wayne Barnett/4-8577	Linda Taylor-Manning, 4-8376

**Legislation Title:**

AN ORDINANCE related to reports of campaign contributions from continuing political committees; amending Seattle Municipal Code Sections 2.04.230 and 2.04.155.

**Summary of the Legislation:**

This legislation would exempt political committees that do not meet a threshold totaling ten times the City's contribution limit from filing campaign finance reports with the City.

**Background:**

Under existing City law, a political committee that makes even a single contribution or expenditure in support of a City candidate must begin filing all campaign finance reports with the City. This legislation would establish a minimum threshold for activity triggering a requirement that a committee file all reports with the City.

**X** **This legislation does not have any financial implications.**

**Other Implications:**

a) **Does the legislation have indirect financial implications, or long-term implications?**

No.

b) **What is the financial cost of not implementing the legislation?**

N/A.

c) **Does this legislation affect any departments besides the originating department?**

No.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

N/A.

e) **Is a public hearing required for this legislation?**

No.

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

g) **Does this legislation affect a piece of property?**

No.

h) **Other Issues:**

N/A.

**List attachments to the fiscal note below:**



# City of Seattle

Ethics and Elections Commission

December 17, 2014

Council President Tim Burgess  
Chair, Education and Governance Committee  
City Hall  
Seattle, WA 98104

Dear Council President Burgess:

At its November 5, 2014 meeting, the Commission unanimously endorsed the two attached pieces of legislation, both of which would make changes to the Elections Code.

The first piece of legislation makes primarily technical changes to the law, and was prompted by the recodification of RCW Chapter 42.17 as RCW Chapter 42.17A. It also eliminates the \$5,000 cap on contributions in the final 21 days before Election Day, a provision of the law held unconstitutional by the 9<sup>th</sup> Circuit Court of Appeals in *Family PAC v. McKenna* (2011). Finally, the proposed amendments would harmonize the State and City law on sponsor identification.

The other piece of legislation frees continuing political committees – commonly called PACs – from filing with the City if their sole involvement in City elections consists of contributions that do not exceed, in the aggregate, ten times the contribution limit. At present, there are approximately 40 PACs registered with the Commission, many of which do not participate in City elections to an extent that the Commission believes merit the filing of regular reports with the City.

With the 2015 elections on the horizon, the Commission urges that these bills be taken up as expeditiously as possible, so that prospective candidates and PACs will have time to familiarize themselves with the changes to the law as they begin to make plans for next year.

Very truly yours,

Wayne Barnett  
Executive Director

Enclosures

cc: Seattle Ethics and Elections Commission