

1 August 2, 1988
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INTRODUCED BY: Gary Grant
Lois North

PROPOSED NO. 87-785

3
4 ORDINANCE NO. **8627**

5 AN ORDINANCE relating to the use of money
6 for political contributions to King County
7 elections by charitable organizations and
8 establishing penalties.

9 PREAMBLE:

10 It is vital to the interest of the citizens of King County
11 to insure the integrity of our system of representative
12 democracy and the trust of citizens in the integrity of
13 the electoral process. To this end the people of the
14 state of Washington have passed Initiative 276
15 establishing a comprehensive program of disclosure for
16 campaign finances.

17 It is inconsistent with the goals of that law to tolerate
18 the potential for abuses if large sums of money can be
19 raised from the public by charitable organizations and
20 then used for political contributions completely outside
21 present disclosure laws. Such practices could allow the
22 identity of individual contributors to be hidden from the
23 public view, undermining full campaign disclosure which is
24 the foundation of open and honest government.

25 Further, individuals providing charitable donations should
26 have confidence that funds given to charity will not be
27 used for political campaigns without their knowledge or
28 permission. No individual should out of generosity for
29 charity become an involuntary contributor to a political
30 campaign not of his or her own choosing.

31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

32 SECTION 1. Definitions. A. "Charitable Organization" means
33 any entity required to register as a charitable organization under
RCW 19.09.65 except those specifically excluded by this section.
For purpose of this ordinance "Charitable Organization" shall
exclude any entity which meets all of the following requirements:

1. The organization has formed a political committee subject
to RCW 42.17;

2. The political committee has met all filing requirements
of RCW 42.17; and

3. The charitable organization uses a clearly identified
political committee as the exclusive sponsor for any solicitation
for funds for campaign contributions.

1 B. "Contribution" means the loan, gift, deposit,
2 subscription, forgiveness of indebtedness, donation, advance,
3 pledge, payment, transfer of funds between political committees,
4 or transfer of anything of value for less than full consideration,
5 excluding unpaid and voluntary personal and professional services.
6 For purposes of this ordinance, contributions other than money or
7 its equivalents shall be deemed to have a money value equivalent
8 to the fair market value of the contribution. Sums paid for
9 tickets to fund-raising events such as dinners and parties are
10 contributions; however, the amount of any such contribution may
11 be reduced for the purpose of complying with the reporting require-
12 ments of this ordinance, by the actual cost of consumables furnished
13 in connection with the purchase of the tickets, and only the excess
14 over the actual cost of the consumables shall be deemed a
15 contribution.

16 C. "Entity" means an individual, organization, group,
17 association, partnership, corporation, or agency, or any
18 combination thereof.

19 D. "General public" or "public" means any individual residing
20 in Washington state without a membership or other official
21 relationship with a charitable organization prior to solicitation
22 by the charitable organization.

23 E. "King County elected office and ballot measures" means
24 the offices of King County executive, King County council, King
25 County assessor, King County prosecuting attorney, King County
26 superior court or King County district court judge and any pro-
27 position or question submitted to voters of King County.

28 F. "Solicitation" shall be defined in KCC 6.76.010(H).

29 SECTION 2. Contributions covered. All charitable
30 organizations shall comply with disclosure provisions of Section 3
31 prior to making a contribution for purposes of supporting,
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1 assisting, or opposing any campaign for any King County elected
2 office or ballot measure. Contributions made for such purposes
3 include contributions to any candidate, campaign committee,
4 political committee, political party, or organization.

5 SECTION 3. Disclosure required. Before any charitable
6 organization may make a contribution or spend money collected by
7 the organization for political purposes for the elected offices
8 covered in Section 2, it shall file with the manager of the King
9 County division of records and elections an affidavit signed under
10 oath by an authorized official of the entity containing or
11 establishing the following:

12 A. All contributions from the general public to be used for
13 part or all of the campaign contribution were authorized by the
14 donors to be used for campaign contributions for King County
15 elected offices.

16 B. A written authorization that the money may be used for
17 campaign contributions by each donor is on file at the charitable
18 organization's primary office.

19 C. The contributions are kept in a separate segregated
20 political fund.

21 D. A list of the names and addresses of all donors and the
22 amounts donated.

23 SECTION 4. Contribution reporting. Within five business days
24 of making any contribution covered in Section 2, the organization
25 shall file with the manager of the King County division of records
26 and elections an affidavit under oath stating the amount of the
27 contributions given and the recipients.

28 SECTION 5. Authorizations retained. The executed
29 authorizations required in Section 3 shall be kept on file
30 available for public inspection for a minimum of four years from
31 the date of the election in which the funds were used.
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1 SECTION 6. Violation. Any person who violates any provision
2 of this ordinance is guilty of a misdemeanor punishable by
3 imprisonment of up to a maximum term of 90 days or a fine in an
4 amount of not more than five hundred dollars per violation or both
5 such imprisonment and fine.

6 SECTION 7. Should any section, subsection, paragraph,
7 sentence, clause or phrase of this ordinance be declared
8 unconstitutional or invalid for any reason, such decision shall
9 not affect the validity of the remaining portion of this ordinance.

10 INTRODUCED AND READ for the first time this 26th day of
11 October, 1987.

12 PASSED this 22nd day of August, 1988.

14 KING COUNTY COUNCIL
15 KING COUNTY, WASHINGTON

17 Amy Grant
18 Chair

19 ATTEST:

21 Janeth M. Owens
22 Clerk of the Council

23 APPROVED this 2nd day of September, 1988.

24 Ann Hill
25 King County Executive