

March 6, 1997

Introduced By: Kent Pullen

Sheriff Code Revisions

Proposed No.: 97-133

ORDINANCE NO. **12662**

AN ORDINANCE relating to campaign contributions for the county sheriff and amending Ordinance 11348, Sections 1, 3, 4, and 6, King County Code 1.05.010, 1.05.030, 1.05.040 and 1.05.115, Ordinance 8627, Section 1 and King County Code 1.06.010, as amended, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11348, Section 1 and King County Code 1.05.010, is

hereby amended as follows:

Findings of fact.

A. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the integrity of the political process. Therefore, the county election process and county government should be protected from undue influence by individuals and groups making large contributions to the election campaigns of candidates for executive, county council, sheriff, and assessor.

B. The county finds that, in the interest of the public health, safety and welfare, it is necessary to safeguard the confidence in the political process. Therefore, the county election process and county government should be protected from even the appearance of undue influence by individuals or groups contributing to candidates for executive, county council, sheriff, and assessor. The confidence of the public in a fair and democratic election process is vital. In the high cost of election campaigning, there can be the problem of improper influence, real or perceived, exercised by campaign contributors over elected officials. It is the policy of this county to foster broad-based citizen involvement in financing election campaigns. The county further finds that public confidence can also be enhanced by broadening public disclosure requirements with respect to the transfer and use of surplus campaign funds.

C. The county therefore finds that limitations on contributions of money, services and materials by individuals or groups to county election campaigns should be imposed by law to protect the public health, safety, welfare and the integrity of the political process.

1 These limitations, however, should be reasonable, so as not to discourage personal  
2 expression.

3 D. The county, therefore, finds it is in the public interest to encourage the widest  
4 participation of the public in the electoral process, to reduce the dependence of candidates on  
5 large contributions and to increase public knowledge of the candidates and of election issues.  
6 The county finds that campaign expenditure limitations are in the best interest of the public.  
7 Recognizing that public matching funds for campaign purposes are necessary for voluntary  
8 expenditure limitations to be successful and voluntary programs are the only limitations  
9 constitutionally permissible, the council finds a program of public matching funds should be  
10 established. The council recognizes, however, that effective December 3, 1992, Washington  
11 Initiative 134 passed by the voters at the November 3, 1992 general election prohibits the use  
12 of public funds to finance political campaigns for state or local office.

13 SECTION 2. Ordinance 11348, Section 3 and King County Code 1.05.030, is  
14 hereby amended as follows:

15 Application. These limits shall apply only to candidates in any primary, general or  
16 special election for the offices of King County executive, council, sheriff, and assessor.

17 SECTION 3. Ordinance 11348, Section 4 and King County Code 1.05.040, is  
18 hereby amended as follows:

19 Mandatory limitations on contributions.

20 A. No person other than a political committee shall make contributions during the  
21 election cycle totaling more than six hundred fifty dollars in the aggregate to any candidate  
22 for executive, county council, sheriff, or assessor, nor shall any political committee make  
23 contributions during the election cycle totaling more than one thousand dollars in the  
24 aggregate to any candidate for executive, county council, sheriff, or assessor.

25 B. No candidate for executive, county council, sheriff, or assessor shall accept or  
26 receive during the election cycle campaign contributions totaling more than six hundred fifty  
27 dollars in the aggregate from any person other than a political committee, nor shall any such  
28 candidate accept or receive during the election cycle campaign contributions totaling more  
29 than one thousand dollars in the aggregate from any political committee.

30 C. The limitations in this section shall not apply to:

1           1. A candidate's contributions of his/her own resources to his/her own  
2 campaign; the limitations imposed by this section shall apply to the contributions of all  
3 others; and

4           2. Independent expenditures as defined by this chapter; and

5           3. The value of in-kind labor; and

6           4. Contributions to or expenditures from public office funds made consistent  
7 with the provisions of RCW 42.17.243.

8           D. Surplus campaign funds, as defined in RCW 42.17.030, from a candidate's prior  
9 campaign and contributions received by a candidate in connection with a campaign for  
10 another office may be used by that candidate for the candidate's current campaign only to the  
11 extent that such funds are derived from contributions that were within the dollar limitations  
12 imposed by this chapter. If such funds are from a campaign not governed by this chapter, a  
13 candidate may use only so much of each contribution previously received as would have been  
14 allowable as a contribution under this chapter if it had applied to that campaign. The source  
15 of a candidate's surplus campaign funds shall be determined to be derived from the most  
16 recent contributions received by such candidate or that candidate's political committee which  
17 in total equal the amount of the surplus campaign funds. A candidate must file a statement  
18 with the records and elections division and the Public Disclosure Commission which  
19 identifies any funds used pursuant to this section. The statement shall include the following  
20 information for each amount transferred: The original contributor, original date of  
21 contribution, amount originally contributed, and the portion of each contribution transferred  
22 to the current campaign.

23           SECTION 4. Ordinance 11348, Section 6 and King County Code 1.05.115, is  
24 hereby amended as follows:

25           Rules. Ordinance 10742 adopted rules relating to campaign contribution limitations  
26 with respect to political campaigns for the offices of King County executive, council, and  
27 assessor and these rules remain in effect as amended by Ordinance 11348 and also apply to  
28 the office of county sheriff.

29           SECTION 5. Ordinance 8267, Section 1 and King County Code 1.06.010, is hereby  
30 amended as follows:

## 1 Definitions.

2 A. "Charitable Organization" means any entity required to register as a charitable  
3 organization under RCW 19.09.065 except those specifically excluded by this section. For  
4 purpose of this section "Charitable Organization" shall exclude any entity which meets all of  
5 the following requirements:

- 6 1. The organization has formed a political committee subject to RCW 42.17;
- 7 2. The political committee has met all filing requirements of RCW 42.17, and
- 8 3. The charitable organization uses a clearly identified political committee as  
9 the exclusive sponsor for any solicitation for funds for campaign contributions.

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

20 C. "Entity" means an individual, organization, group, association, partnership,  
21 corporation, or agency, or any combination thereof.

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

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

29 F. "Solicitation" shall be as defined in K.C.C. 6.76.010H.

1            SECTION 6. The county council finds as a fact and declares that an emergency  
2 exists and that this ordinance is necessary for the immediate preservation of public peace,  
3 health or safety or for the support of county government and its existing public institutions.

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6  
7            INTRODUCED AND READ for the first time this 24<sup>th</sup> day of

8            February, 1997

9            PASSED by a vote of 11 to 0 this 10<sup>th</sup> day of March

10           1997

11           KING COUNTY COUNCIL  
12           KING COUNTY, WASHINGTON

13           \_\_\_\_\_  
14           Chair *Gene Hague*

15           ATTEST:

16           \_\_\_\_\_  
17           Clerk of the Council *Gerald G. Peterson*

18           APPROVED this 20 day of MARCH, 1997.

19           \_\_\_\_\_  
20           King County Executive *Spencer A. ...*

21           Attachments: None