

**Document Code No.:** ELE-9-3-3-PR

**Title:** Campaign Contributions Limitations with Respect to Political Campaigns for County Offices

**Effective Date:** January 15, 2021

**Authorities:** K.C.C. 1.05.115

**Keywords:** Political Committees, Campaign Contributions, Election Cycle, Surplus Campaign Funds

**Sponsoring Agency:** King County Elections



**King County**

**Signature:**

*Julie Wise*

**Date signed:**

12/16/2020

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## I. Purpose

This rule implements the County Campaign Contribution Ordinance, codified as K.C.C. Chapter 1.05, through the establishment of necessary administrative rules.

### Applicability and Audience

This rule applies to:

1. All candidates for the offices of King County Council, Executive, Sheriff and Assessor;
2. Campaign committees in support of candidates for the foregoing county elective offices; and
3. King County Department of Elections.

## II. Definitions

The terms used in this document shall have the regular meaning as used in normal correspondence, except as otherwise defined by K.C.C. 1.05.020.

## III. Policy

### A. Objectives

1. King County has promulgated a Campaign Contribution Law, codified in K.C.C. 1.05, which established policies designed to protect the county elective offices from undue influence by individuals and groups making large contributions to the election campaigns of candidates for Executive, County Council, Sheriff, and Assessor.
2. Limitations on contributions of money, services and materials by individuals or groups to county election campaigns are imposed by law to protect the public health, safety, welfare, and the integrity of the process.

### B. Organization and Administration

1. The responsible agency shall be the Department of Elections and shall be responsible for implementing policies covered in K.C.C. 1.05.
2. Within the Department of Elections, there is established a Campaign Contribution Program under the authority of the Director of Elections.

**C. Mandatory Limitations on Contributions**

1. *Election Cycle Contributions from Persons or Political Committees.* All persons or political committees are prohibited from making contributions during the election cycle totaling more than \$1,200 in the aggregate to any candidate for King County Council, Executive, Sheriff, or Assessor.
2. *Acceptance of Contributions by County Office Candidates from Persons or Political Committees.* No candidate for King County Council, Executive, Sheriff, or Assessor shall accept or receive in an election cycle campaign contributions totaling more than \$1,200 in the aggregate from persons or political committees.
3. *Exceptions.* The limitations imposed by this section shall not apply to:
  - a. A candidate's contributions of his/her own resources to his/her own campaign;
  - b. Independent expenditures as defined in K.C.C. 1.05;
  - c. The value of in-kind labor; and
  - d. Contributions to or expenditures from public office funds made consistent with the provisions of RCW 42.17.243.

**D. Surplus Campaign Funds/Contributions Received by Candidates in Connection with a Campaign for Another Office**

1. In addition to the requirements imposed by state and federal law, the following restrictions apply to the use of surplus campaign funds:
  - a. Surplus campaign funds, as defined by R.C.W. 42.17.020, from a candidate's prior campaign, and contributions received by candidates in connection with a campaign for another office, may be used by that candidate for the candidate's current campaign only to the extent that such funds are derived from contributions that were within the dollar limitations imposed by K.C.C. 1.05.
  - b. If such funds are from a campaign which is not governed by K.C.C. 1.05, a candidate may use only so much of each contribution previously received as would have been allowable as a contribution under K.C.C. 1.05 if it had applied to that campaign. The source of such funds shall be determined to be derived from the most recent contributions received by

such candidate or that candidate's political committee which in total equal the amount of such funds.

c. A candidate must file a statement with the Department of Elections which identifies any surplus funds which are transferred to the candidate's current campaign and which must include the following information:

- i. The original contributor;
- ii. The original date of the contribution;
- iii. The amount originally contributed; and
- iv. The portion of each contribution transferred to the current campaign.

#### **E. Compliance**

1. Department of Elections staff shall review copies of PDC Form "C" series reports submitted by candidates to the King County Department of Elections to determine compliance with the campaign limitation provisions of K.C.C. 1.05.

2. In the event that a candidate's acceptance of contributions exceeds the campaign contribution limitations, Elections staff will generate an Internal Overage Report (campaign contribution). Candidates will be notified to correct any discrepancies and must do so within five business days of such notification, supported by a memorandum of correction addressed to the Department of Elections, Campaign Contribution Program, 919 SW Grady Way, Renton, WA 98057 or faxed to the above at 206-296-0108. (If faxing, please call 206-296-1565 to confirm receipt.)

If left unresolved following that period, a written notification of the overage will be sent to the candidate by certified mail with a copy to the King County Prosecuting Attorney. If not resolved within five business days of the receipt of the certified letter, the manager will forward the information, with supporting documents, to the Prosecuting Attorney for appropriate action as provided below.

#### **F. Penalties**

The violation or failure to comply with the provisions of K.C.C. 1.05 and these rules shall constitute a civil violation as provided for in K.C.C. 1.05.120.

#### **G. Responsibilities**

1. Candidates for the offices of King County Council, Executive, Sheriff, and Assessor must complete and file public disclosure reports as required by state



law and regulations and as further supplemented by these rules and comply with contribution limitations.

2. Department of Elections staff shall provide written responses resolving questions of a procedural nature that are not expressly addressed in these rules.

#### **IV. Implementation Plan**

A. This rule becomes effective for King County Elections on January 15, 2021. King County Elections is responsible for implementation of this policy.

#### **V. Maintenance**

A. This rule will be maintained by King County Elections, or its successor agency.

**Appendices:** None