



Legislation Text

File #: 2012-0090, **Version:** 3

AN ORDINANCE relating to King County's code of ethics; authorizing elected officials, or employees who are acting on behalf of elected officials, to solicit and receive public office fund contributions; adding a new section to K.C.C. chapter 3.04 and adding a new section to K.C.C. chapter 2.80.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. As part of their official county duties, county office holders are often called upon to participate in various official events and functions and to undertake certain official duties and related activities that might involve expense to the county or to the individual office holders.

B. Such expenses include, among other matters, costs of travel, meals, accommodations, event admissions and gifts presented on behalf of the county or a county official in recognition of services or to promote goodwill.

C. While expenses of this nature are nominal in terms of the overall county budget and may not always be subject to public reimbursement, they nonetheless can result in additional public cost that can be avoided or reduced if privately paid for.

D. This ordinance establishes a mechanism for allowing office holders to solicit or accept private funds to defray such expenses to the public or to the office holder that are incurred while he or she is carrying out public responsibilities.

E. The solicitations or receipts are allowed by this ordinance only under specified conditions that appropriately safeguard against potential for unjust and inequitable treatment or conflicts of interest.

F. Private office funds authorized by this ordinance may only be used for reimbursement of expenses incurred in carrying out activities related to the elected official's public office responsibilities; may not be transferred to a political committee or used to promote or oppose a candidate or ballot measure; and limit individual contributions to no more than an average of two hundred and fifty dollars per year over any four year time period.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 3.04 a new section to read as follows:

A. It is not a violation of this chapter for an elected official to solicit or receive contributions for or from a public office fund, as described in this section, if the solicitation occurs outside of the workplace and without use of county facilities. An elected official is authorized to solicit and receive such contributions.

B. For purposes of this section, "public office fund" means a privately administered account that:

1. Is established for the sole purpose of directly paying or reimbursing an elected official or employee acting on the official's behalf for expenses that are incurred in carrying out activities relating to the official's public office responsibilities, including, among other matters, costs of travel, meals, accommodations, event admissions and gifts presented on behalf of the county or county official to recognize service or promote goodwill, and excluding the purchase of goods or services for the official's personal use or enrichment;

2. Precludes fund amounts from being transferred to a political committee or used to promote or oppose a candidate or ballot measure;

3. Limits contributions from a person or legal entity to an amount of no more than an average of two hundred and fifty dollars per year over any four year time period; and

4. Provides that any funds or property acquired through funds remaining in possession of the fund or the official after all permissible public office related expenses have been paid shall be:

a. returned to contributors in amounts not exceeding their respective contributions;

b. donated to a charitable organization registered in accordance with chapter 19.09 RCW; or

c. transferred to the county.

C. Within two weeks of establishing a public office fund, the elected official shall file a statement with the board of ethics, identifying the fund administrator, indicating the amount and source of all contributions received by the public office fund and identifying all items and services acquired or reimbursed through any payments made from the public office fund and associated amounts paid. Quarterly statements updating such information shall be filed with the board of ethics by the 20th day of the month following the end of each calendar quarter.

D. Nothing in this section is intended to alter the requirements imposed by chapter 42.17 RCW, the county charter or county ordinance regarding campaigns for elected office or ballot measures.

E. By November 1, 2013, the board of ethics shall establish a limit on the total amount of money to be held in any given public office fund at any given time. The board of ethics shall analyze the issue and establish a revised limit at least once every four years. The board of ethics analysis shall include consideration of all state, federal and other legal requirements.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.80 a new section to read as follows:

This chapter does not apply to gifts or donations made to or received from a public office fund as defined in section 2 of this ordinance.