

Amendment 1 to Council Bill (CB) 119731: Definition of “Independent Expenditure Committee”

Councilmember Herbold

Amendment 1 to CB 119731 would add the definition of “ independent expenditure committee” to Section 2.04.010, “Definitions,” of the Seattle Municipal Code (SMC). This definition was inadvertently left out of CB 119731.

Independent expenditure committees are a subcategory of political committees. An independent expenditure committee would be defined as a political committee that makes an independent expenditure, or a contribution to another independent expenditure committee, totaling at least \$1,000 in an election cycle. Under CB 119731, foreign-influenced corporations are prohibited from making contributions to independent expenditure committees.

This amendment also makes technical corrections to and updates the language of the existing definitions of “independent expenditure” and “knowledge,” as shown.

Amend Section 2 of CB 119731 to include the definitions of “independent expenditure” and “knowledge” and add a definition of “independent expenditure committee.” Make technical corrections to the definitions of “independent expenditure” and “knowledge.” Language added to CB 119731 is shown in red below. New language to be added to the SMC is shown with an underline. Language to be removed from the SMC is shown struck out and surrounded by double parentheses.

Section 2. Section 2.04.010 of the Seattle Municipal Code, last amended by Ordinance 124694, is amended as follows:

2.04.010 Definitions

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“In-kind labor” means services provided by a person who volunteers all, or a portion, of ~~((his/her))~~ the person’s time to a candidate’s election campaign, and who is not paid by any person for such services.

“Independent expenditure” means an expenditure on behalf of ~~((;))~~ or opposing any election campaign, when such expenditure:

1. ~~((is))~~ Is made independently of the candidate, ~~((his/her))~~ the candidate’s political committee ~~((;))~~ or agent, or ~~((of))~~ any ballot proposition committee or its officers or agents; ~~((;))~~

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~~2. ((and when such expenditure is))~~ Is made without the prior consent, or the collusion ((;)) or ((the)) cooperation, of the candidate, ~~((or his/her))~~ the candidate's agent or political committee, or the ballot proposition committee or its officers or agents; ((;)) and

~~3. ((when such expenditure is))~~ Is not a contribution as defined in this Section 2.04.010.

An independent expenditure is made by a person on the earliest of the following events:

(a) the person agrees with a vendor or provider of services to make an independent expenditure; or (b) the person incurs the obligation to make an independent expenditure; or (c) the person pays for an independent expenditure.

"Independent expenditure committee" means any political committee that makes an independent expenditure, or makes contributions to other independent expenditure committees, totaling \$1,000 or more in an election cycle for a City election.

"Knowledge." A person knows or acts knowingly or with knowledge when:

1. ~~((the))~~ The person is aware of a fact, facts, or circumstances or result described by an offense in this ~~((title))~~ Title 2; or

2. ~~((he or she))~~ The person has information that would lead a reasonable person to believe that facts exist, which facts are described by an ordinance defining the offense, in violation of this ~~((title))~~ Title 2.

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