

### Amendment 3 to CB 120978 Code of Ethics

**Sponsor:** Councilmember Hollingsworth

Requiring the SEEC to publish ethics complaints

**Effect:** This amendment concerns SMC 4.16 and requires the Seattle Ethics and Elections Commission (SEEC) to publish certain ethics complaints that it receives so that the public has awareness of allegations against elected officials.

1. Amend the title of CB 120978 as follows:

AN ORDINANCE relating to the Code of Ethics; defining “elected official”; requiring elected officials to disclose any financial interest or conflict of interest prior to participating in legislative matters; and amending Sections 4.16.030, ~~and~~ 4.16.070, and 4.16.090 of the Seattle Municipal Code.

2. Amend CB 120978 to include an additional WHEREAS Clause as follows:

WHEREAS, the Executive Director relayed two findings in support of amending the Code of Ethics to allow elected officials to participate in legislative matters after disclosure of a financial interest: (1) the public nature of the legislative process; and (2) the ability of voters to act upon the voting record of their elected officials; and

WHEREAS, the Seattle Ethics and Elections Commission can better inform the public of complaints filed against elected officials by publishing the details of its enforcement proceedings on its webpage; and

WHEREAS, this bill does not permit elected officials to participate in quasi-judicial proceedings in which they have a financial interest or participate in an executive function in which they have a financial interest; NOW, THEREFORE,

3. Amend CB 120978 to add a new section as follows, renumbering subsequent sections:

Section 3. Section 4.16.090 of the Seattle Municipal Code, last amended by Ordinance 123010, is amended as follows:

**4.16.090 Complaints, investigations, hearings, and enforcement.**

In addition to the powers of the Commission and its Executive Director under ~~((SMC))~~ Sections 3.70.100 and 3.70.160 to initiate an investigation, an investigation may also be initiated by filing a complaint.

A. Any person may file a complaint alleging a violation of this chapter. If such complaint is filed by a member of the Commission, he or she is then disqualified from participating in any proceedings that may arise from the complaint.

B. The complaint shall be in writing and shall be signed by the complainant. The written complaint shall state the nature of the alleged violation(s), the date(s), time and place of each occurrence, and name of the person(s) alleged to have violated this chapter. The complaint shall be filed with the Executive Director. The complainant shall provide the Executive Director with all available documentation or other evidence to demonstrate a reason for believing that a violation has occurred.

C. Within 30 days after receipt of a complaint, the Executive Director shall review the complaint to determine whether a complaint, on its face, alleges facts that, if true, would constitute a violation of Chapter 4.16. At the request of the Executive Director, the Commission may, for good cause shown, extend the time for completion of the review. If the Commission determines that the review must be completed in less than 30 days in order to avoid prejudice or irreparable harm to the person alleged to have violated this ~~((chapter))~~ Chapter 4.16, the

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Commission shall order the Executive Director to complete the review in a shorter period of time, and the Executive Director shall comply. Within 60 days after the Executive Director has initiated an enforcement proceeding under subsection 4.16.090.F. the Commission shall publish the complaint on its webpage accompanied by written analysis of the objective basis for the enforcement proceeding. Following the conclusion of the enforcement proceeding, the Commission shall update the publication to include the outcome of the proceeding and the reasoning of the Executive Director or Commission in reaching its outcome.

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