

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL 121130

..title

AN ORDINANCE relating to the Ethics Code; ~~establishing reporting and disclosure requirements for political consultants~~; prohibiting political consultants from concurrently performing consulting work with the eCity; establishing a cooling-off period for political consultants; adding a new Section 4.16.072 to the Seattle Municipal Code; and amending Section 4.16.030 of the Seattle Municipal Code.

..body

WHEREAS, the integrity of city government depends on public confidence that decisions are made in the public interest without undue influence from private interests; and

WHEREAS, consultant arrangements that blur the lines between policy advice and political campaign strategy undermine democratic governance and create unfair electoral advantages; and

WHEREAS, taxpayer-funded consultants should not concurrently profit from private political work that may conflict with their government duties; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The City finds and declares:

A. The City of Seattle is committed to ethical, open, transparent, and accountable government.

B. In furtherance of that commitment, the City has a wide-ranging Ethics Code in Chapter 4.16 of the Seattle Municipal Code (SMC).

C. Chapter 4.16 SMC does not specifically address political consultants or businesses providing political consulting services, important categories of persons and entities that may influence public policy beyond the public's awareness or oversight.

1 D. City elected officials, specifically the Mayor, City Councilmembers, and the City
2 Attorney, must uphold the public trust and confidence in government by being ethical and
3 transparent in policy decisions. Candidates for City elected offices, City elected officials, and
4 campaigns for City ballot propositions engage political consultants as advisors.

5 E. In providing political consulting services, which include campaign management and
6 political strategy services, a political consultant or consulting business has access to nonpublic
7 information related to elected official clients.

8 F. Registered lobbyists must file reports pursuant to Chapter 2.06 SMC, which makes
9 their relationships with elected officials more publicly transparent than the elected officials'
10 unreported relationships with their political consultant(s). Given consultants' access and
11 potential influence over the City's decision makers, it is important to ~~expand transparency by~~
12 ~~establishing registration and reporting requirements for political consultants and City elected~~
13 ~~officials and~~ prohibiting certain concurrent consulting activities.

14 G. In SMC 4.16.075, those leaving City employment, including City contractors and
15 consultants, are restricted from certain types of activities or from using confidential information
16 gained from the City; likewise, this legislation creates a cooling off period wherein those
17 performing consulting services for the City must wait one year before providing political
18 consulting services to an election campaign.

19 H. The new regulations in this ordinance build on similar regulations in Portland and San
20 Francisco.

21 I. The new regulations do not regulate the content and viewpoint of the services provided
22 to City elected officials.

Section 2. Section 4.16.030 of the Seattle Municipal Code, last amended by Ordinance 125589, is amended as follows:

4.16.030 Definitions

As used in this ~~((chapter, the following terms shall have the meanings indicated))~~ Chapter 4.16:

* * *

“Ballot proposition” has the same meaning as in Section 2.04.010.

~~((“Board of Ethics” or “Board” or “Commission” means the Seattle Ethics and Elections Commission established by Section 3.70.010.))~~

“Candidate” has the same meaning as in Section 2.04.010.

“City” means The City of Seattle.

“City agency” means every department, office, board, commission, or committee of the City, or any subdivision thereof, but excludes public corporations and ad hoc advisory committees.

* * *

“City officer” means every individual elected or appointed to an office in any City agency, whether such individual is paid or unpaid.

“City volunteer” means someone who volunteers services to the City.

“Commission” means the Seattle Ethics and Elections Commission established by Section 3.70.010.

* * *

~~((“City volunteer” means someone who volunteers services to the City.))~~

“Elected official” has the same meaning as in Section 2.04.010.

“Election campaign” means any campaign in support of or in opposition to a candidate for election to public office of the City and any campaign in support of or in opposition to a City ballot proposition.

“Employee member of an advisory committee” means a paid City officer or employee who serves on an advisory committee by virtue of their paid position with the City.

“Executive Director” means the Executive Director of the Seattle Ethics and Elections Commission or designee.

* * *

“Legislative matter” means any enacted or introduced ~~((council bill))~~ Council Bill, ordinance, resolution, ~~((clerk file))~~ Clerk File, ballot ~~((measure))~~ proposition, or ~~((charter))~~ Charter amendment. A legislative matter may include a possible future ~~((council bill))~~ Council Bill, ordinance, resolution, ~~((clerk file))~~ Clerk File, ballot ~~((measure))~~ proposition, or ~~((charter))~~ Charter amendment, if the possible future matter has been discussed on the public record at an open public meeting of the City Council or one of its committees.

* * *

“Person” means an individual, association, corporation, or other legal entity.

“Political consultant” means a person that provides [compensated](#) political consulting services to: an elected official; a candidate for City office; or the authorized campaign committee registered with the Washington Public Disclosure Commission for a City ballot proposition.

“Political consultant” does not include: a City employee; an accountant, attorney, pollster, or professional fundraiser who provides only accounting, legal, polling, or fundraising services, respectively; or a vendor or sub-vendor who supplies goods or services other than political consulting services for an election campaign.

1 “Political consulting services” means compensated actions in City campaign management
2 and political strategy services, including but not limited to: advocacy and strategy; political
3 polling; advising or assisting in voter contact strategies and services; advising in media strategy,
4 buying, and advertisement; providing candidate development, policy training, political image
5 consulting, and designing, implementing, and analyzing polls and surveys; performing issues
6 research and opposition research; developing and assisting in strategic communication such as
7 news releases, talking points, and speech writing; and advising on negative information handling
8 and political crisis management.

9 “Quarter” has the meaning as in Section 2.06.010.

10 Section 3. A new Section 4.16.072 is added to the Seattle Municipal Code as follows:

11 **4.16.072 Political consultants**

12 A. The purpose of this Section 4.16.072 is to prevent conflicts of interest and enhance
13 transparency by prohibiting political consultants from engaging in certain activities ~~and~~
14 ~~otherwise requiring political consultants to comply with registration and reporting requirements.~~

15 This Section 4.16.072 does not regulate the content and viewpoint of services provided regarding
16 an election campaign.

17 ~~B. Within 15 days after contracting with the City to provide any political consulting~~
18 ~~services, a political consultant shall register with the Executive Director. The registration shall~~
19 ~~include at least:~~

20 ~~1. If the political consultant is an individual, the name, address, and contact information~~
21 ~~of both the individual and any of the individual’s associated entities;~~

22 ~~2. If the political consultant is an entity, the names, addresses, and contact information of~~
23 ~~its principals, employees, and contractors;~~

~~3. The name of the candidate or elected official to whom the political consultant provided political consulting services, or, if the political consultant services were provided to the principal campaign committee for a ballot proposition, the identity of the proposition; and~~

~~4. The date when services commenced.~~

~~If any information in the registration changes, the political consultant shall update that information within 15 days of the change.~~

~~C. When a political consultant who is required to register under this Section 4.16.072 later terminates all political consulting services provided regarding an election campaign, the political consultant shall file a termination statement with the Executive Director within 15 days of termination.~~

~~D. Within 15 days after the end of a quarter, an elected official shall file a statement with the Executive Director identifying for that quarter any political consultant that provides or provided political consulting services to that official, and the date when services commenced. This statement is required whether the services were during an election campaign, or during the quarter when the elected official either received certified election results or an appointment to the position, as applicable. If an elected official uses political consulting services regarding a ballot proposition, the elected official shall identify the proposition and the political consultant that will provide or provided political consulting services for the proposition. If any information in the registration changes, the elected official shall update that information within 15 days of the change.~~

~~E. All information submitted in any statement or registration required by this Section 4.16.072 will be posted on the Commission's website within five days after receipt.~~

~~F~~B. A political consultant shall not:

1. ~~Provide political consulting services to~~ Perform work on a consulting contract with the City without reporting as required by this Section 4.16.072; or

2. Perform compensated work on ~~an~~ a City election campaign while retained with a consulting services contract with the City at the same time; or

3. Perform compensated political consulting services for ~~an~~ a City election campaign within one year after the termination of any consulting services contract between the City and a political consultant or the political consultant's principals, employees, or contractors-; or

4. Perform work under a consulting services contract with the City within one year after the termination of any political consulting services for a City election campaign.

~~GC.~~ An elected official shall not knowingly use a political consultant that is in violation of this Section 4.16.072.

~~D.~~ When accepting a City consulting contract, all consultants must declare in that contract that they are not in violation of the provisions of this section 4.16.072.

~~HE.~~ A person shall not submit false, fraudulent, or misleading information in any statement or registration, including but not limited to misrepresenting the scope or nature of services provided or the identity of clients to whom services are provided.

~~IF.~~ The Commission's rulemaking powers for this Section 4.16.072 include but are not limited to prescribing forms for registration and reporting, determining the method for filing, conducting appropriate inquiry and review of reports or statements for completeness and accuracy, and establishing fees for late filing or non-filing.

~~JEG.~~ In addition to other enforcement provisions in this Chapter 4.16:

~~1. A person that fails to report as required by this Section 4.16.072 is subject to a civil penalty or other administrative sanctions until the registration or reporting is complete and in compliance with this Section 4.16.072.~~

~~21.~~ A contract with the City that is in violation of this Section 4.16.072 is void. Upon determination by the Executive Director that such a contract is void, the Executive Director is authorized to pursue collection of payments made by the City related to the contract.

~~32.~~ A person that violates subsection ~~4.16.072.F.2~~ 4.16.072.B.2 shall not contract with the City for five years after the date the person is found to be in violation. Pursuant to Section 20.70.030, the Director of Finance and Administrative Services may issue an order of debarment that prevents a person from entering into any contract with the City or from acting as a subcontractor on any contract with the City.

Section 4. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 5. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the _____ day of _____, 2025,
and signed by me in open session in authentication of its passage this _____ day of
_____, 2025.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2025.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2025.

Scheereen Dedman, City Clerk

(Seal)