

Dear election watchers and participants,

On Wednesday, March 7, the Commission will consider an opinion request that may be of interest to you.

Background

A candidate runs for one City office, and has unspent campaign contributions left over after that race. The candidate later runs for a different City office. The Election Code permits the candidate's second campaign committee to ask individual contributors to the first campaign whether their unspent contributions can be transferred to the second campaign.

Issue

If a contributor agrees to such a transfer, the specific issue is whether or not money transferred in that manner counts toward the individual's contribution limit in the second campaign.

SEEC and PDC Interpretations

Under the Commission staff's interpretation of City law and rules, once a contributor has authorized the committee to transfer a \$700 contribution to that second campaign, the contributor has reached the contribution limit, and cannot contribute any additional funds to the campaign. Under the Public Disclosure Commission's interpretation of a comparable State law, the contributor's authorization of the transfer does not itself constitute a contribution, and he or she is free to contribute to the second campaign up to the contribution limit.

Additional Information

Here is a link to the opinion request filed with the Commission, and a brief memo prepared by staff before the Commission's January meeting: <http://www.seattle.gov/ethics/meetings/2012-01-04/item2.pdf>. At the January meeting, the Commission did not rule on the opinion request, and directed staff to solicit public comment on the issue.

If you would like to add your thoughts to this discussion, please e-mail your comments to the Commission at ethicsandelections@seattle.gov. I also invite you to attend and provide comment at the Commission's March 7 meeting, which gets underway at 4:00 in Room 4080 of the Seattle Municipal Tower.

Thank you,

Wayne Barnett

Executive Director