

## **Independent Expenditures – SEEC Filing Requirements**

*This is a summary of the requirements under City law. Except where noted, these requirements are in addition to your filing obligations with the State. Filers should refer to the law and rules directly when making an IE.*

### Reporting

All Committees report on the 10<sup>th</sup> of the month for the period ending the last day of the previous month, if they exceed \$200 in contributions or expenditures since the last report.

A committee that makes an IE reports that activity within 5 business days once they spend \$100 or more in the aggregate on a single candidate or ballot issue.

IE makers must file the 21-day C-4 and a 7-day C-4, and a post-election report on the 10<sup>th</sup> of the month after the election. Continue filing on the tenth of the month only if additional IEs are made, unless otherwise required to continue filing (as a Continuing committee, for example).

### 21 days before the election

During the final 21 days, an IE of \$1,000 or more in the aggregate must be reported by 4:30 pm the next day on a Special Report. If the IE of \$1,000 or more in the aggregate was made prior to the 21<sup>st</sup> day and not yet reported, it must be reported by 4:30pm on the 21<sup>st</sup> day.

Please note filers must also file reports with the WA State Public Disclosure Commission. Contact the [PDC](#) to learn what the State filing requirements are.

### Copy of Ad

Advertisements must be delivered to the SEEC within two business days of dissemination, if the IE maker expects that they will be viewed or heard by 1,000 or more individuals in a calendar year. The method of dissemination must also be disclosed as well as an estimate of the expected quantity. This requirement only applies to an individual spending \$100 of his/her own funds, or anyone spending any amount of the funds of others.

### Certificate of Independence

Each person and each officer of the committee or entity that makes an IE must file with their report (C-4, or Special Report), a notarized affidavit or declaration under penalty of perjury, stating that the IE was made without consultation, collusion or cooperation with any candidate, political committee, officers, agents of that candidate or committee.

Independent expenditure makers cannot distribute the political advertising or campaign materials of the campaign they support or oppose.

(continued)

## **Independent Expenditures** (continued)

SMC 2.04.010 "Officer of a political committee" means the following persons: the treasurer, any person designated by the committee as an officer on the statement of organization filed with the City Clerk, and any person who alone or in conjunction with other persons makes contribution, expenditure, strategic or policy decisions on behalf of the committee.

### Political Advertising

Under City law, all IE advertising must include sponsor ID ("paid for by, or "sponsored by" name and address of committee). And must include the following language: "NOTICE TO VOTERS (Required by law): This advertisement is not authorized or approved by any candidate. It is paid for by (name, address, city, state)." If the ad is made by a non-individual, it must include the Top Five contributors of the past year. The sponsor ID and additional language must be clearly spoken on any broadcast advertisement (tv, radio, robocall).

### State Law

To the extent that City law conflicts with State law on sponsor id, we typically defer to the state regulations. This applies to the language the State requires in place of our "NOTICE TO VOTERS..." State law requires: "No candidate authorized this ad. It is paid for by (name, address, city, state)" The Top Five list is made up of the five persons who contributed in excess of \$700 in the past year. State law also requires IE advertisers to include the name of the individual or entity who created the political committee making the IE advertisement. Please refer to RCW 42.17A and the PDC to ensure compliance with State law on sponsor ID.

There is no exemption for the spoken sponsor ID requirement on broadcast ads.

### Reference

[SMC 2.04.270](#) Independent expenditures; contributions to out-of-state committees—Reports.

[SMC 2.04.275](#) Certification of independent expenditures—Special reports of late independent expenditures.

[SMC 2.04.290](#). B. Identification of contributions and communications.

[Rule 8](#) Independent Expenditures

See the PDC's [Political Advertising Guides](#) for state law requirements.

## E-filing the Special Report

If you have not already registered as a user on the SEEC e-filing system, [contact our Campaign Finance Auditor or IT Professional](#) to get set up.

Once you have [logged into the SEEC e-filing system](#)

1. Select the **File Special Report** option on the left.
2. Enter the Name of your Committee.
3. Click Proceed.
4. Select either the Contribution or the Independent Expenditure button.
5. Complete the template that appears on the screen.

### 6. For Contributions

Contributor Name, Address, Employer Name, Emp City, Emp State, Occupation, Amount, Date Received.

Report the contributor's aggregate for the duration of the campaign, not just during the 21 days before the election.

Use the description field for in-kind contributions. Be specific if someone purchased something on behalf of the campaign. Include vendor names and amounts. If the purchase is for advertising, include the number of pieces, and a description of the advertising (eg. signs, mailing, tv, robocall) in addition to the vendor information.

### 7. For Independent Expenditures

Vendor Name, Address, Amount of Expenditure

In the Date field, use the date the Expenditure was incurred (which may be before you received a bill or an invoice).

In the Description field, include the name of the candidate or ballot issue that is benefitting from the expenditure.

Examples:

10,000 postcards in support of Dale Evans for Mayor.

57,893 robocalls opposing Roy Rogers for City Council.

8. Click Save.
9. Review the report, make any changes if necessary.
10. Check either New or Amendment.
11. Add any notes to clarify the report to the public.
12. Click File

You must report subvendor information, either in the Description field, or in the Vendor field with a note in the Description identifying the agent (consultant) who made the expenditure on your behalf.