
SUBSTITUTE HOUSE BILL 1093

State of Washington 63rd Legislature 2013 Regular Session

By House Government Operations & Elections (originally sponsored by Representatives Shea, Overstreet, and Taylor)

READ FIRST TIME 02/11/13.

1 AN ACT Relating to state agencies' lobbying activities; amending
2 RCW 42.17A.750; prescribing penalties; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 42.17A.750 and 2011 c 145 s 6 are each amended to read
5 as follows:

6 (1) In addition to the penalties in subsection (2) of this section,
7 and any other remedies provided by law, one or more of the following
8 civil remedies and sanctions may be imposed by court order in addition
9 to any other remedies provided by law:

10 (a) If the court finds that the violation of any provision of this
11 chapter by any candidate or political committee probably affected the
12 outcome of any election, the result of that election may be held void
13 and a special election held within sixty days of the finding. Any
14 action to void an election shall be commenced within one year of the
15 date of the election in question. It is intended that this remedy be
16 imposed freely in all appropriate cases to protect the right of the
17 electorate to an informed and knowledgeable vote.

18 (b) If any lobbyist or sponsor of any grass roots lobbying campaign
19 violates any of the provisions of this chapter, his or her registration

1 may be revoked or suspended and he or she may be enjoined from
2 receiving compensation or making expenditures for lobbying. The
3 imposition of a sanction shall not excuse the lobbyist from filing
4 statements and reports required by this chapter.

5 (c) A person who violates any of the provisions of this chapter may
6 be subject to a civil penalty of not more than ten thousand dollars for
7 each violation. However, a person or entity who violates RCW
8 42.17A.405 may be subject to a civil penalty of ten thousand dollars or
9 three times the amount of the contribution illegally made or accepted,
10 whichever is greater.

11 (d) A person who fails to file a properly completed statement or
12 report within the time required by this chapter may be subject to a
13 civil penalty of ten dollars per day for each day each delinquency
14 continues.

15 (e) Each state agency director who knowingly fails to file
16 statements required by RCW 42.17A.635 shall be subject to personal
17 liability in the form of a civil penalty in the amount of one hundred
18 dollars per statement. These penalties are in addition to any other
19 civil remedies or sanctions imposed on the agency.

20 (f) A person who fails to report a contribution or expenditure as
21 required by this chapter may be subject to a civil penalty equivalent
22 to the amount not reported as required.

23 ((+f)) (g) Any state agency official, officer, or employee who is
24 responsible for or knowingly directs or expends public funds in
25 violation of RCW 42.17A.635 (2) or (3) may be subject to personal
26 liability in the form of a civil penalty in an amount that is at least
27 equivalent to the amount of public funds expended in the violation.

28 (h) The court may enjoin any person to prevent the doing of any act
29 herein prohibited, or to compel the performance of any act required
30 herein.

31 (2) The commission may refer the following violations for criminal
32 prosecution:

33 (a) A person who, with actual malice, violates a provision of this
34 chapter is guilty of a misdemeanor under chapter 9.92 RCW;

35 (b) A person who, within a five-year period, with actual malice,
36 violates three or more provisions of this chapter is guilty of a gross
37 misdemeanor under chapter 9.92 RCW; and

1 (c) A person who, with actual malice, procures or offers any false
2 or forged document to be filed, registered, or recorded with the
3 commission under this chapter is guilty of a class C felony under
4 chapter 9.94A RCW.

5 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2014.

--- END ---