

2 SB 5150 - S COMM AMD
3 By Committee on State Government

4
5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 42.17.105 and 1991 c 157 s 1 are each amended to read
8 as follows:

9 (1) Campaign treasurers shall prepare and deliver to the commission
10 a special report regarding any contribution or aggregate of
11 contributions which: Exceeds five hundred dollars; is from a single
12 person or entity; and is received during a special reporting period.

13 Any political committee making a contribution or an aggregate of
14 contributions to a single entity which exceeds five hundred dollars
15 shall also prepare and deliver to the commission the special report if
16 the contribution or aggregate of contributions is made during a special
17 reporting period.

18 For the purposes of subsections (1) through (7) of this section:

19 (a) Each of the following intervals is a special reporting period:

20 (i) The interval beginning after the period covered by the last report
21 required by RCW 42.17.080 and 42.17.090 to be filed before a primary
22 and concluding on the end of the day before that primary; and (ii) the
23 interval composed of the twenty-one days preceding a general election;
24 and

25 (b) An aggregate of contributions includes only those contributions
26 received from a single entity during any one special reporting period
27 or made by the contributing political committee to a single entity
28 during any one special reporting period.

1 (2) If a campaign treasurer files a special report under this
2 section for one or more contributions received from a single entity
3 during a special reporting period, the treasurer shall also file a
4 special report under this section for each subsequent contribution of
5 any size which is received from that entity during the special
6 reporting period. If a political committee files a special report
7 under this section for a contribution or contributions made to a single
8 entity during a special reporting period, the political committee shall
9 also file a special report for each subsequent contribution of any size
10 which is made to that entity during the special reporting period.

11 (3) Except as provided in subsection (4) of this section, the
12 special report required by this section shall be delivered in written
13 form, including but not limited to mailgram, telegram, or nightletter.
14 The special report required of a contribution recipient by subsection
15 (1) of this section shall be delivered to the commission within forty-
16 eight hours of the time, or on the first working day after: The
17 contribution exceeding five hundred dollars is received by the
18 candidate or treasurer; the aggregate received by the candidate or
19 treasurer first exceeds five hundred dollars; or the subsequent
20 contribution that must be reported under subsection (2) of this section
21 is received by the candidate or treasurer. The special report required
22 of a contributor by subsection (1) of this section or RCW 42.17.175
23 shall be delivered to the commission, and the candidate or political
24 committee to whom the contribution or contributions are made, within
25 twenty-four hours of the time, or on the first working day after: The
26 contribution is made; the aggregate of contributions made first exceeds
27 five hundred dollars; or the subsequent contribution that must be
28 reported under subsection (2) of this section is made.

29 (4) The special report may be transmitted orally by telephone to
30 the commission to satisfy the delivery period required by subsection

1 (3) of this section if the written form of the report is also mailed to
2 the commission and postmarked within the delivery period established in
3 subsection (3) of this section.

4 (5) The special report shall include at least:

5 (a) The amount of the contribution or contributions;

6 (b) The date or dates of receipt;

7 (c) The name and address of the donor;

8 (d) The name and address of the recipient; and

9 (e) Any other information the commission may by rule require.

10 (6) Contributions reported under this section shall also be
11 reported as required by other provisions of this chapter.

12 A written report that bears the signature of the candidate,
13 treasurer, or deputy treasurer and is transmitted via electronic
14 facsimile equipment within the delivery period in subsection (3) of
15 this section meets the reporting requirements of this section if the
16 original, signed report is subsequently filed with the commission by a
17 deadline set by the commission by rule.

18 (7) The commission shall (~~publish daily a summary of~~) immediately
19 upon receipt make available for public inspection and copying the
20 special reports made under this section and RCW 42.17.175.

21 (8) It is a violation of this chapter for any person to make, or
22 for any candidate or political committee to accept from any one person,
23 contributions reportable under RCW 42.17.090 in the aggregate exceeding
24 fifty thousand dollars for any campaign for state-wide office or
25 exceeding five thousand dollars for any other campaign subject to the
26 provisions of this chapter within twenty-one days of a general
27 election. This subsection does not apply to contributions made by, or
28 accepted from, a major Washington state political party as defined in
29 RCW 29.01.090.

1 (9) Contributions governed by this section include, but are not
2 limited to, contributions made or received indirectly through a third
3 party or entity whether the contributions are or are not reported to
4 the commission as earmarked contributions under RCW 42.17.135."

5 "Sec. 2. RCW 42.17.135 and 1989 c 280 s 13 are each amended to
6 read as follows:

7 (1) A candidate or political committee receiving a contribution
8 earmarked for the benefit of another candidate or political committee
9 shall:

10 ~~((1))~~ (a) Report the contribution as required in RCW 42.17.080
11 and 42.17.090;

12 ~~((2))~~ (b) Complete a report, entitled "Earmarked contributions,"
13 on a form prescribed by the commission by rule, ~~((which))~~ that
14 identifies the name and address of the person who made the
15 contribution, the candidate or political committee for whose benefit
16 the contribution is earmarked, the amount of the contribution, and the
17 date on which the contribution was received; ~~((and~~

18 ~~(3))~~ (c) Within two working days of receiving the contribution,
19 notify the commission and the candidate or political committee for
20 whose benefit the contribution is earmarked regarding the receipt of
21 the contribution by mailing or delivering to the commission and to the
22 candidate or committee a copy of the "Earmarked contributions"
23 report. ~~((Such notice shall be given within two working days of~~
24 ~~receipt of the contribution.~~

25 ~~A candidate or political committee receiving notification of an~~
26 ~~earmarked contribution under subsection (3) of this section shall~~
27 ~~report the contribution, once the contribution is received by the~~
28 ~~candidate or committee, in the same manner as the receipt of any other~~

1 ~~contribution is disclosed in reports required by RCW 42.17.080 and~~
2 ~~42.17.090))~~; and

3 (d) Not later than the tenth day of the month after the election,
4 file a report of the total earmarked contributions that have been
5 received on behalf of each candidate or political committee during the
6 calendar year, the name of each beneficiary, and the amount expended to
7 or for each beneficiary. This report must be filed with the commission
8 and county elections officer with whom other reports under this chapter
9 are filed.

10 (2) If the contribution is spent on behalf of the ultimate
11 recipient, the person making the expenditure shall notify the
12 benefiting candidate or committee of the actual amount of funds spent
13 at the earliest practicable time.

14 (3) A candidate or political committee for whose benefit a
15 contribution is earmarked shall report the earmarked contribution as
16 required by RCW 42.17.080 and 42.17.090 and shall list the total amount
17 of the contribution, and the name and address of both the original
18 contributor and the candidate or political committee who actually
19 received the contribution.

20 If the candidate or treasurer is subsequently notified that an
21 earmarked contribution has been spent on behalf of the campaign,
22 corrected information must be reported on the next report required by
23 RCW 42.17.080 if the amount actually spent differed from the total
24 contribution originally reported."

25 "NEW SECTION. Sec. 3. The legislature does not intend this
26 act, or any provision of this act, to be submitted to the people as a
27 "conflicting measure" under Article II, section 1(a) of the
28 Constitution of the state of Washington. If this act, or any provision

1 of this act, is held to constitute such a "conflicting measure," this
2 act is void in its entirety and of no force and effect."

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4 By Committee on State Government

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6 On page 1, line 1 of the title, after "reporting;" strike the
7 remainder of the title and insert "amending RCW 42.17.105 and
8 42.17.135; and creating a new section."