

HOUSE BILL REPORT

ESHB 2435

As Passed House:

February 13, 1998

Title: An act relating to reporting of independent campaign expenditures.

Brief Description: Enhancing reporting of independent campaign expenditures.

Sponsors: By House Committee on Government Administration (originally sponsored by Representatives Pennington, Appelwick, Constantine, Ogden, Cooper, Kessler, Gardner, Wolfe, Butler, Costa, Linville, D. Schmidt, Murray, Morris, Anderson and Gombosky; by request of Public Disclosure Commission).

Brief History:

Committee Activity:

Government Administration: 1/28/98, 2/3/98 [DPS].

Floor Activity:

Passed House: 2/13/98, 98-0.

HOUSE COMMITTEE ON GOVERNMENT ADMINISTRATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives D. Schmidt, Chairman; D. Sommers, Vice Chairman; Scott, Ranking Minority Member; Gardner, Assistant Ranking Minority Member; Doumit; Dunn; Dunshee; Murray; Smith; L. Thomas; Wensman and Wolfe.

Staff: Steve Lundin (786-7127).

Background: Initiative 276 was approved by voters in 1972. Among other requirements, Initiative 276 requires various reports of campaign expenditures to be filed with the Public Disclosure Commission (PDC) and county auditors.

Each candidate or political committee is required to file a report on its contributions received, and expenditures made, since filing the last report at the following intervals: (1) On day 21 and the seventh day immediately preceding the election; (2) on day 10 of the first month after the election; and (3) on day 10 of each month in which no other reports are required to be filed. In addition, a candidate or political committee that receives a contribution in excess of \$500 within the last 21 days before an election must file a special report on the contribution with the PDC within 48 hours or the first working day after receipt of the contribution.

Each person who makes an independent expenditure of \$100 or more during the same election campaign in support of or opposition to a candidate or ballot proposition, who does not otherwise have to file a report as a candidate or political committee, must file a report of the independent expenditure at the following intervals: (1) On day 21 and the seventh day immediately preceding the election; (2) on day 10 of the first month after the election; and (3) on day 10 of each month in which no other reports are required to be filed.

Summary of Bill:

1. New special reports on independent expenditures of \$1,000 or more.

A person must file a special report with the PDC who makes an independent expenditure within 21 days of an election that totals \$1,000 or more to support a candidate or oppose a candidate's opponent, or to support or oppose a ballot proposition. The special report must be filed within 24 hours or on the first working day after the political advertising is published or otherwise presented to the public. Filing may be by facsimile or other electronic means, guaranteed overnight delivery, or by personal delivery.

Once a person is required to file such a special report, an additional special report must be filed for each subsequent independent expenditure of any size is made.

A copy of these reports must also be filed with the county elections officer of the county of residence for the candidate or the county of residence of the person making the expenditure in the case of an expenditure relating to a ballot proposition. A copy of each report must be mailed to each candidate running for the office or the political committees supporting or opposing the ballot proposition.

A copy of the advertising must be filed with the report.

If a political committee undertakes the advertising added information on the nature of the interests that are represented must be included in the report.

2. Declarations on various reports.

A person who files any independent expenditure report, or a report as a candidate or political committee, must also file an affidavit or declaration that an independent expenditure was not made in cooperation, consultation, or concert with, or at the request or suggestion of the candidate.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a natural outgrowth of Initiative 134. This is similar to special reporting for large, last minute campaign expenditures.

Testimony Against: None.

Testified: Representative Pennington, prime sponsor; and Melissa Warheit, Public Disclosure Commission.