
HOUSE BILL 1783

State of Washington

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By Representatives Dunshee, Kessler, Mason, Wood, Blalock, Gombosky, Tokuda, Murray and Cody

Read first time 02/07/97. Referred to Committee on Government Administration.

1 AN ACT Relating to campaign reform; amending RCW 42.17.640,
2 42.17.080, 42.17.065, 42.17.090, 42.17.510, 42.17.040, 42.17.105,
3 42.17.175, and 42.17.680; adding new sections to chapter 42.17 RCW;
4 adding a new section to chapter 29.80 RCW; creating a new section; and
5 repealing RCW 42.17.128.

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

7 NEW SECTION. **Sec. 1.** (1) The tremendous increases in the costs of
8 election campaigns, when coupled with recently enacted limits on
9 campaign contributions, creates a situation favoring the election of
10 wealthy candidates able to spend substantial amounts of their own money
11 for the purpose of winning elections, those candidates who receive
12 their contributions from sources that have been able to proliferate to
13 avoid, as a practical matter, the contribution limits, and those
14 candidates who are supported by large independent expenditures.

15 (2) In order to decrease the advantage of a candidate's wealth or
16 nimble contribution sources in election contests, the legislature
17 enacts this law directing the adoption of voluntary campaign spending
18 limits for state election contests and inducements to encourage
19 acceptance of these voluntary spending limits, as follows:

1 (a) The amount of any individual contribution to a candidate who
2 voluntarily agrees to the spending limits is twice that applicable to
3 a candidate who does not agree to the spending limits.

4 (b) Candidates' pamphlets must prominently indicate whether a
5 candidate has, or has not, voluntarily agreed to the spending limits.

6 (c) Major political advertisements relating to a candidate must
7 prominently disclose whether the candidate has or has not voluntarily
8 agreed to the spending limitations.

9 (d) Each candidate who voluntarily agrees to the spending limits,
10 and who has an opposing candidate listed on the general election
11 ballot, may give each individual who makes a contribution to his or her
12 campaign a voucher of a value equal to the lesser of one-half of the
13 contribution or twenty-five dollars that may be used by the individual
14 to pay real property taxes, motor vehicle excise taxes, or tuition at
15 a public institution of higher education in the state.

16 (3) In order to encourage more responsible political advertising
17 and to encourage less money being spent on campaigns, the following
18 changes are made to encourage political advertising to be made by a
19 candidate or the authorized committee of a candidate, in lieu of
20 political committees making political advertisements relating to a
21 candidate as independent expenditures:

22 (a) Enhanced recordkeeping and reporting requirements are
23 established for such independent expenditures;

24 (b) Greater restrictions are established on late contributions made
25 for such purposes; and

26 (c) Such ads are required to be filed with the commission at least
27 five days before being distributed or aired.

28 (4) In order to limit the amount of money flowing to political
29 campaigns, campaign contributions by for-profit corporations may only
30 be made from a separate fund made up of money solicited expressly for
31 political purposes.

32 PART I--VOLUNTARY SPENDING LIMITATIONS

33 NEW SECTION. **Sec. 101.** A new section is added to chapter 42.17
34 RCW to read as follows:

35 (1) The public disclosure commission shall adopt recommended
36 spending limits for candidates for the offices of governor, lieutenant
37 governor, secretary of state, treasurer, auditor, attorney general,

1 commissioner of public lands, insurance commissioner, superintendent of
2 public instruction, member of the state senate, and member of the state
3 house of representatives. In adopting the recommended spending limits,
4 the commission shall consider the average expenditure amounts for the
5 candidates who received the highest and next highest number of votes in
6 the 1996 general elections for each such office. Unless the commission
7 finds that these amounts would be inappropriate or unrealistic or that
8 adjustments in the amounts to reflect geographic differences in
9 legislative districts are warranted, the commission shall base its
10 recommended spending limits on such average expenditure amounts.

11 (2) Beginning in 1998, the commission shall biennially adjust the
12 recommended spending limits adopted under subsection (1) of this
13 section based on changes in economic conditions as reflected in the
14 inflationary index used by the commission under RCW 42.17.370.

15 (3) Each candidate for an office subject to a recommended spending
16 limit may execute and file with the commission, a promise that the
17 candidate will stay within the limit. A candidate's promise that is
18 executed and filed in conformance with this section and with the
19 implementing rules adopted by the commission is binding on the
20 candidate. A candidate who violates his or her promise to stay within
21 the voluntary spending limit is in violation of this chapter. The
22 commission shall remove the name of such a candidate from the list
23 prepared under subsection (5) of this section.

24 (4) The commission shall prescribe the form that must be used for
25 executing a promise under this section. The promise must be filed not
26 later than the tenth day after the close of the filing period for the
27 office.

28 (5) For each election involving an office for which voluntary
29 expenditure limits have been established under this section, the
30 commission shall compile a list of those candidates who filed promises
31 in a timely manner. The commission shall promptly make the list
32 available to the media and the public. The announcement of its
33 availability may be made only by the executive director of the
34 commission or an employee designated by the chair of the commission to
35 make the announcement. During an election campaign, the commission
36 shall periodically publish a list identifying each candidate who has
37 executed a binding promise under this section.

1 NEW SECTION. **Sec. 102.** A new section is added to chapter 29.80
2 RCW to read as follows:

3 The secretary of state shall add to each candidates' pamphlet a
4 list of the campaign spending limits recommended by the public
5 disclosure commission for each of the state offices for which the
6 statements of candidates appear in the pamphlet and a brief explanation
7 of the effect of a promise filed with the commission under section 101
8 of this act.

9 In preparing the candidates' pamphlet for publication, the
10 secretary of state shall obtain from the public disclosure commission
11 its most current list of candidates who have promised to limit
12 spending, as that list is specified in section 101 of this act. Using
13 this list, the secretary shall add a prominent notice or symbol in the
14 candidates' pamphlet, accompanying the statement or photograph of each
15 candidate for a state office, that clearly indicates whether the
16 candidate has or has not agreed to abide by the voluntary spending
17 limit for this campaign.

18 For the purposes of this section, "state office" means the offices
19 listed in section 101(1) of this act for which the public disclosure
20 commission has adopted recommended spending limits.

21 **Sec. 103.** RCW 42.17.640 and 1995 c 397 s 20 are each amended to
22 read as follows:

23 (1) No person, other than a bona fide political party or a caucus
24 political committee, may make contributions to a candidate for a state
25 legislative office that in the aggregate exceed (~~five~~) two hundred
26 seventy-five dollars or to a candidate for a state office other than a
27 state legislative office that in the aggregate exceed (~~one thousand~~)
28 five hundred fifty dollars for each election in which the candidate is
29 on the ballot or appears as a write-in candidate. However, if a
30 candidate has agreed to spending limitations under section 101 of this
31 act, the contribution limits for that candidate at each election in
32 which the candidate is on the ballot or appears as a write-in candidate
33 are increased to five hundred fifty dollars for a state legislative
34 office and one thousand one hundred dollars for an office other than a
35 state legislative office. Contributions made with respect to a primary
36 may not be made after the date of the primary. Contributions made with
37 respect to a general election may not be made after the final day of
38 the applicable election cycle.

1 (2) No person, other than a bona fide political party or a caucus
2 political committee, may make contributions to a state official against
3 whom recall charges have been filed, or to a political committee having
4 the expectation of making expenditures in support of the recall of the
5 state official, during a recall campaign that in the aggregate exceed
6 five hundred dollars if for a state legislative office or one thousand
7 dollars if for a state office other than a state legislative office.

8 (3)(a) Notwithstanding subsection (1) of this section, no bona fide
9 political party or caucus political committee may make contributions to
10 a candidate during an election cycle that in the aggregate exceed (i)
11 (~~(fifty)~~) twenty-seven and one-half cents multiplied by the number of
12 eligible registered voters in the jurisdiction from which the candidate
13 is elected if the contributor is a caucus political committee or the
14 governing body of a state organization, or (ii) (~~(twenty-five)~~)
15 thirteen and three-quarters cents multiplied by the number of
16 registered voters in the jurisdiction from which the candidate is
17 elected if the contributor is a county central committee or a
18 legislative district committee. However, if a candidate has agreed to
19 spending limitations under section 101 of this act, notwithstanding
20 subsection (1) of this section, the contribution limits for that
21 candidate during that election cycle are increased to fifty-five cents
22 per registered voter from a caucus political committee or the governing
23 body of a state organization and twenty-seven and one-half cents per
24 registered voter from a county central committee or legislative
25 district committee.

26 (b) No candidate may accept contributions from a county central
27 committee or a legislative district committee during an election cycle
28 that when combined with contributions from other county central
29 committees or legislative district committees would in the aggregate
30 exceed (~~(twenty-five)~~) thirteen and three-quarters cents times the
31 number of registered voters in the jurisdiction from which the
32 candidate is elected. However, if a candidate has agreed to spending
33 limitations under section 101 of this act, the contribution limits for
34 that candidate during that election cycle are increased to twenty-seven
35 and one-half cents per registered voter in the candidate's
36 jurisdiction.

37 (4)(a) Notwithstanding subsection (2) of this section, no bona fide
38 political party or caucus political committee may make contributions to
39 a state official against whom recall charges have been filed, or to a

1 political committee having the expectation of making expenditures in
2 support of the state official, during a recall campaign that in the
3 aggregate exceed (i) fifty cents multiplied by the number of eligible
4 registered voters in the jurisdiction entitled to recall the state
5 official if the contributor is a caucus political committee or the
6 governing body of a state organization, or (ii) twenty-five cents
7 multiplied by the number of registered voters in the jurisdiction from
8 which the candidate is elected if the contributor is a county central
9 committee or a legislative district committee.

10 (b) No state official against whom recall charges have been filed,
11 no authorized committee of the official, and no political committee
12 having the expectation of making expenditures in support of the recall
13 of a state official may accept contributions from a county central
14 committee or a legislative district committee during an election cycle
15 that when combined with contributions from other county central
16 committees or legislative district committees would in the aggregate
17 exceed twenty-five cents multiplied by the number of registered voters
18 in the jurisdiction from which the candidate is elected.

19 (5) For purposes of determining contribution limits under
20 subsections (3) and (4) of this section, the number of eligible
21 registered voters in a jurisdiction is the number at the time of the
22 most recent general election in the jurisdiction.

23 (6) Notwithstanding subsections (1) through (4) of this section, no
24 person other than an individual, bona fide political party, or caucus
25 political committee may make contributions reportable under this
26 chapter to a caucus political committee that in the aggregate exceed
27 five hundred dollars in a calendar year or to a bona fide political
28 party that in the aggregate exceed two thousand five hundred dollars in
29 a calendar year. This subsection does not apply to loans made in the
30 ordinary course of business.

31 (7) For the purposes of RCW 42.17.640 through 42.17.790, a
32 contribution to the authorized (~~political~~) committee of a candidate,
33 or of a state official against whom recall charges have been filed, is
34 considered to be a contribution to the candidate or state official.

35 (8) A contribution received within the twelve-month period after a
36 recall election concerning a state office is considered to be a
37 contribution during that recall campaign if the contribution is used to
38 pay a debt or obligation incurred to influence the outcome of that
39 recall campaign.

1 (9) The contributions allowed by subsection (2) of this section are
2 in addition to those allowed by subsection (1) of this section, and the
3 contributions allowed by subsection (4) of this section are in addition
4 to those allowed by subsection (3) of this section.

5 (10) RCW 42.17.640 through 42.17.790 apply to a special election
6 conducted to fill a vacancy in a state office. However, the
7 contributions made to a candidate or received by a candidate for a
8 primary or special election conducted to fill such a vacancy shall not
9 be counted toward any of the limitations that apply to the candidate or
10 to contributions made to the candidate for any other (~~primary or~~)
11 election.

12 (11) Notwithstanding the other subsections of this section, no
13 corporation or business entity not doing business in Washington state,
14 no labor union with fewer than ten members who reside in Washington
15 state, and no political committee that has not received contributions
16 of ten dollars or more from at least ten persons registered to vote in
17 Washington state during the preceding one hundred eighty days may make
18 contributions reportable under this chapter to a candidate, to a state
19 official against whom recall charges have been filed, or to a political
20 committee having the expectation of making expenditures in support of
21 the recall of the official. This subsection does not apply to loans
22 made in the ordinary course of business.

23 (12) Notwithstanding the other subsections of this section, no
24 county central committee or legislative district committee may make
25 contributions reportable under this chapter to a candidate, state
26 official against whom recall charges have been filed, or political
27 committee having the expectation of making expenditures in support of
28 the recall of a state official if the county central committee or
29 legislative district committee is outside of the jurisdiction entitled
30 to elect the candidate or recall the state official.

31 (13) No person may accept contributions that exceed the
32 contribution limitations provided in this section.

33 (14) The following contributions are exempt from the contribution
34 limits of this section:

35 (a) An expenditure or contribution earmarked for voter
36 registration, for absentee ballot information, for precinct caucuses,
37 for get-out-the-vote campaigns, for precinct judges or inspectors, for
38 sample ballots, or for ballot counting, all without promotion of or
39 political advertising for individual candidates; or

1 (b) An expenditure by a political committee for its own internal
2 organization or fund raising without direct association with individual
3 candidates.

4 NEW SECTION. **Sec. 104.** A new section is added to chapter 42.17
5 RCW to read as follows:

6 (1) After meeting the eligibility requirements under subsection (2)
7 of this section, a candidate for a state office may give a voter
8 voucher to each registered voter who makes a contribution to the
9 candidate's campaign. The candidate may give voter vouchers only to
10 contributors residing in the same legislative district as the candidate
11 if the candidate is running for a state legislative office or residing
12 in the state of Washington if the candidate is running for any other
13 state office. A voter voucher must be equal to the lesser of one-half
14 the amount of the contribution or twenty-five dollars in any election
15 cycle.

16 The candidate shall keep records of the name and address of each
17 registered voter who receives a voter voucher, the amount of the
18 contribution, and the amount of the voter voucher. A voter voucher may
19 be used by the registered voter to pay real property taxes, motor
20 vehicle excise taxes, or tuition at a public institution of higher
21 education in the state, as defined under RCW 28B.10.016. The
22 institution of higher institution, county treasurer, or public entity
23 that would otherwise receive the payment for which the voter voucher is
24 used may redeem the voucher from the state treasurer.

25 The public disclosure commission shall design the voter voucher and
26 distribute copies to candidates who meet the eligibility requirements
27 of subsection (2) of this section. A voter voucher must be designed so
28 that the candidate may sign it and fill in the amount of the voter
29 voucher.

30 (2) A candidate for a state office is eligible to distribute voter
31 vouchers after a primary if the candidate meets the following
32 requirements: (a) The name of the candidate will appear on the general
33 election ballot for the state office or the candidate has filed a
34 declaration of candidacy as a write-in candidate for the state office;
35 (b) the candidate has signed the agreement for voluntary spending
36 limits under section 101 of this act; and (c) the candidate has raised
37 at least (i) five thousand dollars in contributions for his or her
38 candidacy from registered voters residing in the same legislative

1 district, other than the candidate or a member of the candidate's
2 immediate family, within sixty days before winning the primary or
3 filing a declaration of candidacy as a write-in candidate for a state
4 legislative office; or (ii) ten thousand dollars in contributions for
5 his or her candidacy from registered voters residing within the state
6 of Washington, other than the candidate or a member of the candidate's
7 immediate family, within sixty days before winning the primary or
8 filing a declaration of candidacy as a write-in candidate for a state
9 office other than a state legislative office.

10 (3) Any such candidate who violates the voluntary spending limit is
11 liable to pay to the state treasurer the full value of any voter
12 vouchers that the candidate distributed.

13 NEW SECTION. **Sec. 105.** A new section is added to chapter 42.17
14 RCW to read as follows:

15 The election equity fund is created in the state treasury. All
16 receipts from taxes imposed under chapter 82.04 RCW on public relations
17 or advertising services shall be deposited into the fund. The fund is
18 not subject to allotment procedures under chapter 43.88 RCW, and no
19 appropriation is required to transfer moneys from the fund to the
20 public entity that otherwise would receive the payment for which the
21 voucher is used under section 104 of this act.

22 **PART II--POLITICAL ADVERTISING**

23 **Sec. 201.** RCW 42.17.080 and 1995 c 397 s 2 are each amended to
24 read as follows:

25 (1) On the day the treasurer is designated, each candidate or
26 political committee shall file a report of all contributions received
27 and expenditures made before that date, if any, with the commission and
28 the appropriate county ((auditor or)) elections officer ((of the county
29 in which the candidate resides, or in the case of a political
30 committee, the county in which the treasurer resides)), as specified
31 under section 204 of this act. This report is in addition to any
32 statement of organization required under RCW 42.17.040 or 42.17.050((
33 a report of all contributions received and expenditures made prior to
34 that date, if any))).

35 (2) At the following intervals each ((treasurer)) candidate or
36 political committee shall file a report containing the information and

1 requirements of RCW 42.17.090 with the commission and the appropriate
2 county ((auditor or)) elections officer ((of the county in which the
3 candidate resides, or in the case of a political committee, the county
4 in which the committee maintains its office or headquarters, and if
5 there is no office or headquarters then in the county in which the
6 treasurer resides, a report containing the information required by RCW
7 42.17.090)), as specified under section 204 of this act:

8 (a) On the twenty-first day and the seventh day immediately
9 preceding the date on which the election is held; and

10 (b) On the tenth day of the first month after the election(~~(: PROVIDED, That))~~, but this report ((shall)) is not ((be)) required
11 following a primary ((election)) from:
12

13 (i) A candidate whose name will appear on the subsequent general
14 election ballot; or

15 (ii) Any continuing political committee; and

16 (c) On the tenth day of each month in which no other reports are
17 required to be filed under this section(~~(: PROVIDED, That such))~~.

18 However, the report ((shall only be)) required by this subsection
19 (2) must be filed only if the candidate or political committee has
20 received a contribution or made an expenditure in the preceding
21 calendar month and either the total contributions received or total
22 expenditures made since the last such report exceed two hundred
23 dollars.

24 The candidate or political committee shall file a final report with
25 the commission and the appropriate county elections officer, as
26 specified under section 204 of this act, when there is no outstanding
27 debt or obligation, and all the ((campaign fund is)) candidate's or
28 political committee's accounts are closed, and either the candidate's
29 campaign is concluded in all respects, ((and)) or in the case of a
30 political committee, the committee has ceased to function and has
31 dissolved((, the treasurer shall file a final report)). Upon
32 submitting a final report, the duties of the treasurer shall cease and
33 there shall be no obligation to make any further reports.

34 The report filed twenty-one days before the election by a
35 candidate, or by a political committee that has not made a political
36 advertisement relating to a candidate undertaken as an independent
37 expenditure, shall report all contributions received and expenditures
38 made as of the end of the fifth ((business)) day before the date of the
39 report. The report filed twenty-one days before the election by a

1 political committee that made a political advertisement relating to a
2 candidate undertaken as an independent expenditure shall report all
3 contributions received and expenditures made as of the end of the day
4 before the date of the report. The report filed seven days before the
5 election by a candidate or political committee shall report all
6 contributions received and expenditures made as of the end of the ((one
7 business)) day before the date of the report. Reports filed on the
8 tenth day of the month shall report all contributions received and
9 expenditures made from the closing date of the last report filed
10 through the last day of the month preceding the date of the current
11 report.

12 (3) For the period beginning the first day of the fourth month
13 preceding the date on which the ((special or general)) election is held
14 and ending on the date of that election, each Friday the ((treasurer))
15 candidate or political committee shall file with the commission and the
16 appropriate county elections officer, as specified under section 204 of
17 this act, a report of each ((bank deposit made)) contribution received
18 during the previous seven calendar days. ((The report shall contain
19 the name of each person contributing the funds so deposited and the
20 amount contributed by each person. However, contributions of no more
21 than twenty-five dollars in the aggregate from any one person may be
22 deposited without identifying the contributor.))

23 (4) A copy of ((the)) each report ((shall)) required to be filed by
24 a candidate or political committee under this chapter must be retained
25 by the treasurer ((for his or her)) as part of the candidate's or
26 political committee's records. ((In the event of deposits made by a
27 deputy treasurer, the copy shall be forwarded to the treasurer for his
28 or her records. Each report shall be certified as correct by the
29 treasurer or deputy treasurer making the deposit.

30 ~~(4) The treasurer or~~) (5) The candidate or political committee
31 shall ((maintain)) have books of account maintained that accurately
32 ((reflecting)) reflect all contributions and expenditures on a current
33 basis within ((five business days)) one day of receipt or expenditure.
34 During the eight days immediately preceding the date of the election
35 the books of account ((shall)) for a candidate, and a political
36 committee that has not made a political advertisement relating to a
37 candidate as an independent expenditure, must be kept current within
38 one ((business)) day and shall be open for public inspection for at
39 least two consecutive hours Monday through Friday, excluding legal

1 holidays, between 8:00 a.m. and 8:00 p.m., as specified in the
2 committee's statement of organization filed pursuant to RCW 42.17.040,
3 at the principal headquarters or, if there is no headquarters, at the
4 address of the treasurer or such other place as may be authorized by
5 the commission. During the twenty-one days immediately before the date
6 of an election, a political committee that made a political
7 advertisement relating to a candidate undertaken as an independent
8 expenditure shall keep its books of account current within one day and
9 shall keep them open for public inspection for at least two consecutive
10 hours Monday through Friday, excluding legal holidays, between 8:00
11 a.m. and 8:00 p.m., as specified in the committee's statement of
12 organization filed under RCW 42.17.040, at the principal headquarters
13 or, if there is no headquarters, at the address of the treasurer or
14 such other place as may be authorized by the commission.

15 The (~~treasurer or~~) candidate or political committee shall
16 preserve books of account, bills, receipts, and all other financial
17 records of the campaign or political committee for not less than five
18 calendar years following the year during which the transaction
19 occurred.

20 (~~(5) All reports filed pursuant to subsections (1) or (2) of this~~
21 ~~section shall be certified as correct by the candidate and the~~
22 ~~treasurer.~~)

23 (6) Copies of all reports filed pursuant to this section shall be
24 readily available for public inspection for at least two consecutive
25 hours Monday through Friday, excluding legal holidays, between 8:00
26 a.m. and 8:00 p.m., as specified in the committee's statement of
27 organization filed pursuant to RCW 42.17.040, at the principal
28 headquarters or, if there is no headquarters, at the address of the
29 treasurer or such other place as may be authorized by the commission.

30 (7) The commission shall adopt administrative rules establishing
31 requirements for filer participation in any system designed and
32 implemented by the commission for the electronic filing of reports.

33 **Sec. 202.** RCW 42.17.065 and 1989 c 280 s 5 are each amended to
34 read as follows:

35 (1) In addition to the provisions of this section, a continuing
36 political committee shall file and report on the same conditions and at
37 the same times as any other committee in accordance with the provisions
38 of RCW 42.17.040, 42.17.050, and 42.17.060.

1 (2) A continuing political committee shall file with the commission
2 and the ~~((auditor or))~~ appropriate county elections officer ~~((of the~~
3 ~~county in which the committee maintains its office or headquarters and~~
4 ~~if there is no such office or headquarters then in the county in which~~
5 ~~the committee treasurer resides))~~, as provided under section 204 of
6 this act, a report on the tenth day of the month detailing its
7 activities for the preceding calendar month in which the committee has
8 received a contribution or made an expenditure ~~((: PROVIDED, That such~~
9 ~~report shall only))~~. However, the report must be filed only if either
10 the total contributions received or total expenditures made since the
11 last such report exceed two hundred dollars. The report shall be on a
12 form supplied by the commission and shall include the following
13 information:

- 14 (a) The information and requirements required by RCW 42.17.090;
15 (b) Each expenditure made to retire previously accumulated debts of
16 the committee; identified by recipient, amount, and date of payments;
17 (c) Such other information as the commission shall by rule
18 prescribe.

19 (3) If a continuing political committee shall make a contribution
20 in support of or in opposition to a candidate or ballot proposition
21 within sixty days prior to the date on which such candidate or ballot
22 proposition will be voted upon, such continuing political committee
23 shall report pursuant to RCW 42.17.080.

24 (4) A continuing political committee shall file reports as required
25 by this chapter until it is dissolved, at which time a final report
26 shall be filed. Upon submitting a final report, the duties of the
27 ~~((campaign))~~ committee treasurer shall cease and there shall be no
28 obligation to make any further reports.

29 (5) The ~~((campaign))~~ committee treasurer shall maintain books of
30 account accurately reflecting all contributions and expenditures on a
31 current basis within ~~((five business days))~~ one day of receipt or
32 expenditure. During the eight days immediately preceding the date of
33 any election, for which the continuing political committee has received
34 any contributions or made any expenditures, the books of account shall
35 be kept current within one ~~((business))~~ day and shall be open for
36 public inspection for at least two consecutive hours Monday through
37 Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as
38 specified in the committee's statement of organization filed pursuant
39 to RCW 42.17.040, at the principal campaign headquarters or, if there

1 is no campaign headquarters, at the address of the ((campaign))
2 committee treasurer or such other place as may be authorized by the
3 commission. In addition, a continuing political committee may be
4 subject to additional requirements provided under RCW 42.17.080.

5 (6) All reports filed pursuant to this section shall be certified
6 as correct by the ((campaign)) committee treasurer.

7 (7) The ((campaign)) committee treasurer shall preserve books of
8 account, bills, receipts, and all other financial records of the
9 campaign or political committee for not less than five calendar years
10 following the year during which the transaction occurred.

11 **Sec. 203.** RCW 42.17.090 and 1993 c 256 s 6 are each amended to
12 read as follows:

13 (1) Each report required under RCW 42.17.065, 42.17.080 (~~((1) and~~
14 ~~(2) shall))~~, and 42.17.135 must disclose the following:

15 (a) The funds on hand at the beginning of the period;

16 (b) The name and address of each person who has made one or more
17 contributions during the period, together with the money value and date
18 of such contributions and the aggregate value of all contributions
19 received from each such person during the campaign or in the case of a
20 continuing political committee, the current calendar year(~~((:—PROVIDED,~~
21 ~~That))~~). However, (i) pledges in the aggregate of less than one
22 hundred dollars from any one person need not be reported(~~((:—PROVIDED~~
23 ~~FURTHER, That the))~~); (ii) income which results from a fund-raising
24 activity conducted in accordance with RCW 42.17.067 may be reported as
25 one lump sum, with the exception of that portion of such income which
26 was received from persons whose names and addresses are required to be
27 included in the report required by RCW 42.17.067(~~((:—PROVIDED FURTHER,~~
28 ~~That))~~); (iii) contributions of no more than twenty-five dollars in the
29 aggregate from any one person during the election campaign may be
30 reported as one lump sum so long as the campaign treasurer maintains a
31 separate and private list of the name, address, and amount of each such
32 contributor(~~((:—PROVIDED FURTHER, That))~~); and (iv) the money value of
33 contributions of postage shall be the face value of such postage;

34 (c) Each loan, promissory note, or security instrument to be used
35 by or for the benefit of the candidate or political committee made by
36 any person, together with the names and addresses of the lender and
37 each person liable directly, indirectly, or contingently and the date
38 and amount of each such loan, promissory note, or security instrument;

1 (d) All other contributions not otherwise listed or exempted;

2 (e) The name and address of each candidate or political committee
3 to which any transfer of funds was made, together with the amounts and
4 dates of such transfers;

5 (f) The name and address of each person to whom an expenditure was
6 made in the aggregate amount of more than fifty dollars during the
7 period covered by this report, and the amount, date, and purpose of
8 each such expenditure. A candidate for state (~~executive or state~~
9 ~~legislative~~) office (~~or the political committee of such a candidate~~)
10 shall report this information for an expenditure under one of the
11 following categories, whichever is appropriate: (i) Expenditures for
12 the election of the candidate; (ii) expenditures for nonreimbursed
13 public office-related expenses; (iii) expenditures required to be
14 reported under (e) of this subsection; or (iv) expenditures of surplus
15 funds and other expenditures. The report of such a candidate or
16 committee shall contain a separate total of expenditures for each
17 category and a total sum of all expenditures. Other candidates and
18 political committees need not report information regarding expenditures
19 under the categories listed in (i) through (iv) of this subsection or
20 under similar such categories unless required to do so by the
21 commission by rule. The report of such an other candidate or committee
22 shall also contain the total sum of all expenditures;

23 (g) The name and address of each person to whom any expenditure was
24 made directly or indirectly to compensate the person for soliciting or
25 procuring signatures on an initiative or referendum petition, the
26 amount of such compensation to each such person, and the total of the
27 expenditures made for this purpose. Such expenditures shall be
28 reported under this subsection (1)(g) whether the expenditures are or
29 are not also required to be reported under (f) of this subsection;

30 (h) The name and address of any person and the amount owed for any
31 debt, obligation, note, unpaid loan, or other liability in the amount
32 of more than two hundred fifty dollars or in the amount of more than
33 fifty dollars that has been outstanding for over thirty days;

34 (i) The surplus or deficit of contributions over expenditures;

35 (j) The disposition made in accordance with RCW 42.17.095 of any
36 surplus funds;

37 (k) Such other information as shall be required by the commission
38 by rule in conformance with the policies and purposes of this chapter;
39 and

1 (1) Funds received from a political committee not otherwise
2 required to report under this chapter (a "nonreporting committee").
3 Such funds shall be forfeited to the state of Washington unless the
4 nonreporting committee has filed or within ten days following such
5 receipt files with the commission a statement disclosing: (i) Its name
6 and address; (ii) the purposes of the nonreporting committee; (iii) the
7 names, addresses, and titles of its officers or if it has no officers,
8 the names, addresses, and titles of its responsible leaders; (iv) the
9 name, office sought, and party affiliation of each candidate in the
10 state of Washington whom the nonreporting committee is supporting, and,
11 if such committee is supporting the entire ticket of any party, the
12 name of the party; (v) the ballot proposition supported or opposed in
13 the state of Washington, if any, and whether such committee is in favor
14 of or opposed to such proposition; (vi) the name and address of each
15 person residing in the state of Washington or corporation which has a
16 place of business in the state of Washington who has made one or more
17 contributions in the aggregate of more than twenty-five dollars to the
18 nonreporting committee during the current calendar year, together with
19 the money value and date of such contributions; (vii) the name and
20 address of each person in the state of Washington to whom an
21 expenditure was made by the nonreporting committee on behalf of a
22 candidate or political committee in the aggregate amount of more than
23 fifty dollars, the amount, date, and purpose of such expenditure, and
24 the total sum of such expenditures; (viii) such other information as
25 the commission may prescribe by rule, in keeping with the policies and
26 purposes of this chapter. A nonreporting committee incurring an
27 obligation to file additional reports in a calendar year may satisfy
28 the obligation by filing with the commission a letter providing
29 updating or amending information.

30 (2) Both the treasurer and the candidate, or the chief officer or
31 leader for a political committee, shall certify the correctness of each
32 report.

33 NEW SECTION. Sec. 204. A new section is added to chapter 42.17
34 RCW to read as follows:

35 Every statement of organization, report, or other filing required
36 by this chapter to be filed by a candidate or political committee must
37 be filed with the commission and the appropriate county elections
38 officer. The appropriate county elections officer for a candidate is

1 the county auditor or other elections officer of the county in which
2 the candidate resides. The appropriate county elections officer for a
3 political committee is the county auditor or other elections officer of
4 the county in which the committee maintains its office or headquarters,
5 and if there is no office or headquarters, then in the county in which
6 the treasurer resides.

7 **Sec. 205.** RCW 42.17.510 and 1995 c 397 s 19 are each amended to
8 read as follows:

9 (1) All written political advertising, whether relating to
10 candidates or ballot propositions, shall include the sponsor's name and
11 address. All radio and television political advertising, whether
12 relating to candidates or ballot propositions, shall include the
13 sponsor's name. The use of an assumed name shall be unlawful. The
14 party with which a candidate files shall be clearly identified in
15 political advertising for partisan office.

16 (2) In addition (~~to the materials required by subsection (1) of~~
17 ~~this section~~), all political advertising relating to a candidate
18 undertaken as an independent expenditure (~~by a person or entity other~~
19 ~~than a party organization~~) must include the following statement on the
20 communication "NOTICE TO VOTERS (Required by law): This advertisement
21 is an independent expenditure of funds not authorized or approved by
22 any candidate. There are no limits on the amount of independent
23 expenditures that may be made or on the amount of any contribution for
24 an independent expenditure. It is paid for by (name, address, city,
25 state)." If (~~the~~) an advertisement relating to a candidate
26 undertaken as an independent expenditure is undertaken by a
27 nonindividual (~~other than a party organization~~), then the notice must
28 (a) disclose the general nature of the interests represented by the
29 nonindividual, as determined by the commission under section 206 of
30 this act, immediately after the name of the nonindividual; and (b)
31 include the following notation (~~must also be included~~): "Top Five
32 Contributors," followed by a listing of the name(~~s~~) of each of the
33 five (~~persons~~) individuals or entities making the largest
34 contributions reportable under this chapter during the twelve-month
35 period before the date of the advertisement. The nature of interests
36 represented by each entity making such a contribution, as determined by
37 the commission under section 206 of this act, must be disclosed
38 immediately after the name of the entity.

1 (3) The statements and listings of contributors required by
2 (~~subsections (1) and (2) of~~) this section shall:

3 (a) Appear on the first page or fold of the written communication
4 in at least ten-point type, or in type at least ten percent of the
5 largest size type used in a written communication directed at more than
6 one voter, such as a billboard or poster, whichever is larger;

7 (b) Not be subject to the half-tone or screening process;

8 (c) Be set apart from any other printed matter; and

9 (d) Be clearly spoken on any broadcast advertisement.

10 (4) Political yard signs are exempt from the requirement of
11 (~~subsections (1) and (2) of~~) this section that the name and address
12 of the sponsor of political advertising be listed on the advertising.
13 In addition, the (~~public disclosure~~) commission shall, by rule,
14 exempt from the identification requirements of (~~subsections (1) and~~
15 ~~(2) of~~) this section forms of political advertising such as campaign
16 buttons, balloons, pens, pencils, sky-writing, inscriptions, and other
17 forms of advertising where identification is impractical.

18 (~~(5)~~) For the purposes of this section, "yard sign" means any
19 outdoor sign with dimensions no greater than eight feet by four feet.

20 NEW SECTION. Sec. 206. A new section is added to chapter 42.17
21 RCW to read as follows:

22 The commission shall assign a brief descriptive phrase indicating
23 the general nature of interests represented by each nonindividual
24 paying for advertisements relating to a candidate undertaken as
25 independent expenditures. As provided under RCW 42.17.510, this phrase
26 must be included immediately after the name of the nonindividual in
27 each advertisement relating to a candidate that the nonindividual
28 undertakes as an independent contribution.

29 The commission shall assign a brief descriptive phrase indicating
30 the general nature of interests represented by each entity making a
31 contribution to a nonindividual for advertisements relating to a
32 candidate that are undertaken as independent expenditures. As provided
33 under RCW 42.17.510, this phrase must be included immediately after the
34 name of each entity listed as one of the top five contributors to the
35 nonindividual making the advertisement.

36 **Sec. 207.** RCW 42.17.040 and 1989 c 280 s 2 are each amended to
37 read as follows:

1 (1) Every political committee, within two weeks after its
2 organization or, within two weeks after the date when it first has the
3 expectation of receiving contributions or making expenditures in any
4 election campaign, whichever is earlier, shall file a statement of
5 organization with the commission and with the county auditor or
6 elections officer of the county in which the candidate resides, or in
7 the case of any other political committee, the county in which the
8 treasurer resides. A political committee organized within the last
9 three weeks before an election and having the expectation of receiving
10 contributions or making expenditures during and for that election
11 campaign shall file a statement of organization within three
12 (~~business~~) days after its organization or when it first has the
13 expectation of receiving contributions or making expenditures in the
14 election campaign.

15 (2) The statement of organization shall include but not be limited
16 to:

17 (a) The name and address of the committee;

18 (b) The names and addresses of all related or affiliated committees
19 or other persons, and the nature of the relationship or affiliation;

20 (c) The names, addresses, and titles of its officers; or if it has
21 no officers, the names, addresses, and titles of its responsible
22 leaders;

23 (d) The name and address of its treasurer and depository;

24 (e) A statement whether the committee is a continuing one;

25 (f) The name, office sought, and party affiliation of each
26 candidate whom the committee is supporting or opposing, and, if the
27 committee is supporting the entire ticket of any party, the name of the
28 party;

29 (g) The ballot proposition concerned, if any, and whether the
30 committee is in favor of or opposed to such proposition;

31 (h) The general nature of the interest or interests represented by
32 the political committee;

33 (i) What distribution of surplus funds will be made, in accordance
34 with RCW 42.17.095, in the event of dissolution;

35 (~~(i)~~) (j) The street address of the place and the hours during
36 which the committee will make available for public inspection its books
37 of account and all reports filed in accordance with RCW 42.17.080; and

1 (~~(j)~~) (k) Such other information as the commission may (~~by~~
2 ~~regulation~~) prescribe by rule, in keeping with the policies and
3 purposes of this chapter.

4 (3) Any material change in information previously submitted in a
5 statement of organization shall be reported to the commission and to
6 the appropriate county elections officer within the ten days following
7 the change.

8 **Sec. 208.** RCW 42.17.105 and 1995 c 397 s 4 are each amended to
9 read as follows:

10 (1) (~~Campaign treasurers~~) During the special reporting period for
11 a candidate, a candidate shall prepare and deliver to the commission
12 and the appropriate county elections officer, as specified under
13 section 204 of this act, a special report regarding any contribution or
14 an aggregate of contributions (~~which~~) that is received from a single
15 person if the contribution or aggregate of contributions exceeds five
16 hundred dollars(~~is from a single person or entity; and is received~~
17 during a special reporting period).

18 (~~Any~~) During the special reporting period for a political
19 committee, a political committee (~~making~~) shall prepare and deliver
20 to the commission and the appropriate county elections officer, as
21 specified under section 204 of this act, a special report regarding a
22 contribution or an aggregate of contributions it makes to a single
23 (~~entity which~~) candidate or political committee if the contribution
24 or an aggregate of contributions exceeds five hundred dollars (~~shall~~
25 also prepare and deliver to the commission the special report if the
26 contribution or aggregate of contributions is made during a special
27 reporting period). During the special reporting period for a
28 political committee, a candidate or political committee that receives
29 a contribution or an aggregate of contributions from a single person
30 that exceeds five hundred dollars, shall prepare and deliver a special
31 report on the contribution or contributions to the commission and the
32 appropriate county elections officer, as specified under section 204 of
33 this act.

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

35 (a) Each of the following intervals is a special reporting period
36 for a candidate or an authorized committee: (i) The interval beginning
37 after the period covered by the last report required by RCW 42.17.080
38 and 42.17.090 to be filed before a primary and concluding on the end of

1 the day before that primary; and (ii) the interval composed of the
2 twenty-one days preceding a general election and concluding on the end
3 of the day before that general election; ((and))

4 (b) Each of the following intervals is a special reporting period
5 for any other political committee: (i) The interval composed of forty
6 days before a primary and the end of the day before that primary; and
7 (ii) the interval composed of forty days before a general election and
8 the end of the day before that general election; and

9 (c) An aggregate of contributions includes only those contributions
10 received from a single ((entity)) person during any one special
11 reporting period or made by the contributing political committee to a
12 single ((entity)) person during any one special reporting period.

13 (2) If a ((campaign treasurer)) candidate or political committee
14 files a special report under this section for one or more contributions
15 received from a single ((entity)) person during a special reporting
16 period, the ((treasurer)) candidate or political committee shall also
17 file a special report under this section for each subsequent
18 contribution of any size ((which)) that is received from ((that
19 entity)) the same person during the special reporting period. If a
20 political committee files a special report under this section for a
21 contribution or contributions made to a single ((entity)) candidate or
22 political committee during a special reporting period, the political
23 committee shall also file a special report for each subsequent
24 contribution of any size ((which)) that is made to ((that entity)) the
25 same candidate or political committee during the special reporting
26 period.

27 (3) Except as provided in subsection (4) of this section, the
28 special report required by this section shall be delivered to the
29 commission electronically or in written form(~~(, including but not~~
30 ~~limited to mailgram, telegram, or nightletter)). The special report~~
31 required of a contribution recipient by subsection (1) of this section
32 shall be delivered to the commission and the appropriate county
33 elections officer within forty-eight hours of the time, or on the first
34 working day after: The contribution exceeding five hundred dollars is
35 received by the candidate or ((treasurer)) political committee; the
36 aggregate received by the candidate or ((treasurer)) political
37 committee first exceeds five hundred dollars; or the subsequent
38 contribution that must be reported under subsection (2) of this section
39 is received by the candidate or ((treasurer)) political committee. The

1 special report required of a contributor by subsection (1) of this
2 section or RCW 42.17.175 shall be delivered to the commission, the
3 appropriate county elections officer, and the candidate or political
4 committee to whom the contribution or contributions ((are)) were made,
5 within twenty-four hours of the time, or on the first working day
6 after: The contribution is made; the aggregate of contributions made
7 first exceeds five hundred dollars; or the subsequent contribution that
8 must be reported under subsection (2) of this section is made.

9 (4) The special report may be transmitted orally by telephone to
10 the commission to satisfy the delivery period required by subsection
11 (3) of this section if the written form of the report is also mailed to
12 the commission and postmarked within the delivery period established in
13 subsection (3) of this section or the file transfer date of the
14 electronic filing is within the delivery period established in
15 subsection (3) of this section.

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

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

18 (b) The date or dates of receipt;

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

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

21 (e) The nature of the political committee, as determined under
22 section 206 of this act; and

23 (f) Any other information the commission may by rule require.

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

26 (7) The commission shall prepare daily a summary of the special
27 reports made under this section and RCW 42.17.175.

28 (8) It is a violation of this chapter for any person to make, or
29 for any candidate ((or political committee)) to accept from any one
30 person, contributions reportable under RCW 42.17.090 in the aggregate
31 exceeding fifty thousand dollars for any ((campaign)) candidate for
32 state-wide office or exceeding five thousand dollars for any other
33 campaign subject to the provisions of this chapter within twenty-one
34 days of ((a general)) an election. ((This subsection does not apply to
35 contributions made by, or accepted from, a bona fide political party as
36 defined in this chapter, excluding the county central committee or
37 legislative district committee.))

38 (9) It is a violation of this chapter for a person to make, or for
39 any political committee that undertakes political advertising relating

1 to a candidate undertaken as an independent expenditure to accept from
2 any one person, contributions reportable under RCW 42.17.090 in the
3 aggregate exceeding twenty-five thousand dollars for a state-wide
4 office or exceeding two thousand five hundred dollars for any other
5 campaign subject to this chapter within forty days of an election.

6 (10) Contributions governed by this section include, but are not
7 limited to, contributions made or received indirectly through a third
8 party or entity whether the contributions are or are not reported to
9 the commission as earmarked contributions under RCW 42.17.135.

10 **Sec. 209.** RCW 42.17.175 and 1991 c 157 s 2 are each amended to
11 read as follows:

12 (1) Any lobbyist registered under RCW 42.17.150, any person who
13 lobbies, and any lobbyist's employer making a contribution or an
14 aggregate of contributions to a single ((entity)) candidate, political
15 committee, or bona fide political party that exceeds five hundred
16 dollars during a special reporting period before a primary or general
17 election, as such period is specified in RCW 42.17.105(1), shall file
18 one or more special reports for the contribution or aggregate of
19 contributions and for subsequent contributions made during that period
20 under the same circumstances and to the same extent that a contributing
21 political committee must file such a report or reports under RCW
22 42.17.105.

23 A person, other than a political committee, who makes a
24 contribution or aggregate of contributions to a single candidate,
25 political committee, or bona fide political party that exceeds five
26 thousand dollars during a special reporting period before a general
27 election, as that period is specified in RCW 42.17.105(1), shall file
28 one or more special reports for the contribution or aggregate of
29 contributions and for subsequent contributions made during that period
30 under the same circumstances and to the same extent that a contributing
31 political committee must file such a report or reports under RCW
32 42.17.105.

33 (2) Such a special report shall be filed in the same manner
34 provided under RCW 42.17.105 for a special report of a contributing
35 political committee.

36 NEW SECTION. **Sec. 210.** A new section is added to chapter 42.17
37 RCW to read as follows:

1 A copy of all political advertising relating to candidates that is
2 undertaken as an independent expenditure, and the amount that has been
3 spent to date and is proposed to be spent on this independent
4 expenditure, must be delivered to the commission at least five days
5 before the advertising is distributed or aired.

6 NEW SECTION. **Sec. 211.** A new section is added to chapter 42.17
7 RCW to read as follows:

8 A county, city, or town may establish a program where a candidate
9 for a local elected office voluntarily agrees to abide by limitations
10 on the amount of money the candidate, or the candidate's authorized
11 committee, spends to campaign for the office in return for receiving
12 public matching funds from the county, city, or town that are used to
13 assist in funding his or her campaign.

14 **PART III--CONTRIBUTIONS**

15 **Sec. 301.** RCW 42.17.680 and 1993 c 2 s 8 are each amended to read
16 as follows:

17 (1) No employer or labor organization may increase the salary of an
18 officer or employee, or give an emolument to an officer, employee, or
19 other person or entity, with the intention that the increase in salary,
20 or the emolument, or a part of it, be contributed or spent to support
21 or oppose a candidate, (~~state~~) elected official against whom recall
22 charges have been filed, political party, or political committee.

23 (2) No employer or labor organization may discriminate for or
24 against an officer or employee in the terms or conditions of employment
25 for (a) (~~the failure~~) contributing or failing to contribute to, (b)
26 (~~the failure~~) in any way failing to support or oppose, or (c) in any
27 way supporting or opposing, a candidate, elected official against whom
28 recall charges have been filed, ballot proposition, political party, or
29 political committee.

30 (3) No employer or other person or entity responsible for the
31 disbursement of funds in payment of wages or salaries may withhold or
32 divert a portion of an employee's wages or salaries for contributions
33 to a candidate, elected official against whom recall charges have been
34 filed, ballot proposition, political party, or political (~~committees~~
35 ~~or for use as political contributions~~) committee, except upon the
36 written request of the employee. The request must be made on a form

1 prescribed by the commission informing the employee of the prohibition
2 against employer and labor organization discrimination described in
3 subsection (2) of this section. The request is valid for no more than
4 twelve months from the date it is made by the employee.

5 (4) Each employer or other person (~~(or entity)~~) who withholds
6 contributions under subsection (3) of this section shall maintain open
7 for public inspection for a period of no less than three years, during
8 normal business hours, documents and books of accounts that shall
9 include a copy of each employee's request, the amounts and dates funds
10 were actually withheld, and the amounts and dates funds were
11 transferred to a candidate, political party, or political committee.
12 Copies of such information shall be delivered to the commission upon
13 request.

14 (5) A for-profit corporation may not make contributions, directly
15 or indirectly, to a candidate, political party, or political committee,
16 except through a separate fund made up of money solicited expressly for
17 political purposes.

18 **PART IV--MISCELLANEOUS**

19 NEW SECTION. Sec. 401. RCW 42.17.128 and 1993 c 2 s 24 are each
20 repealed.

21 NEW SECTION. Sec. 402. If any provision of this act or its
22 application to any person or circumstance is held invalid, the
23 remainder of the act or the application of the provision to other
24 persons or circumstances is not affected.

--- END ---