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## State Government Committee

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### HB 2586

**Brief Description:** Restricting unsolicited dissemination of complaints by the public disclosure commission.

**Sponsors:** Representatives Schindler and Mielke.

#### Brief Summary of Bill

- The PDC may not make unsolicited disseminations of complaints prior to scheduling a formal hearing without a formal public records request.

**Hearing Date:** 1/29/02

**Staff:** Catherine Blinn (786-7114).

#### Background:

The Public Disclosure Commission (PDC) was created in 1973 following passage of Initiative 276 in 1972. Among the stated purposes of the legislation, was the intent to make information on political campaign and lobbying contributions available to the public. The PDC is responsible for enforcing the laws relating to personal financial affairs reporting, lobbyist reporting, campaign finance reporting, campaign contribution limits, and independent expenditure reporting. The PDC receives and provides public access, including access through a website, to the reports and to other data and information submitted by candidates, elected officials, political committees, lobbyists, and other organizations providing political advertising and independent expenditures. All statements and reports filed under public disclosure laws are considered public records of the agency where filed, and must be available to the public for inspection and copying during normal business hours. The PDC is also responsible for enforcing ethics laws for local government officials.

Upon a citizen's complaint or upon its own motion, the PDC is authorized to investigate apparent violations of the public disclosure laws, including issuing subpoenas, taking evidence, and requiring the production of materials. The PDC is required to publicize the time and date of formal violation hearings, the issues to be addressed at the hearings, and the results. Violation hearings must follow requirements of the Administrative Procedures Act and may result in monetary penalties. In lieu of holding a hearing, the PDC may refer a matter to the Office of the Attorney General or to the local prosecuting attorney to pursue a

civil action. All enforcement actions must be brought within five years of the date of the violation.

**Summary of Bill:**

The PDC may not make unsolicited disseminations of complaints prior to scheduling a formal hearing without a formal public records request.

**Rulemaking Authority:** No express authority.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

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