
State Government Committee

HB 2587

Brief Description: Limiting the time for public disclosure commission investigations.

Sponsors: Representatives Romero, Upthegrove, Miloscia, Schindler, Dunn and Ogden.

Brief Summary of Bill

- The Public Disclosure Commission must issue charges within 120 days from the day a complaint is filed.

Hearing Date: 1/29/02

Staff: Marsha Reilly (786-7135).

Background:

The Public Disclosure Act (PDA) requires that political campaign and lobbying contributions and expenditures be fully disclosed, as well as the financial affairs of elected officials and candidates. The PDA covers campaign financing, maximum campaign contribution limits, political advertising, lobbying, and the financial affairs of public officials. Once the Public Disclosure Commission (PDC) is aware of a possible violation of the PDA, it may pursue administrative remedies or may refer the matter to the Attorney General or other law enforcement agencies.

In cases where the PDC acts on violations, the following actions are taken pursuant to the Administrative Procedures Act (APA):

- The executive director authorizes an investigation;
- The executive director initiates an enforcement hearing when investigations reveal violations of the PDA have occurred and that these violations do not constitute substantial compliance; and
- A hearing is scheduled and the respondent is notified at least ten days in advance of the hearing date.

Statute requires that actions resulting from the PDA violations must be commenced within five years after the date when the violation occurred.

Summary of Bill:

The PDC must issue charges within 120 days from the date the complaint was received. The date may be extended if agreed to by the complaining party, the accused, and the PDC. The PDC may grant a single 60-day extension upon showing just cause.

Statute is amended to reflect that only legal actions resulting from the PDA violations be commenced within five years after the date when the violation occurred.

Rulemaking Authority: No express authority.

Appropriation: None.

Fiscal Note: Not Requested.

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