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**State Government Committee**

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**HB 1823**

**Brief Description:** Shortening the time for voiding an election.

**Sponsors:** Representatives Upthegrove, Schual-Berke and Miloscia.

**Brief Summary of Bill**

- The process for voiding an election based on a campaign finance violation is changed from requiring that the action be commenced within one year of the election to requiring that the complaint that initiated the investigation be filed with the Public Disclosure Commission within six months of the election.

**Hearing Date:** 3/3/03

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

**Background:**

The Public Disclosure Commission (PDC) enforces campaign finance laws for state and local elections. Upon a finding that a person has committed a campaign finance violation, the PDC may impose a sanction of \$1,000 per violation or \$2,500 for multiple violations addressed in a single hearing or complaint. The PDC may also refer the matter to the Attorney General (AG), who may file a civil suit in Superior Court seeking damages of up to \$10,000 per violation.

If the court finds that a violation of the campaign finance laws probably affected the outcome of an election, the court may void the election and order a special election be held within 60 days. Any action to void an election must be commenced within one year of the date of the election.

**Summary of Bill:**

The requirement that an action to void an election be commenced within one year of the date of the election is eliminated. Instead, a court may void an election for a campaign finance violation if the complaint that initiated the investigation was filed with the PDC within six months of the date of the election. If the investigation was based upon the PDC's own motion rather than a complaint, the investigation must have been initiated within six months

of the date of the election.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.