
HOUSE BILL 2235

State of Washington

58th Legislature

2003 Regular Session

By Representative Dunshee

Read first time 03/31/2003. Referred to Committee on State Government.

1 AN ACT Relating to spending in election campaigns; adding a new
2 section to chapter 42.17 RCW; adding a new section to chapter 29.81
3 RCW; creating a new section; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The tremendous increases in the costs of
6 election campaigns, when coupled with recently enacted limits on
7 campaign contributions, creates a situation favoring the election of
8 wealthy candidates able to spend substantial amounts of their own
9 resources for the purpose of winning elections and those candidates who
10 receive their contributions from sources that have been able to
11 proliferate to avoid, as a practical matter, the contribution limits.
12 In order to decrease the advantage of a candidate's wealth or nimble
13 contribution sources in election contests, the legislature enacts this
14 law directing the adoption of voluntary campaign spending limits for
15 state election contests and disclosure of those candidates who agree to
16 abide by the voluntary limits and those who do not.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW
18 to read as follows:

1 (1) The public disclosure commission shall adopt recommended
2 spending limits for candidates for the following offices: Governor,
3 lieutenant governor, secretary of state, treasurer, auditor, attorney
4 general, commissioner of public lands, insurance commissioner,
5 superintendent of public instruction, member of the state senate, and
6 member of the state house of representatives. In adopting the
7 recommended spending limits, the commission shall consider the average
8 expenditure amounts for the candidates who received the highest and
9 next highest number of votes in the 2004 general elections for each
10 office for which the commission is required to recommend a spending
11 limit. Unless the commission finds that these amounts would be
12 inappropriate or unrealistic or that adjustments in the amounts to
13 reflect geographic differences in legislative districts are warranted,
14 the commission shall base its recommended spending limits on the
15 average expenditure amounts.

16 (2) Beginning in 2006, the commission shall biennially adjust the
17 recommended spending limits adopted under subsection (1) of this
18 section based on changes in economic conditions as reflected in the
19 inflationary index used by the commission under RCW 42.17.370.

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

29 (4) The commission shall prescribe the form that will be used for
30 executing a promise under this section. The promise must be filed not
31 later than the tenth day after the close of the filing period for the
32 office.

33 (5) For each election involving an office for which voluntary
34 expenditure limits have been established under this section, the
35 commission shall compile a list of those candidates who filed promises
36 in a timely manner. The commission shall promptly make the list
37 available to the media and the public. The announcement of its
38 availability must be made by the executive director of the commission

1 or an employee designated by the chair of the commission to make such
2 an announcement. During an election campaign, the commission shall
3 periodically publish a list identifying each candidate who has executed
4 a binding promise under this section.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 29.81 RCW
6 to read as follows:

7 The secretary of state shall add to each voters' pamphlet a list of
8 the campaign spending limits recommended by the public disclosure
9 commission for each of the state offices for which the statements of
10 candidates appear in the pamphlet and a brief explanation of the effect
11 of a promise filed with the commission under section 2 of this act.

12 In preparing the voters' pamphlet for publication, the secretary of
13 state shall secure from the public disclosure commission its most
14 current list of candidates who have promised to limit spending, as that
15 list is specified in section 2 of this act. Using this list, the
16 secretary shall add a prominent notice in the candidates' pamphlet to
17 accompany the statement or photograph of each person on the list. The
18 notice will state: "Has promised to abide by the voluntary spending
19 limit for this campaign." With the statement in the pamphlet of each
20 other candidate for state office, the secretary shall add a prominent
21 notice stating: "Has **NOT** promised to abide by the voluntary spending
22 limit for this campaign." The notice will accompany the statement or
23 photograph of each such other candidate.

24 For the purposes of this section, "state office" means the offices
25 listed in section 2(1) of this act for which the public disclosure
26 commission has adopted recommended spending limits.

27 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2005.

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