
SECOND SUBSTITUTE HOUSE BILL 1226

State of Washington

59th Legislature

2006 Regular Session

By House Committee on State Government Operations & Accountability (originally sponsored by Representatives Schual-Berke, Tom, Haigh, Cody, Fromhold, Jarrett, Hudgins, Conway, Appleton, Flannigan, Murray, McCoy, Lantz, Hasegawa, Williams, Kagi, Ormsby, Morrell, Chase, Dickerson, Kenney and Sells)

READ FIRST TIME 01/20/06.

1 AN ACT Relating to campaign contribution limits; amending RCW
2 42.17.640 and 42.17.700; adding new sections to chapter 42.17 RCW; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 42.17.640 and 2005 c 445 s 11 are each amended to read
6 as follows:

7 (1) The contribution limits in this section apply to:

8 (a) Candidates for state legislative office;

9 (b) Candidates for state office other than state legislative
10 office;

11 (c) Candidates for county office in a county that has over two
12 hundred thousand registered voters;

13 (d) Persons holding an office in (a) through (c) of this subsection
14 against whom recall charges have been filed or to a political committee
15 having the expectation of making expenditures in support of the recall
16 of a person holding the office;

17 (e) Caucus political committees;

18 (f) Bona fide political parties.

1 (2) No person, other than a bona fide political party or a caucus
2 political committee, may make contributions to a candidate for a state
3 legislative office or county office that in the aggregate exceed seven
4 hundred dollars or to a candidate for a state office other than a state
5 legislative office that in the aggregate exceed one thousand four
6 hundred dollars for each election in which the candidate is on the
7 ballot or appears as a write-in candidate. Contributions to candidates
8 subject to the limits in this section made with respect to a primary
9 may not be made after the date of the primary. However, contributions
10 to a candidate or a candidate's authorized committee may be made with
11 respect to a primary until thirty days after the primary, subject to
12 the following limitations: (a) The candidate lost the primary; (b) the
13 candidate's authorized committee has insufficient funds to pay debts
14 outstanding as of the date of the primary; and (c) the contributions
15 may only be raised and spent to satisfy the outstanding debt.
16 Contributions to candidates subject to the limits in this section made
17 with respect to a general election may not be made after the final day
18 of the applicable election cycle.

19 (~~(+2)~~) (3) No person, other than a bona fide political party or a
20 caucus political committee, may make contributions to a state official
21 or county official against whom recall charges have been filed, or to
22 a political committee having the expectation of making expenditures in
23 support of the recall of the state official or county official, during
24 a recall campaign that in the aggregate exceed seven hundred dollars if
25 for a state legislative office or one thousand four hundred dollars if
26 for a state office other than a state legislative office.

27 (~~(+3)~~) (4)(a) Notwithstanding subsection (~~(+1)~~) (2) of this
28 section, no bona fide political party or caucus political committee may
29 make contributions to a candidate during an election cycle that in the
30 aggregate exceed (i) seventy cents multiplied by the number of eligible
31 registered voters in the jurisdiction from which the candidate is
32 elected if the contributor is a caucus political committee or the
33 governing body of a state organization, or (ii) thirty-five cents
34 multiplied by the number of registered voters in the jurisdiction from
35 which the candidate is elected if the contributor is a county central
36 committee or a legislative district committee.

37 (b) No candidate may accept contributions from a county central
38 committee or a legislative district committee during an election cycle

1 that when combined with contributions from other county central
2 committees or legislative district committees would in the aggregate
3 exceed thirty-five cents times the number of registered voters in the
4 jurisdiction from which the candidate is elected.

5 ~~((+4))~~ (5)(a) Notwithstanding subsection ~~((+2))~~ (3) of this
6 section, no bona fide political party or caucus political committee may
7 make contributions to a state official or county official against whom
8 recall charges have been filed, or to a political committee having the
9 expectation of making expenditures in support of the state official or
10 county official, during a recall campaign that in the aggregate exceed
11 (i) seventy cents multiplied by the number of eligible registered
12 voters in the jurisdiction entitled to recall the state official if the
13 contributor is a caucus political committee or the governing body of a
14 state organization, or (ii) thirty-five cents multiplied by the number
15 of registered voters in the jurisdiction from which the candidate is
16 elected if the contributor is a county central committee or a
17 legislative district committee.

18 (b) No ~~((state))~~ official holding an office specified in subsection
19 (1) of this section against whom recall charges have been filed, no
20 authorized committee of the official, and no political committee having
21 the expectation of making expenditures in support of the recall of ~~((a~~
22 ~~state))~~ the official may accept contributions from a county central
23 committee or a legislative district committee during an election cycle
24 that when combined with contributions from other county central
25 committees or legislative district committees would in the aggregate
26 exceed thirty-five cents multiplied by the number of registered voters
27 in the jurisdiction from which the candidate is elected.

28 ~~((+5))~~ (6) For purposes of determining contribution limits under
29 subsections ~~((+3) and)~~ (4) and (5) of this section, the number of
30 eligible registered voters in a jurisdiction is the number at the time
31 of the most recent general election in the jurisdiction.

32 ~~((+6))~~ (7) Notwithstanding subsections ~~((+1))~~ (2) through ~~((+4))~~
33 (5) of this section, no person other than an individual, bona fide
34 political party, or caucus political committee may make contributions
35 reportable under this chapter to a caucus political committee that in
36 the aggregate exceed seven hundred dollars in a calendar year or to a
37 bona fide political party that in the aggregate exceed three thousand

1 five hundred dollars in a calendar year. This subsection does not
2 apply to loans made in the ordinary course of business.

3 ~~((7))~~ (8) For the purposes of RCW 42.17.640 through 42.17.790, a
4 contribution to the authorized political committee of a candidate~~((7))~~
5 or of ~~((a-state))~~ an official specified in subsection (1) of this
6 section against whom recall charges have been filed~~((7))~~ is considered
7 to be a contribution to the candidate or ~~((state))~~ official.

8 ~~((8))~~ (9) A contribution received within the twelve-month period
9 after a recall election concerning ~~((a-state))~~ an office specified in
10 subsection (1) of this section is considered to be a contribution
11 during that recall campaign if the contribution is used to pay a debt
12 or obligation incurred to influence the outcome of that recall
13 campaign.

14 ~~((9))~~ (10) The contributions allowed by subsection ~~((2))~~ (3) of
15 this section are in addition to those allowed by subsection ~~((1))~~ (2)
16 of this section, and the contributions allowed by subsection ~~((4))~~
17 (5) of this section are in addition to those allowed by subsection
18 ~~((3))~~ (4) of this section.

19 ~~((10))~~ (11) RCW 42.17.640 through 42.17.790 apply to a special
20 election conducted to fill a vacancy in ~~((a-state))~~ an office specified
21 in subsection (1) of this section. However, the contributions made to
22 a candidate or received by a candidate for a primary or special
23 election conducted to fill such a vacancy shall not be counted toward
24 any of the limitations that apply to the candidate or to contributions
25 made to the candidate for any other primary or election.

26 ~~((11))~~ (12) Notwithstanding the other subsections of this
27 section, no corporation or business entity not doing business in
28 Washington state, no labor union with fewer than ten members who reside
29 in Washington state, and no political committee that has not received
30 contributions of ten dollars or more from at least ten persons
31 registered to vote in Washington state during the preceding one hundred
32 eighty days may make contributions reportable under this chapter to a
33 candidate, to a state official against whom recall charges have been
34 filed, or to a political committee having the expectation of making
35 expenditures in support of the recall of the official. This subsection
36 does not apply to loans made in the ordinary course of business.

37 ~~((12))~~ (13) Notwithstanding the other subsections of this
38 section, no county central committee or legislative district committee

1 may make contributions reportable under this chapter to a candidate(~~(a~~
2 ~~state official~~)) specified in subsection (1) of this section, or an
3 official specified in subsection (1) of this section against whom
4 recall charges have been filed, or political committee having the
5 expectation of making expenditures in support of the recall of (~~a~~
6 ~~state~~)) an official specified in subsection (1) of this section if the
7 county central committee or legislative district committee is outside
8 of the jurisdiction entitled to elect the candidate or recall the
9 (~~state~~) official.

10 (~~(13)~~) (14) No person may accept contributions that exceed the
11 contribution limitations provided in this section.

12 (~~(14)~~) (15) The following contributions are exempt from the
13 contribution limits of this section:

14 (a) An expenditure or contribution earmarked for voter
15 registration, for absentee ballot information, for precinct caucuses,
16 for get-out-the-vote campaigns, for precinct judges or inspectors, for
17 sample ballots, or for ballot counting, all without promotion of or
18 political advertising for individual candidates; or

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

22 NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW
23 to read as follows:

24 (1) No person may make contributions to a candidate for the state
25 supreme court or court of appeals that in the aggregate exceed one
26 thousand four hundred dollars for each election in which the candidate
27 is on the ballot or appears as a write-in candidate. Contributions
28 made with respect to a primary may not be made after the date of the
29 primary. However, contributions to a candidate or a candidate's
30 authorized committee may be made with respect to a primary until thirty
31 days after the primary, subject to the following limitations: (a) The
32 candidate lost the primary; (b) the candidate's authorized committee
33 has insufficient funds to pay debts outstanding as of the date of the
34 primary; and (c) the contributions may only be raised and spent to
35 satisfy the outstanding debt. Contributions made with respect to a
36 general election may not be made after the final day of the applicable
37 election cycle.

1 (2) This section and RCW 42.17.640 through 42.17.790 apply to a
2 special election conducted to fill a vacancy in an office. However,
3 the contributions made to a candidate or received by a candidate for a
4 primary or special election conducted to fill such a vacancy will not
5 be counted toward any of the limitations that apply to the candidate or
6 to contributions made to the candidate for any other primary or
7 election.

8 (3) No person may accept contributions that exceed the contribution
9 limitations provided in this section.

10 (4) The dollar limits in this section must be adjusted according to
11 RCW 42.17.690.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW
13 to read as follows:

14 The commission shall adopt rules to carry out the policies of this
15 act and is not subject to the time restrictions of RCW 42.17.370(1).

16 **Sec. 4.** RCW 42.17.700 and 1993 c 2 s 10 are each amended to read
17 as follows:

18 (1) Contributions to candidates for state office made and received
19 before December 3, 1992, are considered to be contributions under RCW
20 42.17.640 through 42.17.790. Monetary contributions that exceed the
21 contribution limitations and that have not been spent by the recipient
22 of the contribution by December 3, 1992, must be disposed of in
23 accordance with RCW 42.17.095.

24 (2) Contributions to other candidates subject to the contribution
25 limits of this chapter made and received before the effective date of
26 this act are considered to be contributions under RCW 42.17.640 through
27 42.17.790. Contributions that exceed the contribution limitations and
28 that have not been spent by the recipient of the contribution by the
29 effective date of this act must be disposed of in accordance with RCW
30 42.17.095 except for RCW 42.17.095 (6) and (7).

31 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect

1 immediately.

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