
SENATE BILL 5140

State of Washington

59th Legislature

2005 Regular Session

By Senators Berkey, Kastama and Kohl-Welles

Read first time 01/14/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the disposal of surplus funds of candidates or
2 political committees; and amending RCW 42.17.095.

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

4 **Sec. 1.** RCW 42.17.095 and 1995 c 397 s 31 are each amended to read
5 as follows:

6 The surplus funds of a candidate, or of a political committee
7 supporting or opposing a candidate, may only be disposed of in any one
8 or more of the following ways:

9 (1) Return the surplus to a contributor in an amount not to exceed
10 that contributor's original contribution;

11 (2) Transfer the surplus to the candidate's personal account as
12 reimbursement for lost earnings incurred as a result of that
13 candidate's election campaign. Such lost earnings shall be verifiable
14 as unpaid salary or, when the candidate is not salaried, as an amount
15 not to exceed income received by the candidate for services rendered
16 during an appropriate, corresponding time period. All lost earnings
17 incurred shall be documented and a record thereof shall be maintained
18 by the candidate or the candidate's political committee. The committee

1 shall include a copy of such record when its expenditure for such
2 reimbursement is reported pursuant to RCW 42.17.090;

3 (3) Transfer the surplus without limit to a political party or to
4 a caucus political committee;

5 (4) Donate the surplus to a charitable organization registered in
6 accordance with chapter 19.09 RCW;

7 (5) Transmit the surplus to the state treasurer for deposit in the
8 general fund, the oral history, state library, and archives account
9 under RCW 43.07.380, or the legislative international trade account
10 under RCW 44.04.270, as specified by the candidate or political
11 committee; or

12 (6) Hold the surplus in the campaign depository or depositories
13 designated in accordance with RCW 42.17.050 for possible use in a
14 future election campaign for the same office last sought by the
15 candidate and report any such disposition in accordance with RCW
16 42.17.090: PROVIDED, That if the candidate subsequently announces or
17 publicly files for office, information as appropriate is reported to
18 the commission in accordance with RCW 42.17.040 through 42.17.090. If
19 a subsequent office is not sought the surplus held shall be disposed of
20 in accordance with the requirements of this section.

21 (7) Hold the surplus campaign funds in a separate account for
22 nonreimbursed public office-related expenses or as provided in this
23 section, and report any such disposition in accordance with RCW
24 42.17.090. The separate account required under this subsection shall
25 not be used for deposits of campaign funds that are not surplus.

26 (8) No candidate or authorized committee may transfer funds to any
27 other candidate or other political committee.

28 The disposal of surplus funds under this section shall not be
29 considered a contribution for purposes of this chapter.

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