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SENATE BILL 5879

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State of Washington

59th Legislature

2005 Regular Session

By Senators Prentice, Oke, Haugen, Benson, Franklin, Pridemore, Shin, Rockefeller, Fraser, Hargrove, Stevens and Rasmussen

Read first time 02/10/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to prohibiting out-of-state contributions to ballot  
2 measures relating to gambling; and amending RCW 42.17.640.

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

4 **Sec. 1.** RCW 42.17.640 and 2001 c 208 s 1 are each amended to read  
5 as follows:

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

1 may only be raised and spent to satisfy the outstanding debt.  
2 Contributions made with respect to a general election may not be made  
3 after the final day of the applicable election cycle.

4 (2) No person, other than a bona fide political party or a caucus  
5 political committee, may make contributions to a state official against  
6 whom recall charges have been filed, or to a political committee having  
7 the expectation of making expenditures in support of the recall of the  
8 state official, during a recall campaign that in the aggregate exceed  
9 five hundred dollars if for a state legislative office or one thousand  
10 dollars if for a state office other than a state legislative office.

11 (3)(a) Notwithstanding subsection (1) of this section, no bona fide  
12 political party or caucus political committee may make contributions to  
13 a candidate during an election cycle that in the aggregate exceed (i)  
14 fifty cents multiplied by the number of eligible registered voters in  
15 the jurisdiction from which the candidate is elected if the contributor  
16 is a caucus political committee or the governing body of a state  
17 organization, or (ii) twenty-five cents multiplied by the number of  
18 registered voters in the jurisdiction from which the candidate is  
19 elected if the contributor is a county central committee or a  
20 legislative district committee.

21 (b) No candidate may accept contributions from a county central  
22 committee or a legislative district committee during an election cycle  
23 that when combined with contributions from other county central  
24 committees or legislative district committees would in the aggregate  
25 exceed twenty-five cents times the number of registered voters in the  
26 jurisdiction from which the candidate is elected.

27 (4)(a) Notwithstanding subsection (2) of this section, no bona fide  
28 political party or caucus political committee may make contributions to  
29 a state official against whom recall charges have been filed, or to a  
30 political committee having the expectation of making expenditures in  
31 support of the state official, during a recall campaign that in the  
32 aggregate exceed (i) fifty cents multiplied by the number of eligible  
33 registered voters in the jurisdiction entitled to recall the state  
34 official if the contributor is a caucus political committee or the  
35 governing body of a state organization, or (ii) twenty-five cents  
36 multiplied by the number of registered voters in the jurisdiction from  
37 which the candidate is elected if the contributor is a county central  
38 committee or a legislative district committee.

1 (b) No state official against whom recall charges have been filed,  
2 no authorized committee of the official, and no political committee  
3 having the expectation of making expenditures in support of the recall  
4 of a state official may accept contributions from a county central  
5 committee or a legislative district committee during an election cycle  
6 that when combined with contributions from other county central  
7 committees or legislative district committees would in the aggregate  
8 exceed twenty-five cents multiplied by the number of registered voters  
9 in the jurisdiction from which the candidate is elected.

10 (5) For purposes of determining contribution limits under  
11 subsections (3) and (4) of this section, the number of eligible  
12 registered voters in a jurisdiction is the number at the time of the  
13 most recent general election in the jurisdiction.

14 (6) Notwithstanding subsections (1) through (4) of this section, no  
15 person other than an individual, bona fide political party, or caucus  
16 political committee may make contributions reportable under this  
17 chapter to a caucus political committee that in the aggregate exceed  
18 five hundred dollars in a calendar year or to a bona fide political  
19 party that in the aggregate exceed two thousand five hundred dollars in  
20 a calendar year. This subsection does not apply to loans made in the  
21 ordinary course of business.

22 (7) For the purposes of RCW 42.17.640 through 42.17.790, a  
23 contribution to the authorized political committee of a candidate, or  
24 of a state official against whom recall charges have been filed, is  
25 considered to be a contribution to the candidate or state official.

26 (8) A contribution received within the twelve-month period after a  
27 recall election concerning a state office is considered to be a  
28 contribution during that recall campaign if the contribution is used to  
29 pay a debt or obligation incurred to influence the outcome of that  
30 recall campaign.

31 (9) The contributions allowed by subsection (2) of this section are  
32 in addition to those allowed by subsection (1) of this section, and the  
33 contributions allowed by subsection (4) of this section are in addition  
34 to those allowed by subsection (3) of this section.

35 (10) RCW 42.17.640 through 42.17.790 apply to a special election  
36 conducted to fill a vacancy in a state office. However, the  
37 contributions made to a candidate or received by a candidate for a  
38 primary or special election conducted to fill such a vacancy shall not

1 be counted toward any of the limitations that apply to the candidate or  
2 to contributions made to the candidate for any other primary or  
3 election.

4 (11) Notwithstanding the other subsections of this section, no  
5 corporation or business entity not doing business in Washington state,  
6 no labor union with fewer than ten members who reside in Washington  
7 state, and no political committee that has not received contributions  
8 of ten dollars or more from at least ten persons registered to vote in  
9 Washington state during the preceding one hundred eighty days may make  
10 contributions reportable under this chapter to a candidate, to a state  
11 official against whom recall charges have been filed, or to a political  
12 committee having the expectation of making expenditures in support of  
13 the recall of the official. This subsection does not apply to loans  
14 made in the ordinary course of business.

15 (12) Notwithstanding the other subsections of this section, no  
16 county central committee or legislative district committee may make  
17 contributions reportable under this chapter to a candidate, state  
18 official against whom recall charges have been filed, or political  
19 committee having the expectation of making expenditures in support of  
20 the recall of a state official if the county central committee or  
21 legislative district committee is outside of the jurisdiction entitled  
22 to elect the candidate or recall the state official.

23 (13) No person may accept contributions that exceed the  
24 contribution limitations provided in this section.

25 (14) The following contributions are exempt from the contribution  
26 limits of this section:

27 (a) An expenditure or contribution earmarked for voter  
28 registration, for absentee ballot information, for precinct caucuses,  
29 for get-out-the-vote campaigns, for precinct judges or inspectors, for  
30 sample ballots, or for ballot counting, all without promotion of or  
31 political advertising for individual candidates; or

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

35 (15) Notwithstanding the other subsections of this section, no  
36 person who is not a registered voter in Washington state and no  
37 corporation or other entity that is not doing business in Washington  
38 state and not subject to enforcement oversight or regulation by the

1 gambling commission or the horse racing commission, and is engaged in  
2 an activity that if conducted in Washington state would require a  
3 license issued by either the gambling commission or the horse racing  
4 commission, may make contributions that are reportable under this  
5 chapter to any political committee with the expectation of making an  
6 expenditure in support of or opposition to a ballot measure affecting  
7 chapter 9.46, 67.16, or 67.70 RCW.

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