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SENATE BILL 6739

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State of Washington                      59th Legislature                      2006 Regular Session

By Senators Deccio, Kastama, McCaslin, Keiser, Honeyford, Shin, Benson, Jacobsen and Thibaudeau

Read first time 01/19/2006.      Referred to Committee on Government Operations & Elections.

1            AN ACT Relating to campaign contributions; amending RCW 42.17.640  
2            and 42.17.3691; and providing an effective date.

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

4            **Sec. 1.** RCW 42.17.640 and 2005 c 445 s 11 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, county, or local office that in the aggregate exceed seven  
9            hundred dollars or to a candidate for a state office other than a state  
10           legislative office that in the aggregate exceed one thousand four  
11           hundred dollars for each election in which the candidate is on the  
12           ballot or appears as a write-in candidate. Contributions made with  
13           respect to a primary may not be made after the date of the primary.  
14           However, contributions to a candidate or a candidate's authorized  
15           committee may be made with respect to a primary until thirty days after  
16           the primary, subject to the following limitations: (a) The candidate  
17           lost the primary; (b) the candidate's authorized committee has  
18           insufficient funds to pay debts outstanding as of the date of the  
19           primary; and (c) the contributions may only be raised and spent to

1 satisfy the outstanding debt. Contributions made with respect to a  
2 general election may not be made after the final day of the applicable  
3 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 seven hundred dollars if for a state legislative office or one thousand  
10 four hundred dollars if for a state office other than a state  
11 legislative office.

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

22 (b) No candidate 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 times the number of registered voters in the  
27 jurisdiction from which the candidate is elected.

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

1 which the candidate is elected if the contributor is a county central  
2 committee or a legislative district committee.

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

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

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

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

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

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

37 (10) RCW 42.17.640 through 42.17.790 apply to a special election  
38 conducted to fill a vacancy in a state office. However, the

1 contributions made to a candidate or received by a candidate for a  
2 primary or special election conducted to fill such a vacancy shall not  
3 be counted toward any of the limitations that apply to the candidate or  
4 to contributions made to the candidate for any other primary or  
5 election.

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

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

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

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

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

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

1       **Sec. 2.** RCW 42.17.3691 and 2000 c 237 s 4 are each amended to read  
2 as follows:

3       ~~(1) ((Beginning January 1, 2002, each candidate or political~~  
4 ~~committee that expended twenty five thousand dollars or more in the~~  
5 ~~preceding year or expects to expend twenty five thousand dollars or~~  
6 ~~more in the current year shall file all contribution reports and~~  
7 ~~expenditure reports required by this chapter by the electronic~~  
8 ~~alternative provided by the commission under RCW 42.17.369. The~~  
9 ~~commission may make exceptions on a case by case basis for candidates~~  
10 ~~whose authorized committees lack the technological ability to file~~  
11 ~~reports using the electronic alternative provided by the commission.~~

12       ~~(2))~~ Beginning January 1, ~~((2004))~~ 2007, each candidate or  
13 political committee that expended ~~((ten))~~ more than three thousand five  
14 hundred dollars ~~((or more))~~ in the preceding year or expects to expend  
15 ~~((ten))~~ more than three thousand five hundred dollars ~~((or more))~~ in  
16 the current year shall file all contribution reports and expenditure  
17 reports required by this chapter by the electronic alternative provided  
18 by the commission under RCW 42.17.369. The commission may make  
19 exceptions on a case-by-case basis for candidates whose authorized  
20 committees lack the technological ability to file reports using the  
21 electronic alternative provided by the commission.

22       ~~((3))~~ (2) Failure by a candidate or political committee to comply  
23 with this section is a violation of this chapter.

24       NEW SECTION. **Sec. 3.** Section 2 of this act takes effect January  
25 1, 2007.

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