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**State Government & Tribal  
Affairs Committee**

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**E2SSB 5278**

**Brief Description:** Concerning use of public funds to finance campaigns for local office.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Franklin, Kastama, Kline, Spanel, Keiser, Kohl-Welles, McAuliffe, Regala, Pridemore, Poulsen, Fraser, Rasmussen and Rockefeller).

**Brief Summary of Engrossed Second Substitute Bill**

- Removes the prohibition of using public funds to finance political campaigns for local office.

**Hearing Date:** 2/27/08

**Staff:** Marsha Reilly (786-7135).

**Background:**

The Fair Campaign Practices Act was enacted following passage of Initiative 134 in 1992. The initiative imposed campaign contribution limits on elections for statewide and legislative office, further regulated independent expenditures, restricted the use of public funds for political purposes, and required public officials to report gifts received in excess of \$50. The Initiative also prohibited the use of public funds to finance political campaigns for state or local office.

A series of court decisions have identified a number of constitutional limitations on the regulation of campaign financing. Found to be impermissible were ceilings on candidate expenditures or on "independent expenditures," that is, campaign expenditures not subject to the control of a candidate. Upheld, however, were ceilings on a candidate's expenditures which become effective only as part of a public financing agreement under which a candidate agrees to abide by the limits in exchange for public financing.

**Summary of Bill:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The prohibition against the use of public funds to finance political campaigns for local office, with the exception of school district office, is removed. Before a local government may adopt public funding, it must be submitted to the voters for approval or rejection. If a county, city, town, or district establishes a program to publicly finance local political campaigns, only funds derived from local sources may be used to fund the program.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.