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HOUSE BILL 2851

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State of Washington

60th Legislature

2008 Regular Session

By Representative Miloscia

Read first time 01/16/08. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to contribution limits; and amending RCW 42.17.640  
2 and 42.17.700.

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

4 **Sec. 1.** RCW 42.17.640 and 2006 c 348 s 1 are each amended to read  
5 as follows:

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

7 (a) Candidates for state legislative office;

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

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

12 (d) Candidates for special purpose district office if that district  
13 is authorized to provide freight and passenger transfer and terminal  
14 facilities and that district has over (~~two hundred~~) fifty thousand  
15 registered voters;

16 (e) Candidates for city office in a city that has over fifty  
17 thousand registered voters;

18 (f) Persons holding an office in (a) through (~~d~~) (e) of this

1 subsection against whom recall charges have been filed or to a  
2 political committee having the expectation of making expenditures in  
3 support of the recall of a person holding the office;

4 ~~((f))~~ (g) Caucus political committees;

5 ~~((g))~~ (h) Bona fide political parties.

6 (2) 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 ~~((e))~~, county office, or city office, that in the  
9 aggregate exceed seven hundred dollars or to a candidate for a public  
10 office in a special purpose district or a state office other than a  
11 state legislative office that in the aggregate exceed one thousand four  
12 hundred dollars for each election in which the candidate is on the  
13 ballot or appears as a write-in candidate. Contributions to candidates  
14 subject to the limits in this section made with respect to a primary  
15 may not be made after the date of the primary. However, contributions  
16 to a candidate or a candidate's authorized committee may be made with  
17 respect to a primary until thirty days after the primary, subject to  
18 the following limitations: (a) The candidate lost the primary; (b) the  
19 candidate's authorized committee has insufficient funds to pay debts  
20 outstanding as of the date of the primary; and (c) the contributions  
21 may only be raised and spent to satisfy the outstanding debt.  
22 Contributions to candidates subject to the limits in this section made  
23 with respect to a general election may not be made after the final day  
24 of the applicable election cycle.

25 (3) No person, other than a bona fide political party or a caucus  
26 political committee, may make contributions to a state official, a  
27 county official, a city official, or a public official in a special  
28 purpose district against whom recall charges have been filed, or to a  
29 political committee having the expectation of making expenditures in  
30 support of the recall of the state official, county official, city  
31 official, or public official in a special purpose district during a  
32 recall campaign that in the aggregate exceed seven hundred dollars if  
33 for a state legislative office ~~((e))~~, county office, or city office or  
34 one thousand four hundred dollars if for a special purpose district  
35 office or a state office other than a state legislative office.

36 (4)(a) Notwithstanding subsection (2) of this section, no bona fide  
37 political party or caucus political committee may make contributions to  
38 a candidate during an election cycle that in the aggregate exceed (i)

1 seventy cents multiplied by the number of eligible registered voters in  
2 the jurisdiction from which the candidate is elected if the contributor  
3 is a caucus political committee or the governing body of a state  
4 organization, or (ii) thirty-five cents multiplied by the number of  
5 registered voters in the jurisdiction from which the candidate is  
6 elected if the contributor is a county central committee or a  
7 legislative district committee.

8 (b) No candidate may accept contributions from a county central  
9 committee or a legislative district committee during an election cycle  
10 that when combined with contributions from other county central  
11 committees or legislative district committees would in the aggregate  
12 exceed thirty-five cents times the number of registered voters in the  
13 jurisdiction from which the candidate is elected.

14 (5)(a) Notwithstanding subsection (3) of this section, no bona fide  
15 political party or caucus political committee may make contributions to  
16 a state official, county official, city official, or ((a)) public  
17 official in a special purpose district against whom recall charges have  
18 been filed, or to a political committee having the expectation of  
19 making expenditures in support of the state official, county official,  
20 city official, or ((a)) public official in a special purpose district  
21 during a recall campaign that in the aggregate exceed (i) seventy cents  
22 multiplied by the number of eligible registered voters in the  
23 jurisdiction entitled to recall the state official if the contributor  
24 is a caucus political committee or the governing body of a state  
25 organization, or (ii) thirty-five cents multiplied by the number of  
26 registered voters in the jurisdiction from which the candidate is  
27 elected if the contributor is a county central committee or a  
28 legislative district committee.

29 (b) No official holding an office specified in subsection (1) of  
30 this section against whom recall charges have been filed, no authorized  
31 committee of the official, and no political committee having the  
32 expectation of making expenditures in support of the recall of the  
33 official may accept contributions from a county central committee or a  
34 legislative district committee during an election cycle that when  
35 combined with contributions from other county central committees or  
36 legislative district committees would in the aggregate exceed thirty-  
37 five cents multiplied by the number of registered voters in the  
38 jurisdiction from which the candidate is elected.

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

5 (7) Notwithstanding subsections (2) through (5) of this section, no  
6 person other than an individual, bona fide political party, or caucus  
7 political committee may make contributions reportable under this  
8 chapter to a caucus political committee that in the aggregate exceed  
9 seven hundred dollars in a calendar year or to a bona fide political  
10 party that in the aggregate exceed three thousand five hundred dollars  
11 in a calendar year. This subsection does not apply to loans made in  
12 the ordinary course of business.

13 (8) For the purposes of RCW 42.17.640 through 42.17.790, a  
14 contribution to the authorized political committee of a candidate or of  
15 an official specified in subsection (1) of this section against whom  
16 recall charges have been filed is considered to be a contribution to  
17 the candidate or official.

18 (9) A contribution received within the twelve-month period after a  
19 recall election concerning an office specified in subsection (1) of  
20 this section is considered to be a contribution during that recall  
21 campaign if the contribution is used to pay a debt or obligation  
22 incurred to influence the outcome of that recall campaign.

23 (10) The contributions allowed by subsection (3) of this section  
24 are in addition to those allowed by subsection (2) of this section, and  
25 the contributions allowed by subsection (5) of this section are in  
26 addition to those allowed by subsection (4) of this section.

27 (11) RCW 42.17.640 through 42.17.790 apply to a special election  
28 conducted to fill a vacancy in an office specified in subsection (1) of  
29 this section. However, the contributions made to a candidate or  
30 received by a candidate for a primary or special election conducted to  
31 fill such a vacancy shall not be counted toward any of the limitations  
32 that apply to the candidate or to contributions made to the candidate  
33 for any other primary or election.

34 (12) Notwithstanding the other subsections of this section, no  
35 corporation or business entity not doing business in Washington state,  
36 no labor union with fewer than ten members who reside in Washington  
37 state, and no political committee that has not received contributions  
38 of ten dollars or more from at least ten persons registered to vote in

1 Washington state during the preceding one hundred eighty days may make  
2 contributions reportable under this chapter to a candidate, to a state  
3 official against whom recall charges have been filed, or to a political  
4 committee having the expectation of making expenditures in support of  
5 the recall of the official. This subsection does not apply to loans  
6 made in the ordinary course of business.

7 (13) Notwithstanding the other subsections of this section, no  
8 county central committee or legislative district committee may make  
9 contributions reportable under this chapter to a candidate specified in  
10 subsection (1) of this section, or an official specified in subsection  
11 (1) of this section against whom recall charges have been filed, or  
12 political committee having the expectation of making expenditures in  
13 support of the recall of an official specified in subsection (1) of  
14 this section if the county central committee or legislative district  
15 committee is outside of the jurisdiction entitled to elect the  
16 candidate or recall the official.

17 (14) No person may accept contributions that exceed the  
18 contribution limitations provided in this section.

19 (15) The following contributions are exempt from the contribution  
20 limits of this section:

21 (a) An expenditure or contribution earmarked for voter  
22 registration, for absentee ballot information, for precinct caucuses,  
23 for get-out-the-vote campaigns, for precinct judges or inspectors, for  
24 sample ballots, or for ballot counting, all without promotion of or  
25 political advertising for individual candidates; or

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

29 **Sec. 2.** RCW 42.17.700 and 2006 c 348 s 4 are each amended to read  
30 as follows:

31 (1) Contributions to candidates for state office made and received  
32 before December 3, 1992, are considered to be contributions under RCW  
33 42.17.640 through 42.17.790. Monetary contributions that exceed the  
34 contribution limitations and that have not been spent by the recipient  
35 of the contribution by December 3, 1992, must be disposed of in  
36 accordance with RCW 42.17.095.

1           (2) Contributions to other candidates subject to the contribution  
2 limits of this chapter made and received before June 7, 2006, are  
3 considered to be contributions under RCW 42.17.640 through 42.17.790.  
4 Contributions that exceed the contribution limitations and that have  
5 not been spent by the recipient of the contribution by June 7, 2006,  
6 must be disposed of in accordance with RCW 42.17.095 except for  
7 subsections (6) and (7) of that section.

8           (3) Contributions to other candidates subject to the contribution  
9 limits of this chapter made and received before June 2, 2008, are  
10 considered to be contributions under RCW 42.17.640 through 42.17.790.  
11 Contributions that exceed the contribution limits and that have not  
12 been spent by the recipient of the contribution by June 2, 2008, must  
13 be disposed of in accordance with RCW 42.17.095 (1) through (5) and  
14 (8).

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