

2SSB 5912 - S AMD 156
By Senator Oemig

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. (1) The intent of this act is to
4 protect the fairness of elections for the highest court in Washington
5 state - the supreme court. Doing so will foster the public's trust in
6 the integrity and independence of the court in the face of increasingly
7 large sums of money raised and spent by special interest groups. That
8 flood of money threatens the impartiality, independence, and
9 credibility of our judiciary. To maintain public confidence in the
10 judiciary, we must prevent not only corruption, but the appearance of
11 corruption, for the judiciary is the one branch of government that must
12 be uniquely impartial, independent, and unbiased in order to best serve
13 the residents of Washington. It is destructive for our democracy to
14 allow the court to become influenced by large amounts of money, and for
15 our citizens to think that judicial decisions are influenced by those
16 large amounts of money. This act is necessary to ensure that our
17 highest courts continue to be unbiased and insulated from special
18 interests.

19 (2) Therefore, this act, the judicial election reform act,
20 introduces a voluntary pilot project to provide an alternative source
21 of financing candidates for the Washington supreme court who
22 demonstrate public support and voluntarily accept strict fundraising
23 and spending limits.

24 (3) The provisions of this act must be broadly interpreted to carry
25 out the purpose and intent of this act.

26 NEW SECTION. **Sec. 2.** DEFINITIONS. In addition to the definitions
27 in RCW 42.17.020, the definitions in this section apply throughout
28 sections 1 through 21 of this act unless the context clearly requires
29 otherwise.

1 (1) "Contested election" means an election in which there are two
2 or more candidates running for the same office whose names will appear
3 on the ballot.

4 (2) "Nonparticipating candidate" means a candidate for supreme
5 court justice who is on the ballot but has chosen not to apply for
6 public funds from the judicial election reform act fund or a candidate
7 who is on the ballot and has applied but has not been certified to
8 receive public funds from the judicial election reform act fund.

9 (3) "Publicly financed candidate" means a candidate who becomes
10 certified to receive public campaign funds under section 6 of this act.

11 (4) "Qualifying contribution" means a contribution in an amount of
12 at least ten dollars, but no more than twenty-five percent of the
13 maximum contribution limit allowed under RCW 42.17.645, made by a
14 registered voter of the state, and is received during the qualifying
15 period.

16 (5) "Qualifying period" means the period beginning February 1st of
17 the election year and ending one week after the close of the regular
18 filing period for the office.

19 (6) "Uncontested election" means an election in which a candidate
20 running for a specified office has no opponent on the ballot.

21 NEW SECTION. **Sec. 3.** JUDICIAL ELECTION REFORM ACT FUND. (1) The
22 judicial election reform act fund is created in the custody of the
23 state treasurer. All receipts under sections 4 through 17 of this act
24 required to be deposited into the fund must be deposited into the fund.
25 Expenditures from the fund may be used only for the purposes of the
26 judicial election reform act, sections 1 through 21 of this act. Only
27 the commission may authorize expenditures from the fund. The fund is
28 subject to allotment procedures under chapter 43.88 RCW, but an
29 appropriation is not required for expenditures.

30 (2) When the funds in the account have been fully distributed, the
31 commission must stop authorizing public fund disbursements under
32 sections 12 and 13 of this act. No candidate may receive any
33 disbursement of funds beyond those authorized under sections 12 and 13
34 of this act, nor may any candidate receive any further disbursements of
35 funds under sections 12 and 13 of this act when the appropriation has
36 been exhausted. The commission may adopt rules to address distribution
37 of remaining funds in the account for pending requests.

1 (3) The public disclosure commission and the administrative office
2 of the courts may each recover costs for implementing sections 1
3 through 21 of this act, up to a combined total of ten percent of the
4 receipts collected under sections 4 through 17 of this act.

5 NEW SECTION. **Sec. 4.** VOLUNTARY LIMITATIONS ON CONTRIBUTIONS FOR
6 JUDICIAL CAMPAIGNS. A publicly financed candidate and a publicly
7 financed candidate's authorized committee shall:

8 (1) Only accept contributions from individuals, and only as
9 qualifying contributions under section 5 of this act;

10 (2) During the qualifying period and solely for the purpose of
11 raising qualifying contributions, accept no more than two times the
12 contribution limit under RCW 42.17.645 of the candidate's personal
13 funds;

14 (3) Collect at least five hundred qualifying contributions that, in
15 the aggregate total at least twenty-five times the filing fee for the
16 office of supreme court justice in accordance with section 5 of this
17 act;

18 (4) File the required reports regarding qualifying and expenditures
19 to the commission;

20 (5) Expend only self-contributed funds or funds received from the
21 judicial election reform act fund after being certified as a publicly
22 funded candidate;

23 (6) Sign a joint statement with the treasurer of the publicly
24 financed candidate's authorized committee, under oath, promising to
25 comply with the provisions of this chapter; and

26 (7) Comply with the provisions of this chapter to the extent
27 required for publicly funded candidates as prescribed by the
28 commission.

29 NEW SECTION. **Sec. 5.** APPLICATION FOR CERTIFICATION. A candidate
30 who wishes to receive public campaign funds must:

31 (1) File an application with the commission declaring his or her
32 intent to participate in the program as a candidate for the supreme
33 court. The application must be filed before or during the qualifying
34 period. In the application, the candidate must affirm that only one
35 political committee, identified with its treasurer, must handle all
36 contributions, expenditures, and obligations for the publicly financed

1 candidate and that the candidate will comply with the provisions set
2 forth in sections 1 through 21 of this act and rules adopted by the
3 commission; and

4 (2) Obtain at least five hundred qualifying contributions not
5 including self-contributed funds that, in the aggregate total at least
6 twenty-five times the filing fee for the office by the end of the
7 qualifying period. No payment, gift, or anything of value may be given
8 in exchange for a qualifying contribution. A qualifying contribution
9 must be:

- 10 (a) Made by a registered voter of the state;
- 11 (b) Made by a person who is not given anything of value in exchange
12 for the qualifying contribution;
- 13 (c) In an amount of at least ten dollars but not more than twenty-
14 five percent of the contribution limit allowed under RCW 42.17.645;
- 15 (d) Received during the qualifying period by the candidate or on
16 behalf of the candidate; and
- 17 (e) Made by check, money order, or credit card.

18 NEW SECTION. **Sec. 6.** CERTIFICATION AS A PUBLICLY FINANCED
19 CANDIDATE. (1) Upon receipt of an application, the commission must
20 determine whether or not the candidate has complied with the following
21 requirements:

- 22 (a) Signed and filed an application to participate;
- 23 (b) Submitted a report itemizing the qualifying contributions
24 received. The report must include the name, home address, telephone
25 number, and county of residence for each person who made a contribution
26 and the date the contribution was received, and any other information
27 required by the commission;
- 28 (c) Submitted a check or money order equal to the total qualifying
29 contributions, less money expended for the purpose of raising
30 qualifying contributions received by the candidate in accordance with
31 section 7 of this act, made out to the judicial election reform act
32 fund; and
- 33 (d) Submitted affidavits signed by persons collecting qualifying
34 contributions stating that, to the best of his or her knowledge, the
35 contribution was made by a registered voter of the state.

36 (2) Once the requirements in subsection (1) of this section are

1 met, the commission must verify that pursuant to section 5 of this act,
2 a sufficient number of qualifying contributions were made by registered
3 voters of the state at the time the contribution was made.

4 (3) The commission must determine if a candidate meets the
5 requirements for public financing within seven calendar days of the
6 filing of an application. If the requirements of subsection (2) of
7 this section are met, the commission must certify the candidate for
8 public financing. If the commission denies certification, it must
9 provide written reasons why certification is denied. Any candidate who
10 is denied certification may reapply one time by submitting the required
11 information or the number of qualifying contributions needed to
12 complete the certification within fourteen calendar days of the date of
13 the commission's decision.

14 (4) A candidate who is certified as a publicly financed candidate
15 may use that designation in campaign materials and will be so
16 designated in the state voters' pamphlet.

17 NEW SECTION. **Sec. 7.** QUALIFYING CONTRIBUTIONS. A publicly
18 financed candidate may expend money received as qualifying
19 contributions, as well as the candidate's personal funds, to pay for
20 expenses related to raising qualifying contributions. The amount of
21 qualifying contributions used for this purpose may not exceed twenty-
22 five percent of the minimum dollar amount of qualifying contributions
23 required under section 5 of this act. Expenditures made for the
24 purpose of this section must be reported as required under RCW
25 42.17.080 and 42.17.090 or as determined by the commission by rule.

26 NEW SECTION. **Sec. 8.** CONTROLS ON A PUBLICLY FINANCED CANDIDATE'S
27 AUTHORIZED COMMITTEE. A publicly financed candidate and the publicly
28 financed candidate's authorized committee must file the reports
29 required pursuant to this chapter as determined by the commission.

30 NEW SECTION. **Sec. 9.** USES OF PUBLIC FUNDS. (1) Money in the
31 account of a publicly financed candidate's authorized committee may
32 only be used for purposes directly related to the candidate's campaign.

33 (2) Money in the account of a publicly financed candidate's
34 authorized committee may not be used to pay fines or civil penalties,
35 for costs or legal fees related to representation before the

1 commission, or for defense of an enforcement action under this chapter.
2 Nothing in this chapter prevents a publicly financed candidate from
3 having a legal defense fund.

4 NEW_SECTION. **Sec. 10.** RETURN OF FUNDS. (1) If a candidate
5 attempts to qualify for public funding but does not meet the threshold
6 for qualification, withdraws from the program before certification, is
7 denied certification under section 6 of this act, or revokes
8 participation under section 11 of this act, the candidate must pay to
9 the fund the total dollar amount of qualifying contributions received
10 during the qualifying period, less money expended for the purpose of
11 raising qualifying contributions and the candidate's own self-
12 contributed funds in accordance with section 7 of this act.

13 (2) Publicly financed candidates must return all unused funds, less
14 the candidate's own self-contributed funds, to the judicial election
15 reform act fund within thirty calendar days of the date they are no
16 longer a candidate.

17 NEW_SECTION. **Sec. 11.** REVOCATION. (1) A publicly financed
18 candidate may revoke in writing to the commission a decision to
19 participate in the public financing program no later than June 30th in
20 the year of the election. After a timely revocation, that candidate
21 may accept and expend money outside the provisions of this act. Within
22 thirty days after revocation, a candidate must return to the commission
23 all money received from the judicial election reform act fund.

24 (2) A publicly financed candidate who revokes a decision to
25 participate in the public financing program after the time period
26 established in subsection (1) of this section must return all money
27 received from the judicial election reform act fund and pay a fine of
28 one thousand dollars per day for each day beyond the allowed revocation
29 period and the day the candidate revokes.

30 NEW_SECTION. **Sec. 12.** CAMPAIGN FUNDING. (1)(a) Within five
31 business days after a publicly financed candidate's name is approved to
32 appear on the primary ballot by the appropriate elections officer, the
33 commission must authorize the state treasurer to distribute to the
34 account of the authorized committee of each certified publicly financed
35 candidate an amount set, by rule, based on the number of participating

1 candidates filing for office. No candidate may receive an amount
2 greater than one hundred times the filing fee as established in RCW
3 29A.24.091 for the primary.

4 (b) Within five business days after a publicly financed candidate's
5 name is approved to appear on the general election ballot, the
6 commission must authorize the state treasurer to distribute funds to
7 the account of the authorized committee of each certified publicly
8 financed candidate in an amount equal to one hundred twenty-five times
9 the filing fee for the office as established in RCW 29A.24.091.

10 (c) Participating candidates in uncontested elections must receive
11 four times the filing fee as established in RCW 29A.24.091, plus the
12 net amount of qualifying contributions previously remitted to the
13 commission pursuant to section 6(1)(c) of this act.

14 (2) A publicly financed candidate must return within ten calendar
15 days to the judicial election reform act fund any amount distributed,
16 less the candidate's own self-contributed funds, for an election that
17 is unspent and uncommitted as of the date the candidate ceases to be a
18 candidate or as of the date of the election, whichever occurs first.

19 (3) The commission must authorize and the state treasurer must
20 distribute funds to publicly financed candidates in a manner that
21 ensures accountability and safeguards the integrity of the fund.

22 NEW SECTION. **Sec. 13.** RESCUE FUNDS. (1) When a report is filed
23 under this chapter or other evidence comes to the attention of the
24 commission indicating that a nonparticipating candidate has raised more
25 money than his or her publicly financed opponent has received in public
26 funding, the commission must notify the publicly financed candidate of
27 his or her eligibility for rescue funds.

28 (a) A publicly financed candidate may receive rescue funds equal to
29 the difference between the total amount received by the
30 nonparticipating candidate, less the nonparticipating candidate's own
31 self-contributed funds, for each election and the amount received by
32 the publicly financed candidate for each election. If there are
33 multiple nonparticipating candidates who have raised more money than
34 the publicly financed candidate has received, the publicly financed
35 candidate is eligible for rescue funds based on the difference between
36 the total amount raised by the nonparticipating candidate who has

1 received the most money, less that nonparticipating candidate's own
2 self-contributed funds, and the amount received by the publicly
3 financed candidate.

4 (b) The total amount a publicly financed candidate may receive in
5 rescue funds is five hundred times the filing fee for the office. If
6 rescue funds are triggered under this section, up to seventy-five
7 percent of the funds are available to a publicly financed candidate for
8 the primary election. If a publicly financed candidate is opposed by
9 only one candidate, all of the authorized rescue funds may be used for
10 the primary. A publicly financed candidate may determine when to
11 access available rescue funds.

12 (2)(a) Independent expenditures and electioneering communications
13 opposing a publicly financed candidate or supporting one or more
14 nonparticipating opponents of a publicly financed candidate must be
15 considered as contributions to each opposing candidate and the
16 commission must authorize rescue funds pursuant to subsection (1) of
17 this section to the publicly financed candidate.

18 (b) Independent expenditures and electioneering communications
19 supporting a publicly financed candidate must be considered, for every
20 opposing publicly financed candidate, as though the independent
21 expenditures or electioneering communications were a contribution to a
22 nonparticipating opponent and the commission must authorize rescue
23 funds pursuant to subsection (1) of this section to each opposing
24 publicly financed candidate.

25 (c) For purposes of this section, expenditures made by a
26 nonparticipating candidate and independent expenditures and
27 electioneering communications are deemed to have been made the day the
28 independent expenditure or electioneering communication is contracted
29 for, agreed to, or otherwise obligated.

30 (3) For purposes of this section, a candidate's own self-
31 contributed funds do not trigger rescue funds and may not be considered
32 in the calculation for rescue funds.

33 (4) If adequate funding is not available to fully equalize funding
34 for publicly financed candidates under this section, the commission may
35 authorize a lesser amount.

36 NEW SECTION. **Sec. 14.** REPORTS. (1)(a) Any nonparticipating
37 candidate who has a publicly financed opponent must report total

1 contributions received, including self-contributed funds, to the
2 commission electronically within twenty-four hours after the total
3 amount of contributions received exceeds eighty percent of the amount
4 authorized for publicly financed candidates under section 12 of this
5 act, and must make subsequent reports as required by the commission to
6 monitor contributions.

7 (b) Any person making independent expenditures or electioneering
8 communications in excess of three thousand dollars in support of or
9 opposition to a publicly financed candidate, or in support of a
10 candidate opposing a publicly financed candidate, must file a report
11 with the commission within twenty-four hours of the date the
12 independent expenditure or electioneering communication is contracted
13 for, agreed to, or otherwise obligated. The report must include the
14 following information:

15 (i) The name and address of the sponsor;

16 (ii) The source of funds for the independent expenditure or
17 electioneering communication;

18 (iii) Any other source information required by the commission by
19 rule;

20 (iv) The name and address of the person to whom the independent
21 expenditure or electioneering communication expenditure was made;

22 (v) A detailed description of the expenditure;

23 (vi) The date the expenditure was contracted for, agreed to, or
24 otherwise obligated;

25 (vii) The amount of the expenditure; and

26 (viii) Any other information the commission may require.

27 (c) The commission may adopt rules implementing the provisions of
28 this section, including rules that determine (i) whether filing under
29 this section satisfies the filing requirements under other provisions
30 of this chapter, and (ii) when the reporting requirements of this
31 section are no longer warranted because a publicly financed candidate
32 has received the maximum amount of rescue funds permitted by this
33 section.

34 (2) Publicly financed candidates must report in accordance with
35 rules adopted by the commission. A publicly financed candidate who
36 revokes his or her participation in the program, who ceases to be a
37 candidate, or who loses an election must file a final report with the
38 commission and return any unspent disbursements received from the

1 judicial election reform act fund, less self-contributed funds. In
2 developing reporting requirements for publicly financed candidates, the
3 commission must use existing campaign reporting procedures when
4 determined practicable by the commission.

5 (3) Any person who fails to report a contribution or expenditure as
6 required by this section is subject to a civil penalty equal to the
7 contribution or expenditure not reported.

8 (4) The commission must ensure prompt public access to the reports
9 received under this section.

10 NEW SECTION. **Sec. 15.** DISQUALIFICATION FROM PROGRAM. If the
11 commission finds that a publicly financed candidate or the publicly
12 financed candidate's committee is accepting or expending money outside
13 the provisions of section 4 of this act, the candidate is disqualified
14 from the program, is subject to a civil penalty under RCW 42.17.390,
15 and must return all money received from the judicial election reform
16 act fund, less self-contributed funds.

17 NEW SECTION. **Sec. 16.** IMPLEMENTATION AND ENFORCEMENT DUTIES. In
18 implementing the provisions of the judicial election reform act, the
19 commission shall:

20 (1) Prescribe forms for reports, statements, notices, and other
21 documents as required by sections 1 through 21 of this act;

22 (2) Prepare and publish instructions to facilitate compliance with
23 sections 1 through 21 of this act and explaining the duties of persons
24 and committees under sections 1 through 21 of this act;

25 (3) Adopt rules to carry out the policies of sections 1 through 21
26 of this act. These rules are not subject to the time restrictions of
27 RCW 42.17.370(1); and

28 (4) Enforce the provisions of sections 1 through 21 of this act,
29 ensure that money transferred from the judicial election reform act
30 fund into the account of an authorized committee of a publicly financed
31 candidate is spent as specified, and monitor reports filed and
32 financial records of candidates as needed to ensure that rescue funds
33 are promptly authorized to opposing qualified candidates under section
34 13 of this act.

1 NEW SECTION. **Sec. 17.** EXPEDITED ADMINISTRATIVE REVIEW. (1) The
2 commission shall develop an expedited administrative review process
3 that is not subject to the adjudicative proceedings of chapter 34.05
4 RCW. However, commission findings are subject to judicial review under
5 RCW 34.05.570(4).

6 (2) The following individuals may seek expedited administrative
7 review of commission decisions:

8 (a) Candidates and potential candidates whom the commission finds
9 ineligible to participate in the program;

10 (b) Publicly financed candidates who are denied rescue funds; and

11 (c) Opponents of a publicly financed candidate who disagree with a
12 decision by the commission to grant rescue funds to a publicly financed
13 candidate.

14 (3) In an expedited administrative review process, the commission
15 shall issue a final decision no more than five calendar days after
16 review is requested.

17 (4) The commission may adopt rules to implement this section.

18 (5) Any petition for judicial review of a final decision in an
19 expedited administrative review must be filed within five calendar days
20 of the final decision. In any judicial review, the court may not grant
21 a stay or temporary relief unless it finds the conditions specified in
22 RCW 34.05.550(3) (a), (b), and (c).

23 NEW SECTION. **Sec. 18.** The commission may not offer the program in
24 sections 1 through 17 of this act until one million dollars is in the
25 judicial election reform act fund.

26 NEW SECTION. **Sec. 19.** For the purpose of calculations required by
27 this act, personal funds contributed by a candidate to his or her own
28 campaign must be treated as having been expended prior to the
29 expenditure of any other funds.

30 NEW SECTION. **Sec. 20.** The commission may solicit and accept
31 gifts, grants, conveyances, bequests, and devises of real or personal
32 property, or both, in trust or otherwise, and sell, lease, exchange,
33 invest, or expend these donations or the proceeds, rents, profits, and
34 income from the donations except as limited by the donor's terms.

1 Moneys received under this section must be deposited into the judicial
2 election reform act fund established in section 3 of this act and may
3 only be used for the purposes of sections 1 through 18 of this act.

4 NEW SECTION. **Sec. 21.** The public disclosure commission must
5 report to the governor and to the appropriate committees of the
6 legislature in January of even-numbered years on the effectiveness of
7 the judicial election reform act once the program is offered.

8 **Sec. 22.** RCW 42.17.390 and 2006 c 315 s 2 are each amended to read
9 as follows:

10 One or more of the following civil remedies and sanctions may be
11 imposed by court order in addition to any other remedies provided by
12 law:

13 (1) If the court finds that the violation of any provision of this
14 chapter by any candidate or political committee probably affected the
15 outcome of any election, the result of said election may be held void
16 and a special election held within sixty days of such finding. Any
17 action to void an election shall be commenced within one year of the
18 date of the election in question. It is intended that this remedy be
19 imposed freely in all appropriate cases to protect the right of the
20 electorate to an informed and knowledgeable vote.

21 (2) If any lobbyist or sponsor of any grass roots lobbying campaign
22 violates any of the provisions of this chapter, his or her registration
23 may be revoked or suspended and he or she may be enjoined from
24 receiving compensation or making expenditures for lobbying(~~(+~~
25 ~~PROVIDED, HOWEVER, That)~~). However, imposition of such sanction shall
26 not excuse said lobbyist from filing statements and reports required by
27 this chapter.

28 (3) Any person who violates any of the provisions of this chapter
29 may be subject to a civil penalty of not more than ten thousand dollars
30 for each such violation. However, a person or entity who violates RCW
31 42.17.640 and 42.17.645 may be subject to a civil penalty of ten
32 thousand dollars or three times the amount of the contribution
33 illegally made or accepted, whichever is greater.

34 (4) Any person who fails to file a properly completed statement or
35 report within the time required by this chapter may be subject to a

1 civil penalty of ten dollars per day for each day each such delinquency
2 continues.

3 (5) Any person who fails to report a contribution or expenditure as
4 required by this chapter may be subject to a civil penalty equivalent
5 to the amount not reported as required.

6 (6) The court may enjoin any person to prevent the doing of any act
7 herein prohibited, or to compel the performance of any act required
8 herein.

9 (7)(a) The civil penalty for a violation of a contribution or
10 expenditure limit established under section 4 of this act by or on
11 behalf of a publicly financed candidate is ten times the amount by
12 which the expenditures or contributions exceed the applicable limit.
13 If the violation occurs within five days of an election, the civil
14 penalty is twenty times the amount by which the expenditures or
15 contributions exceed the applicable limit. A publicly financed
16 candidate found to have knowingly committed a violation of the
17 expenditure or contribution limits under section 4 of this act must pay
18 the applicable fines, surrender all money in the candidate's authorized
19 committee account, less self-contributed funds, to the judicial
20 election reform act fund, and will cease to be a publicly financed
21 candidate.

22 (b) In addition to any other penalties imposed by law, the civil
23 penalty for a violation by or on behalf of a publicly financed
24 candidate of a reporting requirement imposed by this chapter is one
25 hundred dollars per day. A civil penalty imposed under this subsection
26 (7)(b) may not exceed twice the amount of expenditures or contributions
27 not reported in a timely manner. The candidate and the candidate's
28 authorized committee are jointly and severally responsible for a civil
29 penalty imposed under this subsection.

30 (c) The civil penalty for a violation of the revocation requirement
31 imposed by section 11 of this act is one thousand dollars per day for
32 each day past the period allowed for a timely revocation.

33 (d) The civil penalty for a violation of the reporting provisions
34 in section 14 of this act is equal to the amount not reported, less
35 self-contributed funds.

36 (e) All civil penalties collected under this subsection must be
37 deposited into the judicial election reform act fund.

1 **Sec. 23.** RCW 3.62.060 and 2009 c 572 s 1 and 2009 c 372 s 1 are
2 each reenacted and amended to read as follows:

3 Clerks of the district courts shall collect the following fees for
4 their official services:

5 (1) In any civil action commenced before or transferred to a
6 district court, the plaintiff shall, at the time of such commencement
7 or transfer, pay to such court a filing fee of forty-three dollars plus
8 any surcharge authorized by RCW 7.75.035. Any party filing a
9 counterclaim, cross-claim, or third-party claim in such action shall
10 pay to the court a filing fee of forty-three dollars plus any surcharge
11 authorized by RCW 7.75.035. No party shall be compelled to pay to the
12 court any other fees or charges up to and including the rendition of
13 judgment in the action other than those listed.

14 (2) For issuing a writ of garnishment or other writ, or for filing
15 an attorney issued writ of garnishment, a fee of twelve dollars.

16 (3) For filing a supplemental proceeding a fee of twenty dollars.

17 (4) For demanding a jury in a civil case a fee of one hundred
18 twenty-five dollars to be paid by the person demanding a jury.

19 (5) For preparing a transcript of a judgment a fee of twenty
20 dollars.

21 (6) For certifying any document on file or of record in the clerk's
22 office a fee of five dollars.

23 (7) At the option of the district court:

24 (a) For preparing a certified copy of an instrument on file or of
25 record in the clerk's office, for the first page or portion of the
26 first page, a fee of five dollars, and for each additional page or
27 portion of a page, a fee of one dollar;

28 (b) For authenticating or exemplifying an instrument, a fee of two
29 dollars for each additional seal affixed;

30 (c) For preparing a copy of an instrument on file or of record in
31 the clerk's office without a seal, a fee of fifty cents per page;

32 (d) When copying a document without a seal or file that is in an
33 electronic format, a fee of twenty-five cents per page;

34 (e) For copies made on a compact disc, an additional fee of twenty
35 dollars for each compact disc.

36 (8) For preparing the record of a case for appeal to superior court
37 a fee of forty dollars including any costs of tape duplication as

1 governed by the rules of appeal for courts of limited jurisdiction
2 (RALJ).

3 (9) At the option of the district court, for clerk's services such
4 as processing ex parte orders, performing historical searches,
5 compiling statistical reports, and conducting exceptional record
6 searches, a fee not to exceed twenty dollars per hour or portion of an
7 hour.

8 (10) For duplication of part or all of the electronic recording of
9 a proceeding ten dollars per tape or other electronic storage medium.

10 (11) For filing any abstract of judgment or transcript of judgment
11 from a municipal court or municipal department of a district court
12 organized under the laws of this state a fee of forty-three dollars.

13 (12) At the option of the district court, a service fee of up to
14 three dollars for the first page and one dollar for each additional
15 page for receiving faxed documents, pursuant to Washington state rules
16 of court, general rule 17.

17 (13) Until July 1, 2011, in addition to the fees required by
18 subsection (1) of this section, clerks of the district courts shall
19 collect a surcharge of twenty dollars on all fees required by
20 subsection (1) of this section, which shall be remitted to the state
21 treasurer for deposit in the judicial stabilization trust account.
22 This surcharge is not subject to the division and remittance
23 requirements of RCW 3.62.020.

24 (14) Effective July 1, 2010, in addition to the fees required by
25 subsection (1) of this section, clerks of the district courts shall
26 collect a judicial integrity surcharge of three dollars on all fees
27 required by subsection (1) of this section, which must be remitted to
28 the state treasurer for deposit in the judicial election reform act
29 fund. This surcharge is not subject to the division and remittance
30 requirements of RCW 3.62.020.

31 The fees or charges imposed under this section (~~shall be~~) are
32 allowed as court costs whenever a judgment for costs is awarded.

33 **NEW SECTION. Sec. 24.** A new section is added to chapter 36.18 RCW
34 to read as follows:

35 Effective July 1, 2010, a three-dollar judicial integrity surcharge
36 must be added to each of the fees in RCW 36.18.016 that exceeds one
37 hundred dollars, and to each of the fees in RCW 36.18.020. All

1 judicial integrity surcharges must be remitted to the state treasurer
2 for deposit in the judicial election reform act fund. Surcharges
3 collected under this section are not subject to the division and
4 remittance requirements of RCW 36.18.025 or 27.24.070 and no surcharge
5 under this section may be applied to any fee which individually, and
6 before applying other surcharges, is less than twenty dollars.

7 NEW SECTION. **Sec. 25.** Sections 1 through 21 of this act may be
8 known and cited as the judicial election reform act.

9 NEW SECTION. **Sec. 26.** Sections 1 through 21 of this act are each
10 added to chapter 42.17 RCW.

11 NEW SECTION. **Sec. 27.** If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected."

2SSB 5912 - S AMD
By Senator Oemig

15 On page 1, line 1 of the title, after "campaigns;" strike the
16 remainder of the title and insert "amending RCW 42.17.390; reenacting
17 and amending RCW 3.62.060; adding new sections to chapter 42.17 RCW;
18 adding a new section to chapter 36.18 RCW; creating new sections; and
19 prescribing penalties."

EFFECT: Removes an irrelevant reference to the state treasurer by
request of the office of state treasurer; reduces the number of fees on
which the three dollar judicial integrity surcharge will be imposed;
eliminates the imposition of the surcharge on fees that are less than
twenty dollars; and allows the administrative office of the courts and

the commission to recover up to 10% of administrative costs.

--- END ---