

SENATE BILL REPORT

SB 6243

As Amended by House, February 28, 2010

Title: An act relating to eliminating provisions for filings at locations other than the public disclosure commission.

Brief Description: Eliminating provisions for filings at locations other than the public disclosure commission.

Sponsors: Senators Fairley, Oemig, Swecker and McDermott; by request of Public Disclosure Commission.

Brief History:

Committee Activity: Government Operations & Elections: 1/18/10 [DP].

Passed Senate: 2/05/10, 47-0.

Passed House: 2/28/10, 95-1.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton, McDermott and Swecker.

Staff: Sharon Swanson (786-7447)

Background: Initiative 276, passed by voters in 1972, established disclosure of campaign finances, lobbyist activities, financial affairs of elective officers and candidates, and access to public records. That initiative also created the Public Disclosure Commission (PDC), a five member, bi-partisan citizen commission to enforce the provisions of the campaign finance disclosure law.

Among the statutory duties of the PDC are to: compile and maintain a current list of all filed reports; investigate whether properly completed statements and reports have been filed within the times required; and investigate and report apparent violations of campaign finance law to the appropriate authorities.

The law requires that political subcommittees file a statement of organization with both the PDC and the county auditor of the county in which the political committee's treasurer lives. This statement must be completed within two weeks of the committee's organization or within two weeks after the date when it first expects to receive contributions or make

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expenditures. The information required includes the names and addresses of the committee, any affiliated committees, its officers or responsible leaders, and its treasurer and depository. The statement of organization must also include information regarding the candidate the committee is supporting or opposing, or the ballot proposition the committee is supporting or opposing. A candidate, within two weeks after becoming a candidate, must also designate and file with the PDC and the county auditor the names and addresses of the campaign treasurer and depository.

Once the statement of organization is filed with the PDC and the county auditor, a committee must report all contributions received and expenditures made at the following times:

- on the 10th day of each month, provided that total contributions or expenditures exceed \$200 since the last report;
- on the 21st day and the 7th day immediately preceding the date of the election; and
- on the 10th day of the first month after the election.

A continuing political committee is required to report to the PDC and the county auditor (of the county in which the committee maintains its office or headquarters, or the county in which the committee treasurer resides) on the 10th day of every month detailing contributions and expenditures. If the continuing political committee files electronically with the PDC, then it need not report to the county auditor.

An independent expenditure is any expenditure that is made in support of, or in opposition to, any candidate or ballot proposition and is not otherwise required to report to the PDC and the county auditor. Persons making independent expenditures must file an initial report to the PDC and the county auditor within five days of making an independent expenditure of at least \$100. In addition, further reports are required to be filed with the PDC and the county auditor at the following times:

- on the 21st day and the 7th day preceding the date on which the election is held;
- on the 10th day of the first month after the election; and
- on the 10th day of each month in which no other reports are required to be filed and the person has made an independent expenditure since the last previous report was filed.

A person or entity making an independent expenditure by mailing 1,000 or more identical (or nearly identical) cumulative pieces of political advertising in a single calendar year must file a statement with the county auditor within two working days after the mailing date. The statement must disclose the number of pieces in the mailing and include an example of the mailed political advertising. The county auditor receiving the filing must be the county of residence for mailings the candidate supported or opposed by the campaign expenditure. For mailings made in support of, or in opposition to, a ballot proposition, the statement must be filed with the county auditor of the county of residence for the person making the expenditure.

Summary of Bill: The requirement that candidates and political committees file campaign-related reports and statements with their local county auditor in addition to the Public Disclosure Commission is eliminated.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a good cleanup bill that will not cost the state any money and will potentially save the counties time, money, and storage space.

Persons Testifying: PRO: Doug Ellis, PDC.

House Amendment(s): The House includes language to eliminate duplicate filing requirements in cases where local and state filings contain the same information.