
HOUSE BILL 1436

State of Washington

61st Legislature

2009 Regular Session

By Representatives Moeller and Hunt

Read first time 01/21/09. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to electronic filing of lobbying reports required
2 by chapter 42.17 RCW by lobbyists, lobbyists' employers, and agencies;
3 amending RCW 42.17.369 and 42.17.3691; and creating new sections.

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

5 **Sec. 1.** RCW 42.17.369 and 2000 c 237 s 3 are each amended to read
6 as follows:

7 (1) By July 1, 1999, the commission shall make available to
8 candidates, public officials, and political committees that are
9 required to file reports under this chapter an electronic filing
10 ((alternative)) system for submitting financial affairs reports,
11 contribution reports, and expenditure reports(~~(, including but not~~
12 ~~limited to filing by diskette, modem, satellite, or)~~) over the
13 internet.

14 (2) By January 1, ~~((2002))~~ 2012, the commission shall make
15 available to lobbyists ~~((and))~~, lobbyists' employers, and agencies
16 required to file reports under RCW 42.17.150, 42.17.170, 42.17.175,
17 ~~((or))~~ 42.17.180, or 42.17.190 an electronic filing ~~((alternative))~~
18 system for submitting these reports ~~((including but not limited to~~
19 ~~filing by diskette, modem, satellite, or)~~) over the internet.

1 (3) The commission shall make available to candidates(~~(7)~~) and
2 public officials(~~(7)~~) filing financial affairs reports and political
3 committees(~~(7-lobbyists, and lobbyists' employers)~~) an electronic
4 (~~(copy of the appropriate reporting forms)~~) filing system at no charge.

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

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

16 (2) ~~Beginning January 1, 2004,~~) Each candidate or political
17 committee that expended ten thousand dollars or more in the preceding
18 year or expects to expend ten thousand dollars or more in the current
19 year shall file all contribution reports and expenditure reports
20 required by this chapter ((by the electronic alternative))
21 electronically over the internet as provided by the commission under
22 RCW 42.17.369. ((The commission may make exceptions on a case by case
23 basis for candidates whose authorized committees lack the technological
24 ability to file reports using the electronic alternative provided by
25 the commission.

26 (3)) (2)(a) Beginning January 1, 2012, lobbyists required to
27 register under RCW 42.17.150, or report under RCW 42.17.170, whose
28 total reportable accrued compensation for lobbying, whether from or on
29 behalf of one or more lobbyists' employers, was ten thousand dollars or
30 more for the previous calendar year, or is expected to be ten thousand
31 dollars or more for the current calendar year, must file all reports
32 required by this chapter electronically over the internet as provided
33 by the commission under RCW 42.17.369.

34 (b) Beginning January 1, 2013, lobbyists' employers required to
35 report under RCW 42.17.180 whose total reportable accrued expenses and
36 payments for lobbying, including those through or on behalf of one or
37 more lobbyists, was ten thousand dollars or more for the previous

1 calendar year, or is expected to be ten thousand dollars or more for
2 the current calendar year, must file all reports required by this
3 chapter electronically over the internet as provided by the commission
4 under RCW 42.17.369.

5 (c) Beginning January 1, 2012, all agencies required to report
6 under RCW 42.17.190 must file all lobbying reports required by this
7 chapter electronically over the internet as provided by the commission
8 under RCW 42.17.369.

9 (3) The commission may make exceptions on a case-by-case basis for
10 candidates, lobbyists, lobbyists' employers, or agencies when they lack
11 the technological ability to file reports electronically.

12 (4) Failure by a candidate ((or)), political committee, lobbyist,
13 lobbyist's employer, or agency to comply with this section is a
14 violation of this chapter.

15 NEW SECTION. Sec. 3. (1) Effective August 1, 2009, lobbyists and
16 lobbyists' employers who are registered or required to report for
17 either calendar years 2009 or 2010, or both, or who subsequently
18 register for any part of calendar years 2009 or 2010, shall pay a one-
19 time fee to the public disclosure commission for the development and
20 implementation of the electronic filing system under RCW 42.17.369 as
21 follows:

22 (a) Two hundred fifty dollars for each lobbyist whose total
23 reportable accrued compensation for lobbying, whether from or on behalf
24 of one or more lobbyists' employers, was ten thousand dollars or more
25 for the previous calendar year, or is expected to be ten thousand
26 dollars or more for the current calendar year;

27 (b) Five hundred dollars for each lobbyist employer whose total
28 reportable accrued expenses and payments for lobbying, including those
29 through or on behalf of one or more lobbyists, was ten thousand dollars
30 or more for the previous calendar year, or is expected to be ten
31 thousand dollars or more for the current calendar year; and

32 (c) One hundred fifty dollars for each state agency that has more
33 than fifty full-time equivalent employees.

34 (2) Fees received under this section must be deposited into the
35 lobbying electronic filing account under section 4 of this act.

1 NEW SECTION. **Sec. 4.** (1) The lobbying electronic filing account
2 is created in the custody of the state treasurer. All receipts from
3 fees paid by lobbyists, lobbyists' employers, and agencies under
4 section 3 of this act must be deposited into the account. Expenditures
5 from the account may be used only for costs incurred as a result of the
6 design, development, implementation, and maintenance of:

7 (a) Software or other applications to accommodate electronic filing
8 of the reports required for lobbyists, lobbyists' employers, and public
9 agencies reporting under chapter 42.17 RCW; and

10 (b) A database and query system compatible with current
11 architecture, technology, and operating systems that results in readily
12 available data to the public for review and analysis.

13 (2) Only the executive director of the public disclosure commission
14 or the executive director's designee may authorize expenditures from
15 the account. The account is subject to allotment procedures under
16 chapter 43.88 RCW, but an appropriation is not required for
17 expenditures.

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