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HOUSE BILL 2878

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State of Washington

61st Legislature

2010 Regular Session

By Representatives Moeller and Hunt

Read first time 01/15/10. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to collecting fees to accommodate electronic filing  
2 and disclosure of campaign and lobbying reports, and personal financial  
3 affairs statements; amending RCW 42.17.369 and 42.17.3691; and adding  
4 new sections to chapter 42.17 RCW.

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

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

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

15 (2) By January 1, ~~((2002))~~ 2013, the commission shall make  
16 available to lobbyists ~~((and))~~, lobbyists' employers, and agencies  
17 required to file reports under RCW 42.17.150, 42.17.170, 42.17.175,  
18 ~~((or))~~ 42.17.180, or 42.17.190 an electronic filing ~~((alternative))~~

1 system for submitting these reports (~~((including but not limited to~~  
2 ~~filing by diskette, modem, satellite, or))~~ over the internet.

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

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

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

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

28 (~~3~~) (2)(a) Beginning January 1, 2013, lobbyists required to  
29 register under RCW 42.17.150, or report under RCW 42.17.170, whose  
30 total reportable accrued compensation for lobbying, whether from or on  
31 behalf of one or more lobbyists' employers, was ten thousand dollars or  
32 more for the previous calendar year, or is expected to be ten thousand  
33 dollars or more for the current calendar year, must file all reports  
34 required by this chapter electronically over the internet as provided  
35 by the commission under RCW 42.17.369.

36 (b) Beginning January 1, 2014, lobbyists' employers required to  
37 report under RCW 42.17.180 whose total reportable accrued expenses and

1 payments for lobbying, including those through or on behalf of one or  
2 more lobbyists, was ten thousand dollars or more for the previous  
3 calendar year, or is expected to be ten thousand dollars or more for  
4 the current calendar year, must file all reports required by this  
5 chapter electronically over the internet as provided by the commission  
6 under RCW 42.17.369.

7 (c) Beginning January 1, 2013, all agencies required to report  
8 under RCW 42.17.190 must file all lobbying reports required by this  
9 chapter electronically over the internet as provided by the commission  
10 under RCW 42.17.369.

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

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

17 NEW SECTION. Sec. 3. (1) Beginning August 1, 2010, lobbyists and  
18 lobbyists' employers who are registered or required to report for  
19 either calendar year 2010 or 2011, or both, or who subsequently  
20 register for any part of calendar year 2010 or 2011, shall pay an  
21 initial fee to the public disclosure commission for the development and  
22 implementation of the electronic filing system under RCW 42.17.369 as  
23 follows:

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

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

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

36 (2) Fees received under this section must be deposited into the  
37 public disclosure electronic filing account under section 5 of this

1 act. The fees in this section shall be used to establish the software  
2 and hardware needed to establish an electronic filing system for  
3 lobbyists and lobbyist employers.

4 NEW SECTION. **Sec. 4.** (1) Every political committee shall pay a  
5 fee of two hundred dollars to the commission each calendar year that it  
6 is required to report under RCW 42.17.040, 42.17.050, 42.17.060,  
7 42.17.065, 42.17.080, or 42.17.093.

8 (2) Every lobbyist and lobbyist employer shall pay a fee of two  
9 hundred dollars to the commission each calendar year that it is  
10 required to report under RCW 42.17.150, 42.17.170, 42.17.180, or  
11 42.17.200.

12 (3) Every person required to report under RCW 42.17.240 shall pay  
13 a fee of two hundred dollars to the commission for each calendar year  
14 he or she is required to report.

15 (4) No person must pay more than one fee in a calendar year under  
16 this section. Any person may appeal a fee to the commission.

17 (5) Fees received under this section must be deposited into the  
18 public disclosure electronic filing account under section 5 of this  
19 act. The fees collected under this section shall be used for data  
20 entry costs and purchase and maintenance of computer hardware and  
21 software to maintain electronic filing of the reports required by this  
22 chapter.

23 NEW SECTION. **Sec. 5.** (1) The public disclosure electronic filing  
24 account is created in the custody of the state treasurer. All receipts  
25 from fees paid by persons, lobbyists, and lobbyist employers under  
26 sections 3 and 4 of this act must be deposited into the account.  
27 Expenditures from the account may be used only for costs incurred as a  
28 result of the design, development, implementation, and maintenance of:

29 (a) Software or other applications to accommodate electronic filing  
30 of the reports required by this chapter; and

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

34 (2) Only the executive director of the public disclosure commission  
35 or the executive director's designee may authorize expenditures from

1 the account. The account is subject to allotment procedures under  
2 chapter 43.88 RCW, but an appropriation is not required for  
3 expenditures.

4 NEW SECTION. **Sec. 6.** Sections 3 through 5 of this act are each  
5 added to chapter 42.17 RCW.

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