
SECOND SUBSTITUTE SENATE BILL 5912

State of Washington

61st Legislature

2010 Regular Session

By Senate Ways & Means (originally sponsored by Senators Oemig, McDermott, Kline, Kastama, Pridemore, Kilmer, Jarrett, Kohl-Welles, and Haugen)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to public funding for supreme court campaigns;
2 amending RCW 42.17.390; reenacting and amending RCW 3.62.060; adding
3 new sections to chapter 42.17 RCW; adding a new section to chapter
4 36.18 RCW; creating new sections; and prescribing penalties.

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

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

1 large amounts of money. This act is necessary to ensure that our
2 highest courts continue to be unbiased and insulated from special
3 interests.

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

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

11 NEW SECTION. **Sec. 2.** DEFINITIONS. In addition to the definitions
12 in RCW 42.17.020, the definitions in this section apply throughout
13 sections 1 through 21 of this act unless the context clearly requires
14 otherwise.

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

18 (2) "Nonparticipating candidate" means a candidate for supreme
19 court justice who is on the ballot but has chosen not to apply for
20 public funds from the judicial election reform act fund or a candidate
21 who is on the ballot and has applied but has not been certified to
22 receive public funds from the judicial election reform act fund.

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

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

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

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

35 NEW SECTION. **Sec. 3.** JUDICIAL ELECTION REFORM ACT FUND. (1) The
36 judicial election reform act fund is created in the custody of the

1 state treasurer. All receipts under sections 4 through 17 of this act
2 required to be deposited into the fund must be deposited into the fund.
3 Expenditures from the fund may be used only for the purposes of the
4 judicial election reform act, sections 1 through 21 of this act. Only
5 the commission may authorize expenditures from the fund. The fund is
6 subject to allotment procedures under chapter 43.88 RCW, but an
7 appropriation is not required for expenditures.

8 (2) When the funds in the account have been fully distributed, the
9 commission and treasurer must cease making any public funds
10 disbursements under sections 12 and 13 of this act. No candidate may
11 receive any disbursement of funds beyond those authorized under
12 sections 12 and 13 of this act, nor may any candidate receive any
13 further disbursements of funds under sections 12 and 13 of this act
14 when the appropriation has been exhausted. The commission may adopt
15 rules to address distribution of remaining funds in the account for
16 pending requests.

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

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

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

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

30 (4) File the required reports regarding qualifying and expenditures
31 to the commission;

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

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

1 (7) Comply with the provisions of this chapter to the extent
2 required for publicly funded candidates as prescribed by the
3 commission.

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

6 (1) File an application with the commission declaring his or her
7 intent to participate in the program as a candidate for the supreme
8 court. The application must be filed before or during the qualifying
9 period. In the application, the candidate must affirm that only one
10 political committee, identified with its treasurer, must handle all
11 contributions, expenditures, and obligations for the publicly financed
12 candidate and that the candidate will comply with the provisions set
13 forth in sections 1 through 21 of this act and rules adopted by the
14 commission; and

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

- 21 (a) Made by a registered voter of the state;
- 22 (b) Made by a person who is not given anything of value in exchange
23 for the qualifying contribution;
- 24 (c) In an amount of at least ten dollars but not more than twenty-
25 five percent of the contribution limit allowed under RCW 42.17.645;
- 26 (d) Received during the qualifying period by the candidate or on
27 behalf of the candidate; and
- 28 (e) Made by check, money order, or credit card.

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

- 33 (a) Signed and filed an application to participate;
- 34 (b) Submitted a report itemizing the qualifying contributions
35 received. The report must include the name, home address, telephone

1 number, and county of residence for each person who made a contribution
2 and the date the contribution was received, and any other information
3 required by the commission;

4 (c) Submitted a check or money order equal to the total qualifying
5 contributions, less money expended for the purpose of raising
6 qualifying contributions received by the candidate in accordance with
7 section 7 of this act, made out to the judicial election reform act
8 fund; and

9 (d) Submitted affidavits signed by persons collecting qualifying
10 contributions stating that, to the best of his or her knowledge, the
11 contribution was made by a registered voter of the state.

12 (2) Once the requirements in subsection (1) of this section are
13 met, the commission must verify that pursuant to section 5 of this act,
14 a sufficient number of qualifying contributions were made by registered
15 voters of the state at the time the contribution was made.

16 (3) The commission must determine if a candidate meets the
17 requirements for public financing within seven calendar days of the
18 filing of an application. If the requirements of subsection (2) of
19 this section are met, the commission must certify the candidate for
20 public financing. If the commission denies certification, it must
21 provide written reasons why certification is denied. Any candidate who
22 is denied certification may reapply one time by submitting the required
23 information or the number of qualifying contributions needed to
24 complete the certification within fourteen calendar days of the date of
25 the commission's decision.

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

29 NEW SECTION. **Sec. 7.** QUALIFYING CONTRIBUTIONS. A publicly
30 financed candidate may expend money received as qualifying
31 contributions, as well as the candidate's personal funds, to pay for
32 expenses related to raising qualifying contributions. The amount of
33 qualifying contributions used for this purpose may not exceed twenty-
34 five percent of the minimum dollar amount of qualifying contributions
35 required under section 5 of this act. Expenditures made for the
36 purpose of this section must be reported as required under RCW
37 42.17.080 and 42.17.090 or as determined by the commission by rule.

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

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

8 (2) Money in the account of a publicly financed candidate's
9 authorized committee may not be used to pay fines or civil penalties,
10 for costs or legal fees related to representation before the
11 commission, or for defense of an enforcement action under this chapter.
12 Nothing in this chapter prevents a publicly financed candidate from
13 having a legal defense fund.

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

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

27 NEW SECTION. **Sec. 11.** REVOCATION. (1) A publicly financed
28 candidate may revoke in writing to the commission a decision to
29 participate in the public financing program no later than June 30th in
30 the year of the election. After a timely revocation, that candidate
31 may accept and expend money outside the provisions of this act. Within
32 thirty days after revocation, a candidate must return to the commission
33 all money received from the judicial election reform act fund.

34 (2) A publicly financed candidate who revokes a decision to
35 participate in the public financing program after the time period

1 established in subsection (1) of this section must return all money
2 received from the judicial election reform act fund and pay a fine of
3 one thousand dollars per day for each day beyond the allowed revocation
4 period and the day the candidate revokes.

5 NEW SECTION. **Sec. 12.** CAMPAIGN FUNDING. (1)(a) Within five
6 business days after a publicly financed candidate's name is approved to
7 appear on the primary ballot by the appropriate elections officer, the
8 commission must authorize the state treasurer to distribute to the
9 account of the authorized committee of each certified publicly financed
10 candidate an amount set, by rule, based on the number of participating
11 candidates filing for office. No candidate may receive an amount
12 greater than one hundred times the filing fee as established in RCW
13 29A.24.091 for the primary.

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

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

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

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

32 NEW SECTION. **Sec. 13.** RESCUE FUNDS. (1) When a report is filed
33 under this chapter or other evidence comes to the attention of the
34 commission indicating that a nonparticipating candidate has raised more
35 money than his or her publicly financed opponent has received in public

1 funding, the commission must notify the publicly financed candidate of
2 his or her eligibility for rescue funds.

3 (a) A publicly financed candidate may receive rescue funds equal to
4 the difference between the total amount received by the
5 nonparticipating candidate, less the nonparticipating candidate's own
6 self-contributed funds, for each election and the amount received by
7 the publicly financed candidate for each election. If there are
8 multiple nonparticipating candidates who have raised more money than
9 the publicly financed candidate has received, the publicly financed
10 candidate is eligible for rescue funds based on the difference between
11 the total amount raised by the nonparticipating candidate who has
12 received the most money, less that nonparticipating candidate's own
13 self-contributed funds, and the amount received by the publicly
14 financed candidate.

15 (b) The total amount a publicly financed candidate may receive in
16 rescue funds is five hundred times the filing fee for the office. If
17 rescue funds are triggered under this section, up to seventy-five
18 percent of the funds are available to a publicly financed candidate for
19 the primary election. If a publicly financed candidate is opposed by
20 only one candidate, all of the authorized rescue funds may be used for
21 the primary. A publicly financed candidate may determine when to
22 access available rescue funds.

23 (2)(a) Independent expenditures and electioneering communications
24 opposing a publicly financed candidate or supporting one or more
25 nonparticipating opponents of a publicly financed candidate must be
26 considered as contributions to each opposing candidate and the
27 commission must authorize rescue funds pursuant to subsection (1) of
28 this section to the publicly financed candidate.

29 (b) Independent expenditures and electioneering communications
30 supporting a publicly financed candidate must be considered, for every
31 opposing publicly financed candidate, as though the independent
32 expenditures or electioneering communications were a contribution to a
33 nonparticipating opponent and the commission must authorize rescue
34 funds pursuant to subsection (1) of this section to each opposing
35 publicly financed candidate.

36 (c) For purposes of this section, expenditures made by a
37 nonparticipating candidate and independent expenditures and

1 electioneering communications are deemed to have been made the day the
2 independent expenditure or electioneering communication is contracted
3 for, agreed to, or otherwise obligated.

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

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

10 NEW SECTION. **Sec. 14.** REPORTS. (1)(a) Any nonparticipating
11 candidate who has a publicly financed opponent must report total
12 contributions received, including self-contributed funds, to the
13 commission electronically within twenty-four hours after the total
14 amount of contributions received exceeds eighty percent of the amount
15 authorized for publicly financed candidates under section 12 of this
16 act, and must make subsequent reports as required by the commission to
17 monitor contributions.

18 (b) Any person making independent expenditures or electioneering
19 communications in excess of three thousand dollars in support of or
20 opposition to a publicly financed candidate, or in support of a
21 candidate opposing a publicly financed candidate, must file a report
22 with the commission within twenty-four hours of the date the
23 independent expenditure or electioneering communication is contracted
24 for, agreed to, or otherwise obligated. The report must include the
25 following information:

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

27 (ii) The source of funds for the independent expenditure or
28 electioneering communication;

29 (iii) Any other source information required by the commission by
30 rule;

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

33 (v) A detailed description of the expenditure;

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

36 (vii) The amount of the expenditure; and

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

1 (c) The commission may adopt rules implementing the provisions of
2 this section, including rules that determine (i) whether filing under
3 this section satisfies the filing requirements under other provisions
4 of this chapter, and (ii) when the reporting requirements of this
5 section are no longer warranted because a publicly financed candidate
6 has received the maximum amount of rescue funds permitted by this
7 section.

8 (2) Publicly financed candidates must report in accordance with
9 rules adopted by the commission. A publicly financed candidate who
10 revokes his or her participation in the program, who ceases to be a
11 candidate, or who loses an election must file a final report with the
12 commission and return any unspent disbursements received from the
13 judicial election reform act fund, less self-contributed funds. In
14 developing reporting requirements for publicly financed candidates, the
15 commission must use existing campaign reporting procedures when
16 determined practicable by the commission.

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

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

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

29 NEW SECTION. **Sec. 16.** IMPLEMENTATION AND ENFORCEMENT DUTIES. In
30 implementing the provisions of the judicial election reform act, the
31 commission shall:

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

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

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

4 (4) Enforce the provisions of sections 1 through 21 of this act,
5 ensure that money transferred from the judicial election reform act
6 fund into the account of an authorized committee of a publicly financed
7 candidate is spent as specified, and monitor reports filed and
8 financial records of candidates as needed to ensure that rescue funds
9 are promptly authorized to opposing qualified candidates under section
10 13 of this act.

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

16 (2) The following individuals may seek expedited administrative
17 review of commission decisions:

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

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

21 (c) Opponents of a publicly financed candidate who disagree with a
22 decision by the commission to grant rescue funds to a publicly financed
23 candidate.

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

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

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

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

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

5 NEW SECTION. **Sec. 20.** The commission may solicit and accept
6 gifts, grants, conveyances, bequests, and devises of real or personal
7 property, or both, in trust or otherwise, and sell, lease, exchange,
8 invest, or expend these donations or the proceeds, rents, profits, and
9 income from the donations except as limited by the donor's terms.
10 Moneys received under this section must be deposited into the judicial
11 election reform act fund established in section 3 of this act and may
12 only be used for the purposes of sections 1 through 18 of this act.

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

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

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

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

30 (2) If any lobbyist or sponsor of any grass roots lobbying campaign
31 violates any of the provisions of this chapter, his or her registration
32 may be revoked or suspended and he or she may be enjoined from
33 receiving compensation or making expenditures for lobbying(~~+~~
34 ~~PROVIDED, HOWEVER, That~~). However, imposition of such sanction shall

1 not excuse said lobbyist from filing statements and reports required by
2 this chapter.

3 (3) Any person who violates any of the provisions of this chapter
4 may be subject to a civil penalty of not more than ten thousand dollars
5 for each such violation. However, a person or entity who violates RCW
6 42.17.640 and 42.17.645 may be subject to a civil penalty of ten
7 thousand dollars or three times the amount of the contribution
8 illegally made or accepted, whichever is greater.

9 (4) Any person who fails to file a properly completed statement or
10 report within the time required by this chapter may be subject to a
11 civil penalty of ten dollars per day for each day each such delinquency
12 continues.

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

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

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

32 (b) In addition to any other penalties imposed by law, the civil
33 penalty for a violation by or on behalf of a publicly financed
34 candidate of a reporting requirement imposed by this chapter is one
35 hundred dollars per day. A civil penalty imposed under this subsection
36 (7)(b) may not exceed twice the amount of expenditures or contributions
37 not reported in a timely manner. The candidate and the candidate's

1 authorized committee are jointly and severally responsible for a civil
2 penalty imposed under this subsection.

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

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

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

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

13 Clerks of the district courts shall collect the following fees for
14 their official services:

15 (1) In any civil action commenced before or transferred to a
16 district court, the plaintiff shall, at the time of such commencement
17 or transfer, pay to such court a filing fee of forty-three dollars plus
18 any surcharge authorized by RCW 7.75.035. Any party filing a
19 counterclaim, cross-claim, or third-party claim in such action shall
20 pay to the court a filing fee of forty-three dollars plus any surcharge
21 authorized by RCW 7.75.035. No party shall be compelled to pay to the
22 court any other fees or charges up to and including the rendition of
23 judgment in the action other than those listed.

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

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

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

29 (5) For preparing a transcript of a judgment a fee of twenty
30 dollars.

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

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

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

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

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

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

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

9 (8) For preparing the record of a case for appeal to superior court
10 a fee of forty dollars including any costs of tape duplication as
11 governed by the rules of appeal for courts of limited jurisdiction
12 (RALJ).

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

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

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

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

27 (13) Until July 1, 2011, in addition to the fees required by
28 subsection (1) of this section, clerks of the district courts shall
29 collect a surcharge of twenty dollars on all fees required by
30 subsection (1) of this section, which shall be remitted to the state
31 treasurer for deposit in the judicial stabilization trust account.
32 This surcharge is not subject to the division and remittance
33 requirements of RCW 3.62.020.

34 (14) Effective July 1, 2010, in addition to the fees required by
35 subsection (1) of this section, clerks of the district courts shall
36 collect a judicial integrity surcharge of three dollars on all fees
37 required by subsection (1) of this section, which must be remitted to

1 the state treasurer for deposit in the judicial election reform act
2 fund. This surcharge is not subject to the division and remittance
3 requirements of RCW 3.62.020.

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

6 NEW SECTION. Sec. 24. A new section is added to chapter 36.18 RCW
7 to read as follows:

8 Effective July 1, 2010, a three-dollar judicial integrity surcharge
9 shall be added to each of the fees in RCW 36.18.012, except for
10 subsection (10), RCW 36.18.016, and 36.18.020, and must be remitted to
11 the state treasurer for deposit in the judicial election reform act
12 fund. Surcharges collected under this section are not subject to the
13 division and remittance requirements of RCW 36.18.025 or 27.24.070.

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

16 NEW SECTION. Sec. 26. Sections 1 through 21 of this act are each
17 added to chapter 42.17 RCW.

18 NEW SECTION. Sec. 27. If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

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