

HB 1212 - S COMM AMD

By Committee on Agriculture & Rural Economic Development

NOT CONSIDERED 05/25/2011

1 On page 1, after line 9, insert the following:

2 "Sec. 2. RCW 42.17.095 and 2005 c 467 s 1 are each amended to read
3 as follows:

4 The surplus funds of a candidate, or of a political committee
5 supporting or opposing a candidate, may only be disposed of in any one
6 or more of the following ways:

7 (1) Return the surplus to a contributor in an amount not to exceed
8 that contributor's original contribution;

9 (2) Transfer the surplus to the candidate's personal account as
10 reimbursement for lost earnings incurred as a result of that
11 candidate's election campaign. Such lost earnings shall be verifiable
12 as unpaid salary or, when the candidate is not salaried, as an amount
13 not to exceed income received by the candidate for services rendered
14 during an appropriate, corresponding time period. All lost earnings
15 incurred shall be documented and a record thereof shall be maintained
16 by the candidate or the candidate's political committee. The committee
17 shall include a copy of such record when its expenditure for such
18 reimbursement is reported pursuant to RCW 42.17.090;

19 (3) Transfer the surplus without limit to a political party or to
20 a caucus political committee;

21 (4) Donate the surplus to a charitable organization registered in
22 accordance with chapter 19.09 RCW;

23 (5) Transmit the surplus to the state treasurer for deposit in the
24 general fund, the (~~oral history~~) Washington state legacy project,
25 state library, and archives account under RCW 43.07.380, or the
26 legislative international trade account under RCW (~~44.04.270~~)
27 43.15.050, as specified by the candidate or political committee; (~~or~~)

28 (6) Transfer the surplus funds to the department of agriculture's
29 food assistance program under RCW 43.23.290 for distribution to food
30 banks.

1 ~~(7)~~ (7) Hold the surplus in the (~~campaign~~) depository or depositories
2 designated in accordance with RCW 42.17.050 for possible use in a
3 future election campaign for the same office last sought by the
4 candidate and report any such disposition in accordance with RCW
5 42.17.090: PROVIDED, That if the candidate subsequently announces or
6 publicly files for office, information as appropriate is reported to
7 the commission in accordance with RCW 42.17.040 through 42.17.090. If
8 a subsequent office is not sought the surplus held shall be disposed of
9 in accordance with the requirements of this section.

10 ~~((+7))~~ (8) Hold the surplus campaign funds in a separate account
11 for nonreimbursed public office-related expenses or as provided in this
12 section, and report any such disposition in accordance with RCW
13 42.17.090. The separate account required under this subsection shall
14 not be used for deposits of campaign funds that are not surplus.

15 ~~((+8))~~ (9) No candidate or authorized committee may transfer funds
16 to any other candidate or other political committee.

17 The disposal of surplus funds under this section shall not be
18 considered a contribution for purposes of this chapter.

19 **Sec. 3.** RCW 42.17A.430 and 2010 c 204 s 606 are each amended to
20 read as follows:

21 The surplus funds of a candidate or a candidate's authorized
22 committee may only be disposed of in any one or more of the following
23 ways:

24 (1) Return the surplus to a contributor in an amount not to exceed
25 that contributor's original contribution;

26 (2) Using surplus, reimburse the candidate for lost earnings
27 incurred as a result of that candidate's election campaign. Lost
28 earnings shall be verifiable as unpaid salary or, when the candidate is
29 not salaried, as an amount not to exceed income received by the
30 candidate for services rendered during an appropriate, corresponding
31 time period. All lost earnings incurred shall be documented and a
32 record thereof shall be maintained by the candidate or the candidate's
33 authorized committee. The committee shall maintain a copy of this
34 record in accordance with RCW 42.17A.235~~((+6))~~ (5);

35 (3) Transfer the surplus without limit to a political party or to
36 a caucus political committee;

1 (4) Donate the surplus to a charitable organization registered in
2 accordance with chapter 19.09 RCW;

3 (5) Transmit the surplus to the state treasurer for deposit in the
4 general fund, the Washington state legacy project, state library, and
5 archives account under RCW 43.07.380, or the legislative international
6 trade account under RCW 43.15.050, as specified by the candidate or
7 political committee; (~~(6)~~)

8 (6) Transfer the surplus funds to the department of agriculture's
9 food assistance program under RCW 43.23.290 for distribution to food
10 banks.

11 (7) Hold the surplus in the depository or depositories designated
12 in accordance with RCW 42.17A.215 for possible use in a future election
13 campaign for the same office last sought by the candidate and report
14 any such disposition in accordance with RCW 42.17A.240. If the
15 candidate subsequently announces or publicly files for office, the
16 appropriate information must be reported to the commission in
17 accordance with RCW 42.17A.205 through 42.17A.240. If a subsequent
18 office is not sought the surplus held shall be disposed of in
19 accordance with the requirements of this section.

20 (~~(7)~~) (8) Hold the surplus campaign funds in a separate account
21 for nonreimbursed public office-related expenses or as provided in this
22 section, and report any such disposition in accordance with RCW
23 42.17A.240. The separate account required under this subsection shall
24 not be used for deposits of campaign funds that are not surplus.

25 (~~(8)~~) (9) No candidate or authorized committee may transfer funds
26 to any other candidate or other political committee.

27 The disposal of surplus funds under this section shall not be
28 considered a contribution for purposes of this chapter.

29 NEW SECTION. Sec. 4. Section 2 of this act expires January 1,
30 2012.

31 NEW SECTION. Sec. 5. Section 3 of this act takes effect January
32 1, 2012."

NOT CONSIDERED 05/25/2011

1 On page 1, line 2 of the title, after "gifts;" strike the remainder
2 of the title and insert "amending RCW 42.17.095 and 42.17A.430; adding
3 a new section to chapter 43.23 RCW; providing an effective date; and
4 providing an expiration date."

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