

# SENATE BILL REPORT

## SHB 1085

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As of March 20, 2015

**Title:** An act relating to requiring lobbying reports to be filed electronically.

**Brief Description:** Requiring lobbying reports to be filed electronically.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Moeller, Gregerson, S. Hunt, Cody, Hudgins and Pollet).

**Brief History:** Passed House: 3/05/15, 85-13.

**Committee Activity:** Government Operations & Security: 3/16/15.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Staff:** Samuel Brown (786-7470)

**Background:** Disclosure of Lobbying Activities. The Public Disclosure Commission (PDC) was created by voter initiative to provide public access to information about the financing of political campaigns, lobbyist expenditures, and the financial affairs of public officials and candidates, and to ensure compliance with campaign finance laws. Lobbyists and lobbyist employers must register with the PDC and report lobbying activities on a monthly basis. Information reported includes expenditures for lobbying activities, contributions made to candidates and political committees supporting or opposing ballot measures, subject matters being lobbied, and gifts in the form of food and beverage exceeding \$50.

Public Agency Lobbying. Unless otherwise expressly authorized by law, state and local agencies may use public funds for lobbying. However, that lobbying activity is limited to providing information on matters pertaining to official agency business or advocating the official position or interests of the agency to any elected official, officer, or employee of any agency. Agencies expending public funds for lobbying must file quarterly statements to the PDC that include the following:

- the names, titles, job descriptions; and salaries of those who lobbied;
- a description of the nature of the lobbying;
- the proportionate amount of time spent on lobbying; and
- a listing of expenditures incurred for lobbying.

PDC Electronic Filing. In 2002 electronic filing was mandated for candidates, public officials, and political committees for filing financial affairs reports, contribution reports, and

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expenditure reports. Electronic filing was made available to lobbyists and lobbyist employers for submitting their reports in 2002, although it is not mandatory. Electronic filing includes, but is not limited to, filing by diskette, modem, satellite, or over the Internet. Funding was made available to the PDC in the fiscal year 2008 budget for a feasibility study to determine the cost to design, develop, implement, and maintain an application to accommodate electronic filing by lobbyists, lobbyist employers, and public agencies, as well as a database and query system compatible with current computer architecture, technology, and operating systems.

**Summary of Bill:** Local agencies that lobby must file lobbying reports with the PDC over the Internet. By January 1, 2017, all lobbyists and lobbyists' employers must file the required reports with the PDC over the Internet.

The PDC must design, develop, implement, and maintain computer hardware and software or other applications to accommodate electronic filing of reports that are compatible with its current architecture, technology, and operating systems.

The bill is null and void if specific funding for the act is not appropriated by June 30, 2015, in the omnibus appropriations budget.

**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:** OTHER: The PDC generally supports the transparency and accountability goals of this bill, and conditionally supports mandatory electronic filing if adequate resources are made available to update the antiquated system. One-third of lobbyists and three-quarters of lobbyist employers don't file reports electronically, and a big reason is the PDC's antiquated electronic filing system. State agencies are required to file reports electronically, but they use a different, newer application, and we believe it would be less of a challenge to require all public agencies to meet this requirement.

**Persons Testifying:** OTHER: Andrea Doyle, Executive Director, PDC.

**Persons Signed in to Testify But Not Testifying:** No one.