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ENGROSSED SUBSTITUTE HOUSE BILL 2938

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State of Washington

65th Legislature

2018 Regular Session

By House State Government, Elections & Information Technology  
(originally sponsored by Representatives Hudgins, Dolan, Kagi, Wylie,  
Ormsby, and Pollet)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to campaign finance law enforcement and  
2 reporting; amending RCW 42.17A.055, 42.17A.110, 42.17A.225,  
3 42.17A.235, 42.17A.240, 42.17A.255, 42.17A.265, 42.17A.450,  
4 42.17A.750, 42.17A.755, and 42.17A.765; reenacting and amending RCW  
5 42.17A.005 and 42.17A.220; adding new sections to chapter 42.17A RCW;  
6 creating a new section; and making appropriations.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that state campaign  
9 finance laws are intended to provide maximum transparency to the  
10 public and voters so they may know who is funding political campaigns  
11 and how those campaigns spend their money. Additionally, our campaign  
12 finance laws should not be so complex and complicated that volunteers  
13 and newcomers to the political process cannot understand the rules or  
14 have difficulty following them. The legislature believes that our  
15 campaign finance laws should not be a barrier to participating in the  
16 political process, but instead encourage people to participate in the  
17 process by ensuring a level playing field and a predictable  
18 enforcement mechanism. The legislature intends to simplify the  
19 political reporting and enforcement process without sacrificing  
20 transparency and the public's right to know who funds political  
21 campaigns. The legislature also intends to expedite the public

1 disclosure commission's enforcement procedures so that remedial  
2 campaign finance violations can be dealt with administratively.

3 The intent of the law is not to trap or embarrass people when  
4 they make honest remediable errors. A majority of smaller campaigns  
5 are volunteer-driven and most treasurers are not professional  
6 accountants. The public disclosure commission should be guided to  
7 review and address major violations, intentional violations, and  
8 violations that could change the outcome of an election or materially  
9 affect the public interest.

10 **Sec. 2.** RCW 42.17A.005 and 2011 c 145 s 2 and 2011 c 60 s 19 are  
11 each reenacted and amended to read as follows:

12 The definitions in this section apply throughout this chapter  
13 unless the context clearly requires otherwise.

14 (1) "Actual malice" means to act with knowledge of falsity or  
15 with reckless disregard as to truth or falsity.

16 (2) "Actual violation" means a violation of this chapter that is  
17 not a remedial violation or technical correction.

18 (3) "Agency" includes all state agencies and all local agencies.  
19 "State agency" includes every state office, department, division,  
20 bureau, board, commission, or other state agency. "Local agency"  
21 includes every county, city, town, municipal corporation, quasi-  
22 municipal corporation, or special purpose district, or any office,  
23 department, division, bureau, board, commission, or agency thereof,  
24 or other local public agency.

25 ~~((3))~~ (4) "Authorized committee" means the political committee  
26 authorized by a candidate, or by the public official against whom  
27 recall charges have been filed, to accept contributions or make  
28 expenditures on behalf of the candidate or public official.

29 ~~((4))~~ (5) "Ballot proposition" means any "measure" as defined  
30 by RCW 29A.04.091, or any initiative, recall, or referendum  
31 proposition proposed to be submitted to the voters of the state or  
32 any municipal corporation, political subdivision, or other voting  
33 constituency from and after the time when the proposition has been  
34 initially filed with the appropriate election officer of that  
35 constituency before its circulation for signatures.

36 ~~((5))~~ (6) "Benefit" means a commercial, proprietary, financial,  
37 economic, or monetary advantage, or the avoidance of a commercial,  
38 proprietary, financial, economic, or monetary disadvantage.

39 ~~((6))~~ (7) "Bona fide political party" means:

1 (a) An organization that has been recognized as a minor political  
2 party by the secretary of state;

3 (b) The governing body of the state organization of a major  
4 political party, as defined in RCW 29A.04.086, that is the body  
5 authorized by the charter or bylaws of the party to exercise  
6 authority on behalf of the state party; or

7 (c) The county central committee or legislative district  
8 committee of a major political party. There may be only one  
9 legislative district committee for each party in each legislative  
10 district.

11 ~~((7))~~ (8) "Books of account" means:

12 (a) In the case of a campaign or political committee, a ledger or  
13 similar listing of contributions, expenditures, and debts, such as a  
14 campaign or committee is required to file regularly with the  
15 commission, current as of the most recent business day; or

16 (b) In the case of a commercial advertiser, details of political  
17 advertising or electioneering communications provided by the  
18 advertiser, including the names and addresses of persons from whom it  
19 accepted political advertising or electioneering communications, the  
20 exact nature and extent of the services rendered and the total cost  
21 and the manner of payment for the services.

22 (9) "Candidate" means any individual who seeks nomination for  
23 election or election to public office. An individual seeks nomination  
24 or election when he or she first:

25 (a) Receives contributions or makes expenditures or reserves  
26 space or facilities with intent to promote his or her candidacy for  
27 office;

28 (b) Announces publicly or files for office;

29 (c) Purchases commercial advertising space or broadcast time to  
30 promote his or her candidacy; or

31 (d) Gives his or her consent to another person to take on behalf  
32 of the individual any of the actions in (a) or (c) of this  
33 subsection.

34 ~~((8))~~ (10) "Caucus political committee" means a political  
35 committee organized and maintained by the members of a major  
36 political party in the state senate or state house of  
37 representatives.

38 ~~((9))~~ (11) "Commercial advertiser" means any person who sells  
39 the service of communicating messages or producing printed material  
40 for broadcast or distribution to the general public or segments of

1 the general public whether through the use of newspapers, magazines,  
2 television and radio stations, billboard companies, direct mail  
3 advertising companies, printing companies, or otherwise.

4 ~~((10))~~ (12) "Commission" means the agency established under RCW  
5 42.17A.100.

6 ~~((11))~~ (13) "Committee" unless the context indicates otherwise,  
7 includes any candidate, ballot measure, recall, political, or  
8 continuing committee.

9 (14) "Compensation" unless the context requires a narrower  
10 meaning, includes payment in any form for real or personal property  
11 or services of any kind. For the purpose of compliance with RCW  
12 42.17A.710, "compensation" does not include per diem allowances or  
13 other payments made by a governmental entity to reimburse a public  
14 official for expenses incurred while the official is engaged in the  
15 official business of the governmental entity.

16 ~~((12))~~ (15) "Continuing political committee" means a political  
17 committee that is an organization of continuing existence not  
18 established in anticipation of any particular election campaign.

19 ~~((13))~~ (16)(a) "Contribution" includes:

20 (i) A loan, gift, deposit, subscription, forgiveness of  
21 indebtedness, donation, advance, pledge, payment, transfer of funds  
22 between political committees, or anything of value, including  
23 personal and professional services for less than full consideration;

24 (ii) An expenditure made by a person in cooperation,  
25 consultation, or concert with, or at the request or suggestion of, a  
26 candidate, a political committee, the person or persons named on the  
27 candidate's or committee's registration form who direct expenditures  
28 on behalf of the candidate or committee, or their agents;

29 (iii) The financing by a person of the dissemination,  
30 distribution, or republication, in whole or in part, of broadcast,  
31 written, graphic, or other form of political advertising or  
32 electioneering communication prepared by a candidate, a political  
33 committee, or its authorized agent;

34 (iv) Sums paid for tickets to fund-raising events such as dinners  
35 and parties, except for the actual cost of the consumables furnished  
36 at the event.

37 (b) "Contribution" does not include:

38 (i) ~~((Standard))~~ Legally accrued interest on money deposited in a  
39 political committee's account;

40 (ii) Ordinary home hospitality;

1 (iii) A contribution received by a candidate or political  
2 committee that is returned to the contributor within (~~five~~) ten  
3 business days of the date on which it is received by the candidate or  
4 political committee;

5 (iv) A news item, feature, commentary, or editorial in a  
6 regularly scheduled news medium that is of primary interest to the  
7 general public, that is in a news medium controlled by a person whose  
8 business is that news medium, and that is not controlled by a  
9 candidate or a political committee;

10 (v) An internal political communication primarily limited to the  
11 members of or contributors to a political party organization or  
12 political committee, or to the officers, management staff, or  
13 stockholders of a corporation or similar enterprise, or to the  
14 members of a labor organization or other membership organization;

15 (vi) The rendering of personal services of the sort commonly  
16 performed by volunteer campaign workers, or incidental expenses  
17 personally incurred by volunteer campaign workers not in excess of  
18 fifty dollars personally paid for by the worker. "Volunteer  
19 services," for the purposes of this subsection, means services or  
20 labor for which the individual is not compensated by any person;

21 (vii) Messages in the form of reader boards, banners, or yard or  
22 window signs displayed on a person's own property or property  
23 occupied by a person. However, a facility used for such political  
24 advertising for which a rental charge is normally made must be  
25 reported as an in-kind contribution and counts towards any applicable  
26 contribution limit of the person providing the facility;

27 (viii) Legal or accounting services rendered to or on behalf of:

28 (A) A political party or caucus political committee if the person  
29 paying for the services is the regular employer of the person  
30 rendering such services; or

31 (B) A candidate or an authorized committee if the person paying  
32 for the services is the regular employer of the individual rendering  
33 the services and if the services are solely for the purpose of  
34 ensuring compliance with state election or public disclosure laws; or

35 (ix) The performance of ministerial functions by a person on  
36 behalf of two or more candidates or political committees either as  
37 volunteer services defined in (b)(vi) of this subsection or for  
38 payment by the candidate or political committee for whom the services  
39 are performed as long as:

40 (A) The person performs solely ministerial functions;

1 (B) A person who is paid by two or more candidates or political  
2 committees is identified by the candidates and political committees  
3 on whose behalf services are performed as part of their respective  
4 statements of organization under RCW 42.17A.205; and

5 (C) The person does not disclose, except as required by law, any  
6 information regarding a candidate's or committee's plans, projects,  
7 activities, or needs, or regarding a candidate's or committee's  
8 contributions or expenditures that is not already publicly available  
9 from campaign reports filed with the commission, or otherwise engage  
10 in activity that constitutes a contribution under (a)(ii) of this  
11 subsection.

12 A person who performs ministerial functions under this subsection  
13 (~~((13))~~) (16)(b)(ix) is not considered an agent of the candidate or  
14 committee as long as he or she has no authority to authorize  
15 expenditures or make decisions on behalf of the candidate or  
16 committee.

17 (c) Contributions other than money or its equivalent are deemed  
18 to have a monetary value equivalent to the fair market value of the  
19 contribution. Services or property or rights furnished at less than  
20 their fair market value for the purpose of assisting any candidate or  
21 political committee are deemed a contribution. Such a contribution  
22 must be reported as an in-kind contribution at its fair market value  
23 and counts towards any applicable contribution limit of the provider.

24 (~~((14))~~) (17) "Depository" means a bank, mutual savings bank,  
25 savings and loan association, or credit union doing business in this  
26 state.

27 (~~((15))~~) (18) "Elected official" means any person elected at a  
28 general or special election to any public office, and any person  
29 appointed to fill a vacancy in any such office.

30 (~~((16))~~) (19) "Election" includes any primary, general, or  
31 special election for public office and any election in which a ballot  
32 proposition is submitted to the voters. An election in which the  
33 qualifications for voting include other than those requirements set  
34 forth in Article VI, section 1 (Amendment 63) of the Constitution of  
35 the state of Washington shall not be considered an election for  
36 purposes of this chapter.

37 (~~((17))~~) (20) "Election campaign" means any campaign in support  
38 of or in opposition to a candidate for election to public office and  
39 any campaign in support of, or in opposition to, a ballot  
40 proposition.

1       (~~(18)~~) (21) "Election cycle" means the period beginning on the  
2 first day of January after the date of the last previous general  
3 election for the office that the candidate seeks and ending on  
4 December 31st after the next election for the office. In the case of  
5 a special election to fill a vacancy in an office, "election cycle"  
6 means the period beginning on the day the vacancy occurs and ending  
7 on December 31st after the special election.

8       (~~(19)~~) (22)(a) "Electioneering communication" means any  
9 broadcast, cable, or satellite television (~~(or)~~), radio transmission,  
10 digital communication, United States postal service mailing,  
11 billboard, newspaper, or periodical that:

12       (i) Clearly identifies a candidate for a state, local, or  
13 judicial office either by specifically naming the candidate, or  
14 identifying the candidate without using the candidate's name;

15       (ii) Is broadcast, transmitted electronically or by other means,  
16 mailed, erected, distributed, or otherwise published within sixty  
17 days before any election for that office in the jurisdiction in which  
18 the candidate is seeking election; and

19       (iii) Either alone, or in combination with one or more  
20 communications identifying the candidate by the same sponsor during  
21 the sixty days before an election, has a fair market value of one  
22 thousand dollars or more.

23       (b) "Electioneering communication" does not include:

24       (i) Usual and customary advertising of a business owned by a  
25 candidate, even if the candidate is mentioned in the advertising when  
26 the candidate has been regularly mentioned in that advertising  
27 appearing at least twelve months preceding his or her becoming a  
28 candidate;

29       (ii) Advertising for candidate debates or forums when the  
30 advertising is paid for by or on behalf of the debate or forum  
31 sponsor, so long as two or more candidates for the same position have  
32 been invited to participate in the debate or forum;

33       (iii) A news item, feature, commentary, or editorial in a  
34 regularly scheduled news medium that is:

35       (A) Of primary interest to the general public;

36       (B) In a news medium controlled by a person whose business is  
37 that news medium; and

38       (C) Not a medium controlled by a candidate or a political  
39 committee;

40       (iv) Slate cards and sample ballots;

1 (v) Advertising for books, films, dissertations, or similar works  
2 (A) written by a candidate when the candidate entered into a contract  
3 for such publications or media at least twelve months before becoming  
4 a candidate, or (B) written about a candidate;

5 (vi) Public service announcements;

6 (vii) (~~(A-mailed)~~) An internal political communication primarily  
7 limited to the members of or contributors to a political party  
8 organization or political committee, or to the officers, management  
9 staff, or stockholders of a corporation or similar enterprise, or to  
10 the members of a labor organization or other membership organization;

11 (viii) An expenditure by or contribution to the authorized  
12 committee of a candidate for state, local, or judicial office; or

13 (ix) Any other communication exempted by the commission through  
14 rule consistent with the intent of this chapter.

15 (~~(+20)~~) (23) "Expenditure" includes a payment, contribution,  
16 subscription, distribution, loan, advance, deposit, or gift of money  
17 or anything of value, and includes a contract, promise, or agreement,  
18 whether or not legally enforceable, to make an expenditure.  
19 "Expenditure" also includes a promise to pay, a payment, or a  
20 transfer of anything of value in exchange for goods, services,  
21 property, facilities, or anything of value for the purpose of  
22 assisting, benefiting, or honoring any public official or candidate,  
23 or assisting in furthering or opposing any election campaign. For the  
24 purposes of this chapter, agreements to make expenditures, contracts,  
25 and promises to pay may be reported as estimated obligations until  
26 actual payment is made. "Expenditure" shall not include the partial  
27 or complete repayment by a candidate or political committee of the  
28 principal of a loan, the receipt of which loan has been properly  
29 reported.

30 (~~(+21)~~) (24) "Final report" means the report described as a  
31 final report in RCW 42.17A.235(2).

32 (~~(+22)~~) (25) "General election" for the purposes of RCW  
33 42.17A.405 means the election that results in the election of a  
34 person to a state or local office. It does not include a primary.

35 (~~(+23)~~) (26) "Gift" has the definition in RCW 42.52.010.

36 (~~(+24)~~) (27) "Immediate family" includes the spouse or domestic  
37 partner, dependent children, and other dependent relatives, if living  
38 in the household. For the purposes of the definition of  
39 "intermediary" in this section, "immediate family" means an  
40 individual's spouse or domestic partner, and child, stepchild,



1 grandchild, parent, stepparent, grandparent, brother, half brother,  
2 sister, or half sister of the individual and the spouse or the  
3 domestic partner of any such person and a child, stepchild,  
4 grandchild, parent, stepparent, grandparent, brother, half brother,  
5 sister, or half sister of the individual's spouse or domestic partner  
6 and the spouse or the domestic partner of any such person.

7 ~~((25))~~ (28) "Incumbent" means a person who is in present  
8 possession of an elected office.

9 ~~((26))~~ (29)(a) "Independent expenditure" means an expenditure  
10 that has each of the following elements:

11 ~~((a))~~ (i) It is made in support of or in opposition to a  
12 candidate for office by a person who is not ~~((i))~~:

13 (A) A candidate for that office~~((, (i))~~);

14 (B) An authorized committee of that candidate for that office~~((, (iii))~~); and  
15

16 (C) A person who has received the candidate's encouragement or  
17 approval to make the expenditure, if the expenditure pays in whole or  
18 in part for political advertising supporting that candidate or  
19 promoting the defeat of any other candidate or candidates for that  
20 office~~((, or (iv))~~);

21 (ii) It is made in support of or in opposition to a candidate for  
22 office by a person with whom the candidate has collaborated for the  
23 purpose of making the expenditure, if the expenditure pays in whole  
24 or in part for political advertising supporting that candidate or  
25 promoting the defeat of any other candidate or candidates for that  
26 office;

27 ~~((b))~~ (iii) The expenditure pays in whole or in part for  
28 political advertising that either specifically names the candidate  
29 supported or opposed, or clearly and beyond any doubt identifies the  
30 candidate without using the candidate's name; and

31 ~~((c))~~ (iv) The expenditure, alone or in conjunction with  
32 another expenditure or other expenditures of the same person in  
33 support of or opposition to that candidate, has a value of eight  
34 hundred dollars or more. A series of expenditures, each of which is  
35 under eight hundred dollars, constitutes one independent expenditure  
36 if their cumulative value is eight hundred dollars or more.

37 ~~((27))~~ (b) "Independent expenditure" does not include: Ordinary  
38 home hospitality; communications with journalists or editorial staff  
39 designed to elicit a news item, feature, commentary, or editorial in  
40 a regularly scheduled news medium that is of primary interest to the

1 general public, controlled by a person whose business is that news  
2 medium, and not controlled by a candidate or a political committee;  
3 participation in the creation of a publicly funded voters pamphlet  
4 statement in written or video form; an internal political  
5 communication primarily limited to contributors to a political party  
6 organization or political action committee, the officers, management  
7 staff, and stockholders of a corporation or similar enterprise, or  
8 the members of a labor organization or other membership organization;  
9 or the rendering of personal services of the sort commonly performed  
10 by volunteer campaign workers or incidental expenses personally  
11 incurred by volunteer campaign workers not in excess of two hundred  
12 fifty dollars personally paid for by the worker.

13 (30)(a) "Intermediary" means an individual who transmits a  
14 contribution to a candidate or committee from another person unless  
15 the contribution is from the individual's employer, immediate family,  
16 or an association to which the individual belongs.

17 (b) A treasurer or a candidate is not an intermediary for  
18 purposes of the committee that the treasurer or candidate serves.

19 (c) A professional fund-raiser is not an intermediary if the  
20 fund-raiser is compensated for fund-raising services at the usual and  
21 customary rate.

22 (d) A volunteer hosting a fund-raising event at the individual's  
23 home is not an intermediary for purposes of that event.

24 ~~((+28+))~~ (31) "Legislation" means bills, resolutions, motions,  
25 amendments, nominations, and other matters pending or proposed in  
26 either house of the state legislature, and includes any other matter  
27 that may be the subject of action by either house or any committee of  
28 the legislature and all bills and resolutions that, having passed  
29 both houses, are pending approval by the governor.

30 ~~((+29+))~~ (32) "Legislative office" means the office of a member  
31 of the state house of representatives or the office of a member of  
32 the state senate.

33 ~~((+30+))~~ (33) "Lobby" and "lobbying" each mean attempting to  
34 influence the passage or defeat of any legislation by the legislature  
35 of the state of Washington, or the adoption or rejection of any rule,  
36 standard, rate, or other legislative enactment of any state agency  
37 under the state administrative procedure act, chapter 34.05 RCW.  
38 Neither "lobby" nor "lobbying" includes an association's or other  
39 organization's act of communicating with the members of that  
40 association or organization.

1       (~~(+31+)~~) (34) "Lobbyist" includes any person who lobbies either  
2 in his or her own or another's behalf.

3       (~~(+32+)~~) (35) "Lobbyist's employer" means the person or persons  
4 by whom a lobbyist is employed and all persons by whom he or she is  
5 compensated for acting as a lobbyist.

6       (~~(+33+)~~) (36) "Ministerial functions" means an act or duty  
7 carried out as part of the duties of an administrative office without  
8 exercise of personal judgment or discretion.

9       (~~(+34+)~~) (37) "Participate" means that, with respect to a  
10 particular election, an entity:

11       (a) Makes either a monetary or in-kind contribution to a  
12 candidate;

13       (b) Makes an independent expenditure or electioneering  
14 communication in support of or opposition to a candidate;

15       (c) Endorses a candidate before contributions are made by a  
16 subsidiary corporation or local unit with respect to that candidate  
17 or that candidate's opponent;

18       (d) Makes a recommendation regarding whether a candidate should  
19 be supported or opposed before a contribution is made by a subsidiary  
20 corporation or local unit with respect to that candidate or that  
21 candidate's opponent; or

22       (e) Directly or indirectly collaborates or consults with a  
23 subsidiary corporation or local unit on matters relating to the  
24 support of or opposition to a candidate, including, but not limited  
25 to, the amount of a contribution, when a contribution should be  
26 given, and what assistance, services or independent expenditures, or  
27 electioneering communications, if any, will be made or should be made  
28 in support of or opposition to a candidate.

29       (~~(+35+)~~) (38) "Person" includes an individual, partnership, joint  
30 venture, public or private corporation, association, federal, state,  
31 or local governmental entity or agency however constituted,  
32 candidate, committee, political committee, political party, executive  
33 committee thereof, or any other organization or group of persons,  
34 however organized.

35       (~~(+36+)~~) (39) "Political advertising" includes any advertising  
36 displays, newspaper ads, billboards, signs, brochures, articles,  
37 tabloids, flyers, letters, radio or television presentations, digital  
38 communication, or other means of mass communication, used for the  
39 purpose of appealing, directly or indirectly, for votes or for  
40 financial or other support or opposition in any election campaign.

1       (~~(37)~~) (40) "Political committee" means any person (except a  
2 candidate or an individual dealing with his or her own funds or  
3 property) having the expectation of receiving contributions or making  
4 expenditures in support of, or opposition to, any candidate or any  
5 ballot proposition.

6       (~~(38)~~) (41) "Primary" for the purposes of RCW 42.17A.405 means  
7 the procedure for nominating a candidate to state or local office  
8 under chapter 29A.52 RCW or any other primary for an election that  
9 uses, in large measure, the procedures established in chapter 29A.52  
10 RCW.

11       (~~(39)~~) (42) "Public office" means any federal, state, judicial,  
12 county, city, town, school district, port district, special district,  
13 or other state political subdivision elective office.

14       (~~(40)~~) (43) "Public record" has the definition in RCW  
15 42.56.010.

16       (~~(41)~~) (44) "Recall campaign" means the period of time  
17 beginning on the date of the filing of recall charges under RCW  
18 29A.56.120 and ending thirty days after the recall election.

19       (~~(42)~~) (45) "Remedial violation" means any violation of this  
20 chapter that:

21       (a) Involved expenditures totaling no more than the contribution  
22 limits set out under RCW 42.17A.405(2) per election, or one thousand  
23 dollars if there is no statutory limit;

24       (b) Occurred more than thirty days before an election, where the  
25 commission entered into an agreement to resolve the matter;

26       (c) Does not materially affect the public interest, beyond the  
27 harm to the policy of this chapter inherent in any violation; and

28       (d)(i) Involved expenditures totaling no more than the  
29 contribution limits set out under RCW 42.17A.405(2) per election, or  
30 one thousand dollars if there is no statutory limit and the person:

31       (A) Took corrective action within five business days after the  
32 commission first notified the person of noncompliance, or where the  
33 commission did not provide notice and filed a required report within  
34 twenty-one days after the report was due to be filed; and

35       (B) Substantially met the filing deadline for all other required  
36 reports within the immediately preceding twelve-month period; or

37       (ii) Involved a candidate who:

38       (A) Lost the election in question; and

1 (B) Did not receive contributions over one hundred times the  
2 contribution limit in aggregate per election during the campaign in  
3 question.

4 (46)(a) "Sponsor" for purposes of an electioneering  
5 communications, independent expenditures, or political advertising  
6 means the person paying for the electioneering communication,  
7 independent expenditure, or political advertising. If a person acts  
8 as an agent for another or is reimbursed by another for the payment,  
9 the original source of the payment is the sponsor.

10 (b) "Sponsor," for purposes of a political committee, means any  
11 person, except an authorized committee, to whom any of the following  
12 applies:

13 (i) The committee receives eighty percent or more of its  
14 contributions either from the person or from the person's members,  
15 officers, employees, or shareholders;

16 (ii) The person collects contributions for the committee by use  
17 of payroll deductions or dues from its members, officers, or  
18 employees.

19 ~~((43))~~ (47) "Sponsored committee" means a committee, other than  
20 an authorized committee, that has one or more sponsors.

21 ~~((44))~~ (48) "State office" means state legislative office or  
22 the office of governor, lieutenant governor, secretary of state,  
23 attorney general, commissioner of public lands, insurance  
24 commissioner, superintendent of public instruction, state auditor, or  
25 state treasurer.

26 ~~((45))~~ (49) "State official" means a person who holds a state  
27 office.

28 ~~((46))~~ (50) "Surplus funds" mean, in the case of a political  
29 committee or candidate, the balance of contributions that remain in  
30 the possession or control of that committee or candidate subsequent  
31 to the election for which the contributions were received, and that  
32 are in excess of the amount necessary to pay remaining debts incurred  
33 by the committee or candidate with respect to that election. In the  
34 case of a continuing political committee, "surplus funds" mean those  
35 contributions remaining in the possession or control of the committee  
36 that are in excess of the amount necessary to pay all remaining debts  
37 when it makes its final report under RCW 42.17A.255.

38 ~~((47))~~ (51) "Treasurer" and "deputy treasurer" mean the  
39 individuals appointed by a candidate or political committee, pursuant  
40 to RCW 42.17A.210, to perform the duties specified in that section.

1       **Sec. 3.** RCW 42.17A.055 and 2013 c 166 s 2 are each amended to  
2 read as follows:

3       (1) The commission shall make available to candidates, public  
4 officials, and political committees that are required to file reports  
5 under this chapter an electronic filing alternative for submitting  
6 financial affairs reports, contribution reports, and expenditure  
7 reports.

8       (2) The commission shall make available to lobbyists and  
9 lobbyists' employers required to file reports under RCW 42.17A.600,  
10 42.17A.615, 42.17A.625, or 42.17A.630 an electronic filing  
11 alternative for submitting these reports.

12       (3) State agencies required to report under RCW 42.17A.635 must  
13 file all reports electronically.

14       (4) The commission shall make available to candidates, public  
15 officials, political committees, lobbyists, and lobbyists' employers  
16 an electronic copy of the appropriate reporting forms at no charge.

17       (5) If the electronic filing system provided by the commission is  
18 inoperable for any period of time, the commission must keep a record  
19 of the date and time of each instance and post outages on its web  
20 site. If a report is due on a day the electronic filing system is  
21 inoperable, it is not late if filed the first business day the system  
22 is back in operation. The commission must provide notice to all  
23 reporting entities when the system is back in operation.

24       (6) All persons required to file reports under this section  
25 shall, at the time of initial filing, provide the commission an email  
26 address that shall constitute the official address for purposes of  
27 all communications from the commission. The person required to file  
28 one or more reports must provide any new email address to the  
29 commission within ten days, if the address has changed from that  
30 listed on the most recent report. The executive director may waive  
31 the email requirement and allow use of a postal address, on the basis  
32 of hardship.

33       (7) The commission must publish a calendar of significant  
34 reporting dates on its web site.

35       **Sec. 4.** RCW 42.17A.110 and 2015 c 225 s 55 are each amended to  
36 read as follows:

37       The commission may:

38       (1) Adopt, amend, and rescind suitable administrative rules to  
39 carry out the policies and purposes of this chapter, which rules

1 shall be adopted under chapter 34.05 RCW. Any rule relating to  
2 campaign finance, political advertising, or related forms that would  
3 otherwise take effect after June 30th of a general election year  
4 shall take effect no earlier than the day following the general  
5 election in that year;

6 (2) Appoint an executive director and set, within the limits  
7 established by the office of financial management under RCW  
8 43.03.028, the executive director's compensation. The executive  
9 director shall perform such duties and have such powers as the  
10 commission may prescribe and delegate to implement and enforce this  
11 chapter efficiently and effectively. The commission shall not  
12 delegate its authority to adopt, amend, or rescind rules nor may it  
13 delegate authority to determine (~~whether~~) that an actual violation  
14 of this chapter has occurred or to assess penalties for such  
15 violations;

16 (3) Prepare and publish reports and technical studies as in its  
17 judgment will tend to promote the purposes of this chapter, including  
18 reports and statistics concerning campaign financing, lobbying,  
19 financial interests of elected officials, and enforcement of this  
20 chapter;

21 (4) Conduct, as it deems appropriate, audits and field  
22 investigations;

23 (5) Make public the time and date of any formal hearing set to  
24 determine whether a violation has occurred, the question or questions  
25 to be considered, and the results thereof;

26 (6) Administer oaths and affirmations, issue subpoenas, and  
27 compel attendance, take evidence, and require the production of any  
28 records relevant to any investigation authorized under this chapter,  
29 or any other proceeding under this chapter;

30 (7) Adopt a code of fair campaign practices;

31 (8) Adopt rules relieving candidates or political committees of  
32 obligations to comply with the election campaign provisions of this  
33 chapter, if they have not received contributions nor made  
34 expenditures in connection with any election campaign of more than  
35 five thousand dollars; and

36 (~~(9) (Adopt rules prescribing reasonable requirements for keeping  
37 accounts of, and reporting on a quarterly basis, costs incurred by  
38 state agencies, counties, cities, and other municipalities and  
39 political subdivisions in preparing, publishing, and distributing  
40 legislative information. For the purposes of this subsection,~~

1 ~~"legislative information" means books, pamphlets, reports, and other~~  
2 ~~materials prepared, published, or distributed at substantial cost, a~~  
3 ~~substantial purpose of which is to influence the passage or defeat of~~  
4 ~~any legislation. The state auditor in his or her regular examination~~  
5 ~~of each agency under chapter 43.09 RCW shall review the rules,~~  
6 ~~accounts, and reports and make appropriate findings, comments, and~~  
7 ~~recommendations concerning those agencies; and~~

8       ~~(10))~~ Develop and provide to filers a system for certification  
9 of reports required under this chapter which are transmitted by  
10 facsimile or electronically to the commission. Implementation of the  
11 program is contingent on the availability of funds.

12       **Sec. 5.** RCW 42.17A.220 and 2010 c 205 s 3 and 2010 c 204 s 405  
13 are each reenacted and amended to read as follows:

14       (1) All monetary contributions received by a candidate or  
15 political committee shall be deposited by ~~((the treasurer or deputy~~  
16 ~~treasurer))~~ candidates, political committee members, paid staff, and  
17 treasurers in a depository in an account established and designated  
18 for that purpose. Such deposits shall be made within five business  
19 days of receipt of the contribution. For online or credit card  
20 contributions, the contribution is considered received at the time  
21 the transfer is made from the merchant account to a political  
22 committee account, except that a contribution made to a candidate who  
23 is a state official or legislator outside the restriction period  
24 established in RCW 42.17A.560, but transferred to the candidate's  
25 account within the restricted period, is considered received outside  
26 of the restriction period.

27       (2) Political committees that support or oppose more than one  
28 candidate or ballot proposition, or exist for more than one purpose,  
29 may maintain multiple separate bank accounts within the same  
30 designated depository for such purpose only if:

31       (a) Each such account bears the same name;

32       (b) Each such account is followed by an appropriate designation  
33 that accurately identifies its separate purpose; and

34       (c) Transfers of funds that must be reported under RCW  
35 ~~((42.17A.240(1)(e)))~~ 42.17A.240(5) are not made from more than one  
36 such account.

37       (3) Nothing in this section prohibits a candidate or political  
38 committee from investing funds on hand in a depository in bonds,  
39 certificates, or tax-exempt securities, or in savings accounts or



1 other similar instruments in financial institutions, or in mutual  
2 funds other than the depository but only if:

3 (a) The commission (~~(are—[is])~~) is notified in writing of the  
4 initiation and the termination of the investment; and

5 (b) The principal of such investment, when terminated together  
6 with all interest, dividends, and income derived from the investment,  
7 is deposited in the depository in the account from which the  
8 investment was made and properly reported to the commission before  
9 any further disposition or expenditure.

10 (4) Accumulated unidentified contributions, other than those made  
11 by persons whose names must be maintained on a separate and private  
12 list by a political committee's treasurer pursuant to RCW  
13 (~~(42.17A.240(1)(b))~~) 42.17A.240(2), in excess of one percent of the  
14 total accumulated contributions received in the current calendar  
15 year, or three hundred dollars, whichever is more, may not be  
16 deposited, used, or expended, but shall be returned to the donor if  
17 his or her identity can be ascertained. If the donor cannot be  
18 ascertained, the contribution shall escheat to the state and shall be  
19 paid to the state treasurer for deposit in the state general fund.

20 **Sec. 6.** RCW 42.17A.225 and 2011 c 60 s 22 are each amended to  
21 read as follows:

22 (1) In addition to the provisions of this section, a continuing  
23 political committee shall file and report on the same conditions and  
24 at the same times as any other committee in accordance with the  
25 provisions of RCW 42.17A.205, 42.17A.210, and 42.17A.220.

26 (2) A continuing political committee shall file with the  
27 commission a report on the tenth day of each month detailing  
28 expenditures made and contributions received for the preceding  
29 calendar month. This report need only be filed if either the total  
30 contributions received or total expenditures made since the last such  
31 report exceed two hundred dollars. The report shall be on a form  
32 supplied by the commission and shall include the following  
33 information:

34 (a) The information required by RCW 42.17A.240;

35 (b) Each expenditure made to retire previously accumulated debts  
36 of the committee identified by recipient, amount, and date of  
37 payments;

38 (c) Other information the commission shall prescribe by rule.

1 (3) If a continuing political committee makes a contribution in  
2 support of or in opposition to a candidate or ballot proposition  
3 within sixty days before the date that the candidate or ballot  
4 proposition will be voted upon, the committee shall report pursuant  
5 to RCW 42.17A.235.

6 (4)(a) A continuing political committee shall file reports as  
7 required by this chapter until ~~((it is dissolved))~~ the committee has  
8 ceased to function and intends to dissolve, at which time, when there  
9 is no outstanding debt or obligation and the committee is concluded  
10 in all respects, a final report shall be filed. Upon submitting a  
11 final report, the continuing political committee must file notice of  
12 intent to dissolve with the commission and the commission must post  
13 the notice on its web site.

14 (b) The continuing political committee may dissolve sixty days  
15 after it files its notice to dissolve, only if:

16 (i) The continuing political committee does not make any  
17 expenditures or engage in any political activity or any other  
18 activities that generate additional reporting requirements under this  
19 chapter after filing such notice;

20 (ii) No complaint or court action, pursuant to this chapter, is  
21 pending against the continuing political committee; and

22 (iii) All penalties assessed by the commission or court order are  
23 paid by the continuing political committee.

24 (c) The continuing political committee must continue to report  
25 regularly as required under this chapter until all the conditions  
26 under (b) of this subsection are resolved.

27 (d) The treasurer may not close the continuing political  
28 committee's bank account before the political committee has  
29 dissolved.

30 (e) Upon dissolution, the commission must issue an acknowledgment  
31 of dissolution, the duties of the treasurer shall cease, and there  
32 shall be no further obligations ~~((to make any further reports))~~ under  
33 this chapter.

34 (5) The treasurer shall maintain books of account, current within  
35 five business days, that accurately reflect all contributions and  
36 expenditures. During the ~~((eight))~~ ten calendar days immediately  
37 preceding the date of any election that the committee has received  
38 any contributions or made any expenditures, the books of account  
39 shall be kept current within one business day and shall be open for

1 public inspection in the same manner as provided for candidates and  
2 other political committees in RCW 42.17A.235(~~((4))~~) (6).

3 (6) All reports filed pursuant to this section shall be certified  
4 as correct by the treasurer.

5 (7) The treasurer shall preserve books of account, bills,  
6 receipts, and all other financial records of the campaign or  
7 political committee for not less than five calendar years following  
8 the year during which the transaction occurred.

9 **Sec. 7.** RCW 42.17A.235 and 2015 c 54 s 1 are each amended to  
10 read as follows:

11 (1) In addition to the information required under RCW 42.17A.205  
12 and 42.17A.210, (~~(on the day the treasurer is designated,)~~) each  
13 candidate or political committee must file with the commission a  
14 report of all contributions received and expenditures made (~~(prior to~~  
15 ~~that date, if any)~~) as a political committee on the next reporting  
16 date pursuant to the timeline established in this section.

17 (2) Each treasurer shall file with the commission a report, for  
18 each election in which a candidate or political committee is  
19 participating, containing the information required by RCW 42.17A.240  
20 at the following intervals:

21 (a) On the twenty-first day and the seventh day immediately  
22 preceding the date on which the election is held; and

23 (b) On the tenth day of the first full month after the  
24 election(~~(; and)~~).

25 (~~((c))~~) (3) Each treasurer shall file with the commission a  
26 report on the tenth day of each month ((in)) during which ((no other  
27 ~~reports are required to be filed under this section))~~ the candidate  
28 or political committee is not participating in an election campaign,  
29 only if the committee has received a contribution or made an  
30 expenditure in the preceding calendar month and either the total  
31 contributions received or total expenditures made since the last such  
32 report exceed two hundred dollars.

33 (4) The report filed twenty-one days before the election shall  
34 report all contributions received and expenditures made as of the end  
35 of one business day before the date of the report. The report filed  
36 seven days before the election shall report all contributions  
37 received and expenditures made as of the end of one business day  
38 before the date of the report. Reports filed on the tenth day of the  
39 month shall report all contributions received and expenditures made

1 from the closing date of the last report filed through the last day  
2 of the month preceding the date of the current report.

3 ~~((3))~~ (5) For the period beginning the first day of the fourth  
4 month preceding the date of the special election, or for the period  
5 beginning the first day of the fifth month before the date of the  
6 general election, and ending on the date of that special or general  
7 election, each Monday the treasurer shall file with the commission a  
8 report of each bank deposit made during the previous seven calendar  
9 days. The report shall contain the name of each person contributing  
10 the funds and the amount contributed by each person. However, persons  
11 who contribute no more than twenty-five dollars in the aggregate are  
12 not required to be identified in the report. A copy of the report  
13 shall be retained by the treasurer for his or her records. In the  
14 event of deposits made by ~~((a deputy treasurer))~~ candidates,  
15 political committee members, or paid staff other than the treasurer,  
16 the copy shall be ~~((forwarded))~~ immediately provided to the treasurer  
17 for his or her records. Each report shall be certified as correct by  
18 the treasurer ~~((or deputy treasurer making the deposit)).~~

19 ~~((4))~~ (6)(a) The treasurer or candidate shall maintain books of  
20 account accurately reflecting all contributions and expenditures on a  
21 current basis within five business days of receipt or expenditure.  
22 During the ~~((eight))~~ ten calendar days immediately preceding the date  
23 of the election the books of account shall be kept current within one  
24 business day. As specified in the committee's statement of  
25 organization filed under RCW 42.17A.205, the books of account must be  
26 open for public inspection by appointment at ~~((the designated))~~ a  
27 place agreed upon by both the treasurer and the requestor, for  
28 inspections between ~~((8:00))~~ 9:00 a.m. and ~~((8:00))~~ 5:00 p.m. on any  
29 day from the ~~((eighth))~~ tenth calendar day immediately before the  
30 election through the day immediately before the election, other than  
31 Saturday, Sunday, or a legal holiday. It is a violation of this  
32 chapter for a candidate or political committee to refuse to allow and  
33 keep an appointment for an inspection to be conducted during these  
34 authorized times and days. The appointment must be allowed at an  
35 authorized time and day for such inspections that is within ~~((twenty-~~  
36 ~~four))~~ forty-eight hours of the time and day that is requested for  
37 the inspection. The treasurer may provide digital access or copies of  
38 the books of account in lieu of scheduling an appointment at a  
39 designated place for inspection.

1 (b) At the time of making the appointment, a person wishing to  
2 inspect the books of account must provide the treasurer the name and  
3 telephone number of the person wishing to inspect the books of  
4 account. The person inspecting the books of account must show photo  
5 identification before the inspection begins.

6 (c) A treasurer may refuse to show the books of account to any  
7 person who does not make an appointment or provide the required  
8 identification. The commission may issue limited rules to modify the  
9 requirements set forth in this section in consideration of other  
10 technology and best practices.

11 ~~((+5))~~ (7) Copies of all reports filed pursuant to this section  
12 shall be readily available for public inspection by appointment,  
13 pursuant to subsection ~~((+4))~~ (6) of this section~~((, at the~~  
14 ~~principal headquarters or, if there is no headquarters, at the~~  
15 ~~address of the treasurer or such other place as may be authorized by~~  
16 ~~the commission))~~.

17 ~~((+6))~~ (8) The treasurer or candidate shall preserve books of  
18 account, bills, receipts, and all other financial records of the  
19 campaign or political committee for not less than ~~((five))~~ two  
20 calendar years following the year during which the transaction  
21 occurred or for any longer period as otherwise required by law.

22 ~~((+7))~~ (9) All reports filed pursuant to subsection (1) or (2)  
23 of this section shall be certified as correct by the candidate and  
24 the treasurer.

25 ~~((+8))~~ (10) It is not a violation of this section to submit an  
26 amended report within twenty-one days of filing an underlying report  
27 if:

28 (a) The report is accurately amended;

29 (b) The corrected report is filed more than thirty days before an  
30 election;

31 (c) The total aggregate dollar amount of the adjustment for the  
32 individual report is within three times the contribution limit per  
33 election or two hundred dollars, whichever is greater; and

34 (d) The committee reported all information that was available to  
35 it at the time of filing, or made a good-faith effort to do so, or if  
36 a refund of a contribution or expenditure is being reported.

37 (11)(a) When there is no outstanding debt or obligation, the  
38 campaign fund is closed, ~~((and))~~ the campaign is concluded in all  
39 respects ~~((or in the case of a political committee))~~, and the  
40 committee has ceased to function and ~~((has dissolved))~~ intends to

1 dissolve, the treasurer shall file a final report. Upon submitting a  
2 final report, the committee must file notice of intent to dissolve  
3 with the commission and the commission must post the notice on its  
4 web site.

5 (b) Any committee may dissolve sixty days after it files its  
6 notice to dissolve, only if:

7 (i) The political committee does not make any expenditures or  
8 engage in any political activity or any other activities that  
9 generate additional reporting requirements under this chapter after  
10 filing such notice;

11 (ii) No complaint or court action under this chapter is pending  
12 against the political committee; and

13 (iii) All penalties assessed by the commission or court order are  
14 paid by the political committee.

15 (c) The political committee must continue to report regularly as  
16 required under this chapter until all the conditions under (b) of  
17 this subsection are resolved.

18 (d) The treasurer may not close the political committee's bank  
19 account before the political committee has dissolved.

20 (e) Upon dissolution, the commission must issue an acknowledgment  
21 of dissolution, the duties of the treasurer shall cease, and there  
22 ((is)) shall be no further obligations ((to make any further  
23 reports)) under this chapter.

24 **Sec. 8.** RCW 42.17A.240 and 2010 c 204 s 409 are each amended to  
25 read as follows:

26 Each report required under RCW 42.17A.235 (1) and (2) must be  
27 certified as correct by the treasurer and the candidate and shall  
28 disclose the following:

29 (1) The funds on hand at the beginning of the period;

30 (2) The name and address of each person who has made one or more  
31 contributions during the period, together with the money value and  
32 date of each contribution and the aggregate value of all  
33 contributions received from each person during the campaign, or in  
34 the case of a continuing political committee, the current calendar  
35 year, with the following exceptions:

36 ~~(a) ((Pledges in the aggregate of less than one hundred dollars~~  
37 ~~from any one person need not be reported;~~

38 ~~(b))~~ Income that results from a fund-raising activity conducted  
39 in accordance with RCW 42.17A.230 may be reported as one lump sum,

1 with the exception of that portion received from persons whose names  
2 and addresses are required to be included in the report required by  
3 RCW 42.17A.230;

4 ~~((e))~~ (b) Contributions of no more than twenty-five dollars in  
5 the aggregate from any one person during the election campaign may be  
6 reported as one lump sum if the treasurer maintains a separate and  
7 private list of the name, address, and amount of each such  
8 contributor; and

9 ~~((d))~~ (c) The money value of contributions of postage shall be  
10 the face value of the postage;

11 (3) Each loan, promissory note, or security instrument to be used  
12 by or for the benefit of the candidate or political committee made by  
13 any person, including the names and addresses of the lender and each  
14 person liable directly, indirectly or contingently and the date and  
15 amount of each such loan, promissory note, or security instrument;

16 (4) All other contributions not otherwise listed or exempted;

17 (5) The name and address of each candidate or political committee  
18 to which any transfer of funds was made, including the amounts and  
19 dates of the transfers;

20 (6) The name and address of each person to whom an expenditure  
21 was made in the aggregate amount of more than fifty dollars during  
22 the period covered by this report, the amount, date, and purpose of  
23 each expenditure, and the total sum of all expenditures;

24 (7) The name and address of each person directly compensated for  
25 soliciting or procuring signatures on an initiative or referendum  
26 petition, the amount of the compensation to each person, and the  
27 total expenditures made for this purpose. Such expenditures shall be  
28 reported under this subsection in addition to what is required to be  
29 reported under subsection (6) of this section;

30 (8) (a) The name and address of any person and the amount owed for  
31 any debt ~~(, obligation, note, unpaid loan, or other liability in the~~  
32 ~~amount))~~ with a value of more than ~~((two))~~ seven hundred fifty  
33 dollars ~~((or in the amount of more than fifty dollars that has been~~  
34 ~~outstanding for over thirty days))~~ that has not been paid for any  
35 invoices submitted, goods received, or services performed, within  
36 five business days during the period within thirty days before an  
37 election, or within ten business days during any other period.

38 (b) For purposes of this subsection, debt does not include:

1 (i) Regularly recurring expenditures of the same amount that have  
2 already been reported at least once and that are not late or  
3 outstanding; or

4 (ii) Any obligations already reported to pay for goods and  
5 services made by a third party on behalf of a candidate or political  
6 committee after the original payment or debt to that party has been  
7 reported;

8 (9) The surplus or deficit of contributions over expenditures;

9 (10) The disposition made in accordance with RCW 42.17A.430 of  
10 any surplus funds; and

11 (11) Any other information required by the commission by rule in  
12 conformance with the policies and purposes of this chapter.

13 **Sec. 9.** RCW 42.17A.255 and 2011 c 60 s 24 are each amended to  
14 read as follows:

15 (1) ~~((For the purposes of this section the term "independent~~  
16 ~~expenditure" means any expenditure that is made in support of or in~~  
17 ~~opposition to any candidate or ballot proposition and is not~~  
18 ~~otherwise required to be reported pursuant to RCW 42.17A.220,~~  
19 ~~42.17A.235, and 42.17A.240. "Independent expenditure" does not~~  
20 ~~include: An internal political communication primarily limited to the~~  
21 ~~contributors to a political party organization or political action~~  
22 ~~committee, or the officers, management staff, and stockholders of a~~  
23 ~~corporation or similar enterprise, or the members of a labor~~  
24 ~~organization or other membership organization; or the rendering of~~  
25 ~~personal services of the sort commonly performed by volunteer~~  
26 ~~campaign workers, or incidental expenses personally incurred by~~  
27 ~~volunteer campaign workers not in excess of fifty dollars personally~~  
28 ~~paid for by the worker. "Volunteer services," for the purposes of~~  
29 ~~this section, means services or labor for which the individual is not~~  
30 ~~compensated by any person.~~

31 ~~(2))~~ Within five days after the date of making an independent  
32 expenditure that by itself or when added to all other such  
33 independent expenditures made during the same election campaign by  
34 the same person equals ~~((one hundred dollars or more))~~ the  
35 contribution limit per election found in RCW 42.17A.405 for that  
36 office, or within five days after the date of making an independent  
37 expenditure for which no reasonable estimate of monetary value is  
38 practicable, whichever occurs first, the person who made the  
39 independent expenditure shall file with the commission an initial



1 report of all independent expenditures made during the campaign prior  
2 to and including such date. Any expenditure in excess of one thousand  
3 dollars for a local measure or two thousand dollars for a statewide  
4 measure in support of or opposition to a ballot measure must be  
5 reported as an in-kind contribution to a political committee  
6 associated with support or opposition to that ballot measure or, in  
7 the event no such committee exists, reported as an independent  
8 expenditure.

9 ((+3)) (2) At the following intervals each person who is  
10 required to file an initial report pursuant to subsection ((+2)) (1)  
11 of this section shall file with the commission a further report of  
12 the independent expenditures made since the date of the last report:

13 (a) On the twenty-first day and the seventh day preceding the  
14 date on which the election is held; and

15 (b) On the tenth day of the first month after the election; and

16 (c) On the tenth day of each month in which no other reports are  
17 required to be filed pursuant to this section. However, the further  
18 reports required by this subsection ((+3)) (2) shall only be filed  
19 if the reporting person has made an independent expenditure since the  
20 date of the last previous report filed.

21 (~~The report filed pursuant to paragraph (a) of this subsection~~  
22 ~~(3) shall be the final report, and upon submitting such final report~~  
23 ~~the duties of the reporting person shall cease, and)) If the  
24 reporting person has not made any independent expenditures since the  
25 date of the last report on file, there shall be no obligation to make  
26 any further reports.~~

27 ((+4)) (3) All reports filed pursuant to this section shall be  
28 certified as correct by the reporting person.

29 ((+5)) (4) Each report required by subsections ((+2)) (1) and  
30 ((+3)) (2) of this section shall disclose for the period beginning  
31 at the end of the period for the last previous report filed or, in  
32 the case of an initial report, beginning at the time of the first  
33 independent expenditure, and ending not more than one business day  
34 before the date the report is due:

35 (a) The name and address of the person filing the report;

36 (b) The name and address of each person to whom an independent  
37 expenditure was made in the aggregate amount of more than fifty  
38 dollars, and the amount, date, and purpose of each such expenditure.  
39 If no reasonable estimate of the monetary value of a particular  
40 independent expenditure is practicable, it is sufficient to report

1 instead a precise description of services, property, or rights  
2 furnished through the expenditure and where appropriate to attach a  
3 copy of the item produced or distributed by the expenditure;

4 (c) The total sum of all independent expenditures made during the  
5 campaign to date; and

6 (d) Such other information as shall be required by the commission  
7 by rule in conformance with the policies and purposes of this  
8 chapter.

9 **Sec. 10.** RCW 42.17A.265 and 2010 c 204 s 414 are each amended to  
10 read as follows:

11 (1) Treasurers shall prepare and deliver to the commission a  
12 special report when a contribution or aggregate of contributions  
13 (~~((totals one thousand dollars or more, is))~~) exceeds three times the  
14 contribution limit per election from a single person or entity, and  
15 is received during a special reporting period.

16 (2) A political committee treasurer shall prepare and deliver to  
17 the commission a special report when (~~((it))~~) the political committee  
18 makes a contribution or an aggregate of contributions to a single  
19 entity that (~~((totals one thousand dollars or more))~~) exceeds three  
20 times the contribution limit per election during a special reporting  
21 period.

22 (3) An aggregate of contributions includes only those  
23 contributions made to or received from a single entity during any one  
24 special reporting period. Any subsequent contribution of any size  
25 made to or received from the same person or entity during the special  
26 reporting period must also be reported.

27 (4) Special reporting periods, for purposes of this section,  
28 include:

29 (a) The period beginning on the day after the last report  
30 required by RCW 42.17A.235 and 42.17A.240 to be filed before a  
31 primary and concluding on the end of the day before that primary;

32 (b) The period twenty-one days preceding a general election; and

33 (c) An aggregate of contributions includes only those  
34 contributions received from a single entity during any one special  
35 reporting period or made by the contributing political committee to a  
36 single entity during any one special reporting period.

37 (5) If a campaign treasurer files a special report under this  
38 section for one or more contributions received from a single entity  
39 during a special reporting period, the treasurer shall also file a

1 special report under this section for each subsequent contribution of  
2 any size which is received from that entity during the special  
3 reporting period. If a political committee files a special report  
4 under this section for a contribution or contributions made to a  
5 single entity during a special reporting period, the political  
6 committee shall also file a special report for each subsequent  
7 contribution of any size which is made to that entity during the  
8 special reporting period.

9 (6) Special reports required by this section shall be delivered  
10 electronically or in written form(~~(, including but not limited to~~  
11 ~~mailgram, telegram, or nightletter)~~). The special report may be  
12 transmitted orally by telephone to the commission if the written form  
13 of the report is postmarked and mailed to the commission or the  
14 electronic filing is transferred to the commission within the  
15 delivery periods established in (a) and (b) of this subsection.

16 (a) The special report required of a contribution recipient under  
17 subsection (1) of this section shall be delivered to the commission  
18 within forty-eight hours of the time, or on the first working day  
19 after: The qualifying contribution (~~(of one thousand dollars or~~  
20 ~~more)~~) amount is received by the candidate or treasurer; the  
21 aggregate received by the candidate or treasurer first equals (~~(one~~  
22 ~~thousand dollars)~~) the qualifying amount or more; or any subsequent  
23 contribution from the same source is received by the candidate or  
24 treasurer.

25 (b) The special report required of a contributor under subsection  
26 (2) of this section or RCW 42.17A.625 shall be delivered to the  
27 commission, and the candidate or political committee to whom the  
28 contribution or contributions are made, within twenty-four hours of  
29 the time, or on the first working day after: The contribution is  
30 made; the aggregate of contributions made first equals (~~(one thousand~~  
31 ~~dollars)~~) the qualifying amount or more; or any subsequent  
32 contribution to the same person or entity is made.

33 (7) The special report shall include:

34 (a) The amount of the contribution or contributions;

35 (b) The date or dates of receipt;

36 (c) The name and address of the donor;

37 (d) The name and address of the recipient; and

38 (e) Any other information the commission may by rule require.

39 (8) Contributions reported under this section shall also be  
40 reported as required by other provisions of this chapter.

1 (9) The commission shall (~~prepare daily a summary of~~) make the  
2 special reports made under this section and RCW 42.17A.625 available  
3 on its web site within one business day.

4 (10) Contributions governed by this section include, but are not  
5 limited to, contributions made or received indirectly through a third  
6 party or entity whether the contributions are or are not reported to  
7 the commission as earmarked contributions under RCW 42.17A.270.

8 **Sec. 11.** RCW 42.17A.450 and 1993 c 2 s 5 are each amended to  
9 read as follows:

10 (1) Contributions by (~~a husband and wife~~) spouses are  
11 considered separate contributions.

12 (2) Contributions by unemancipated children under eighteen years  
13 of age are considered contributions by their parents and are  
14 attributed proportionately to each parent. Fifty percent of the  
15 contributions are attributed to each parent or, in the case of a  
16 single custodial parent, the total amount is attributed to the  
17 parent.

18 **Sec. 12.** RCW 42.17A.750 and 2013 c 166 s 1 are each amended to  
19 read as follows:

20 (1) In addition to the penalties in subsection (2) of this  
21 section, and any other remedies provided by law, one or more of the  
22 following civil remedies and sanctions may be imposed by court order  
23 in addition to any other remedies provided by law:

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

32 (b) If any lobbyist or sponsor of any grass roots lobbying  
33 campaign violates any of the provisions of this chapter, his or her  
34 registration may be revoked or suspended and he or she may be  
35 enjoined from receiving compensation or making expenditures for  
36 lobbying. The imposition of a sanction shall not excuse the lobbyist  
37 from filing statements and reports required by this chapter.

1 (c) A person who violates any of the provisions of this chapter  
2 may be subject to a civil penalty of not more than ten thousand  
3 dollars for each violation. However, a person or entity who violates  
4 RCW 42.17A.405 may be subject to a civil penalty of ten thousand  
5 dollars or three times the amount of the contribution illegally made  
6 or accepted, whichever is greater.

7 (d) When assessing a civil penalty for RCW 42.17A.405, the court  
8 may consider the nature of the violation and any relevant  
9 circumstances, including the following factors:

10 (i) The respondent's compliance history, including whether the  
11 noncompliance was isolated or limited in nature, indicative of  
12 systematic or ongoing problems, or part of a pattern of violations by  
13 the respondent, or in the case of a political committee or other  
14 entity, part of a pattern of violations by the respondent's officers,  
15 staff, principal decision makers, consultants, or sponsoring  
16 organization;

17 (ii) The impact on the public, including whether the  
18 noncompliance deprived the public of timely or accurate information  
19 during a time-sensitive period or otherwise had a significant or  
20 material impact on the public;

21 (iii) Experience with campaign finance law and procedures or the  
22 financing, staffing, or size of the respondent's campaign or  
23 organization;

24 (iv) The amount of financial activity by the respondent during  
25 the statement period or election cycle;

26 (v) Whether the late or unreported activity was within three  
27 times the contribution limit per election, including in proportion to  
28 the total amount of expenditures by the respondent in the campaign or  
29 statement period;

30 (vi) Whether the respondent or any person benefited politically  
31 or economically from the noncompliance;

32 (vii) Whether there was a personal emergency or illness of the  
33 respondent or member of his or her immediate family;

34 (viii) Whether other emergencies such as fire, flood, or utility  
35 failure prevented filing;

36 (ix) Whether there was commission staff or equipment error,  
37 including technical problems at the commission that prevented or  
38 delayed electronic filing;

39 (x) The respondent's demonstrated good-faith uncertainty  
40 concerning commission staff guidance or instructions;

1 (xi) Whether the respondent is a first-time filer;

2 (xii) Good faith efforts to comply, including consultation with  
3 commission staff prior to initiation of enforcement action and  
4 cooperation with commission staff during enforcement action and a  
5 demonstrated wish to acknowledge and take responsibility for the  
6 violation;

7 (xiii) Penalties imposed in factually similar cases; and

8 (xiv) Other factors relevant to the particular case.

9 (e) A 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 delinquency  
12 continues.

13 ~~((e))~~ (f) Each state agency director who knowingly fails to  
14 file statements required by RCW 42.17A.635 shall be subject to  
15 personal liability in the form of a civil penalty in the amount of  
16 one hundred dollars per statement. These penalties are in addition to  
17 any other civil remedies or sanctions imposed on the agency.

18 ~~((f))~~ (g) A person who fails to report a contribution or  
19 expenditure as required by this chapter may be subject to a civil  
20 penalty equivalent to the amount not reported as required.

21 ~~((g))~~ (h) Any state agency official, officer, or employee who  
22 is responsible for or knowingly directs or expends public funds in  
23 violation of RCW 42.17A.635 (2) or (3) may be subject to personal  
24 liability in the form of a civil penalty in an amount that is at  
25 least equivalent to the amount of public funds expended in the  
26 violation.

27 ~~((h))~~ (i) The court may enjoin any person to prevent the doing  
28 of any act herein prohibited, or to compel the performance of any act  
29 required herein.

30 (2) The commission may refer the following violations for  
31 criminal prosecution:

32 (a) A person who, with actual malice, violates a provision of  
33 this chapter is guilty of a misdemeanor under chapter 9.92 RCW;

34 (b) A person who, within a five-year period, with actual malice,  
35 violates three or more provisions of this chapter is guilty of a  
36 gross misdemeanor under chapter 9.92 RCW; and

37 (c) A person who, with actual malice, procures or offers any  
38 false or forged document to be filed, registered, or recorded with  
39 the commission under this chapter is guilty of a class C felony under  
40 chapter 9.94A RCW.

1       **Sec. 13.** RCW 42.17A.755 and 2011 c 145 s 7 are each amended to  
2 read as follows:

3       (1) ~~The commission may ((a) determine whether an actual~~  
4 ~~violation of this chapter has occurred; and (b) issue and enforce an~~  
5 ~~appropriate order following such a determination.)) initiate or~~  
6 ~~respond to a complaint, request for a technical correction, or~~  
7 ~~otherwise resolve matters of compliance with this chapter, in~~  
8 ~~accordance with this section. If a complaint is filed with or~~  
9 ~~initiated by the commission, the commission must:~~

10       (a) Dismiss the complaint or otherwise resolve the matter in  
11 accordance with subsection (2) of this section, as appropriate under  
12 the circumstances after conducting a preliminary review;

13       (b) Initiate an investigation to determine whether an actual  
14 violation has occurred, conduct hearings, and issue and enforce an  
15 appropriate order, in accordance with chapter 34.05 RCW; or

16       (c) Refer the matter to the attorney general, in accordance with  
17 subsection (4) of this section.

18       (2)(a) For complaints of remedial violations or technical  
19 corrections, the commission may, by rule, delegate authority to its  
20 executive director to resolve these matters in accordance with  
21 subsection (1)(a) of this section, so long as the executive director  
22 consistently applies such authority, and all resolutions are approved  
23 by the commission.

24       (b) The commission must, by rule, develop additional processes by  
25 which a respondent may agree by stipulation to any allegations and  
26 pay a penalty subject to a schedule of violations and penalties,  
27 unless waived by the commission as provided for in this section. Any  
28 stipulation must be referred to the commission for review. If  
29 approved or modified by the commission, agreed to by the parties, and  
30 the respondent complies with all requirements set forth in the  
31 stipulation, the case is then considered resolved and no further  
32 action or review is allowed.

33       (c) All matters resolved by the commission as remedial violations  
34 or technical corrections must be approved by the commission.

35       (3) If the commission initiates an investigation, an initial  
36 hearing must be held within ninety days of the complaint being filed.  
37 Following an investigation, the commission(~~, in cases where it~~  
38 chooses to determine whether an actual violation has occurred,  
39 shall)) must hold a hearing pursuant to the administrative procedure  
40 act, chapter 34.05 RCW, if it chooses to make a determination whether

1 an actual violation has occurred. Any order that the commission  
2 issues under this section shall be pursuant to such a hearing.

3 ~~((3) In lieu of holding a hearing or issuing an order under this~~  
4 ~~section,))~~ (a) The person against whom an order is directed under  
5 this section shall be designated as the respondent. The order may  
6 require the respondent to cease and desist from the activity that  
7 constitutes a violation and in addition, or alternatively, may impose  
8 one or more of the remedies provided in RCW 42.17A.750(1) (b) through  
9 (h), or other requirements as the commission determines appropriate  
10 to effectuate the purposes of this chapter.

11 (b) The commission may assess a penalty in an amount not to  
12 exceed ten thousand dollars per violation, unless the parties  
13 stipulate to a higher amount. Any order that the commission issues  
14 under this section that imposes a financial penalty must be made  
15 pursuant to a hearing, held in accordance with the administrative  
16 procedure act, chapter 34.05 RCW.

17 (c) The commission has the authority to waive a penalty for a  
18 first-time actual violation. A second actual violation of the same  
19 requirement by the same person, regardless if the person or  
20 individual committed the actual violation for a different political  
21 committee, shall result in a penalty. Successive actual violations of  
22 the same requirement shall result in successively increased  
23 penalties. The commission may suspend any portion of an assessed  
24 penalty contingent on future compliance with this chapter. The  
25 commission must create a schedule to enhance penalties based on  
26 repeat actual violations by the person.

27 (d) Any order issued by the commission is subject to judicial  
28 review under the administrative procedure act, chapter 34.05 RCW. If  
29 the commission's order is not satisfied and no petition for review is  
30 filed within thirty days, the commission may petition a court of  
31 competent jurisdiction of any county in which a petition for review  
32 could be filed under that jurisdiction, for an order of enforcement.  
33 Proceedings in connection with the commission's petition shall be in  
34 accordance with RCW 42.17A.760.

35 (4) For cases where the commission has determined that an actual  
36 violation, or an aggregate of violations, involves an amount greater  
37 than ten thousand dollars, the commission may refer the matter to the  
38 attorney general ~~((or other enforcement agency as provided in RCW~~  
39 ~~42.17A.105))~~ if:

40 (a) All other administrative remedies have been exhausted;



1 (b) The commission believes the maximum penalty it is able to  
2 levy is not enough to address the severity of the violation; or

3 (c) Additional authority is needed to ensure full compliance with  
4 this chapter.

5 ~~((4) The person against whom an order is directed under this~~  
6 ~~section shall be designated as the respondent. The order may require~~  
7 ~~the respondent to cease and desist from the activity that constitutes~~  
8 ~~a violation and in addition, or alternatively, may impose one or more~~  
9 ~~of the remedies provided in RCW 42.17A.750(1) (b) through (e). The~~  
10 ~~commission may assess a penalty in an amount not to exceed ten~~  
11 ~~thousand dollars.~~

12 ~~(5) The commission has the authority to waive a fine for a first-~~  
13 ~~time violation. A second violation of the same rule by the same~~  
14 ~~person or individual, regardless if the person or individual~~  
15 ~~committed the violation for a different political committee, shall~~  
16 ~~result in a fine. Succeeding violations of the same rule shall result~~  
17 ~~in successively increased fines.~~

18 ~~(6) An order issued by the commission under this section shall be~~  
19 ~~subject to judicial review under the administrative procedure act,~~  
20 ~~chapter 34.05 RCW. If the commission's order is not satisfied and no~~  
21 ~~petition for review is filed within thirty days, the commission may~~  
22 ~~petition a court of competent jurisdiction of any county in which a~~  
23 ~~petition for review could be filed under that section, for an order~~  
24 ~~of enforcement. Proceedings in connection with the commission's~~  
25 ~~petition shall be in accordance with RCW 42.17A.760.)~~

26 **Sec. 14.** RCW 42.17A.765 and 2010 c 204 s 1004 are each amended  
27 to read as follows:

28 (1)(a) Only after a matter is referred by the commission, under  
29 RCW 42.17A.755, the attorney general ((and the prosecuting  
30 authorities of political subdivisions of this state)) may bring civil  
31 actions in the name of the state for any appropriate civil remedy,  
32 including but not limited to the special remedies provided in RCW  
33 42.17A.750. If the attorney general fails to commence an action  
34 within forty-five days of receiving a referral, the attorney general  
35 must provide notice on the attorney general's office web site  
36 including a reasonably supported explanation for not commencing an  
37 action and that such decision is consistent with the policy in (b) of  
38 this subsection.

1       (b) The attorney general should use the enforcement powers in  
2 this section in a consistent manner that provides guidance in  
3 complying with the provisions of this chapter to candidates,  
4 political committees, or other individuals subject to the regulations  
5 of this chapter.

6       (2) The attorney general (~~and the prosecuting authorities of~~  
7 ~~political subdivisions of this state~~) may investigate or cause to be  
8 investigated the activities of any person who there is reason to  
9 believe is or has been acting in violation of this chapter, and may  
10 require any such person or any other person reasonably believed to  
11 have information concerning the activities of such person to appear  
12 at a time and place designated in the county in which such person  
13 resides or is found, to give such information under oath and to  
14 produce all accounts, bills, receipts, books, paper and documents  
15 which may be relevant or material to any investigation authorized  
16 under this chapter.

17       (3) When the attorney general (~~or the prosecuting authority of~~  
18 ~~any political subdivision of this state~~) requires the attendance of  
19 any person to obtain such information or produce the accounts, bills,  
20 receipts, books, papers, and documents that may be relevant or  
21 material to any investigation authorized under this chapter, he or  
22 she shall issue an order setting forth the time when and the place  
23 where attendance is required and shall cause the same to be delivered  
24 to or sent by registered mail to the person at least fourteen days  
25 before the date fixed for attendance. The order shall have the same  
26 force and effect as a subpoena, shall be effective statewide, and,  
27 upon application of the attorney general (~~or the prosecuting~~  
28 ~~authority~~), obedience to the order may be enforced by any superior  
29 court judge in the county where the person receiving it resides or is  
30 found, in the same manner as though the order were a subpoena. The  
31 court, after hearing, for good cause, and upon application of any  
32 person aggrieved by the order, shall have the right to alter, amend,  
33 revise, suspend, or postpone all or any part of its provisions. In  
34 any case where the order is not enforced by the court according to  
35 its terms, the reasons for the court's actions shall be clearly  
36 stated in writing, and the action shall be subject to review by the  
37 appellate courts by certiorari or other appropriate proceeding.

38       (~~(4) A person who has notified the attorney general and the~~  
39 ~~prosecuting attorney in the county in which the violation occurred in~~  
40 ~~writing that there is reason to believe that some provision of this~~

1 ~~chapter is being or has been violated may himself or herself bring in~~  
2 ~~the name of the state any of the actions (hereinafter referred to as~~  
3 ~~a citizen's action) authorized under this chapter.~~

4 ~~(a) This citizen action may be brought only if:~~

5 ~~(i) The attorney general and the prosecuting attorney have failed~~  
6 ~~to commence an action hereunder within forty five days after the~~  
7 ~~notice;~~

8 ~~(ii) The person has thereafter further notified the attorney~~  
9 ~~general and prosecuting attorney that the person will commence a~~  
10 ~~citizen's action within ten days upon their failure to do so;~~

11 ~~(iii) The attorney general and the prosecuting attorney have in~~  
12 ~~fact failed to bring such action within ten days of receipt of said~~  
13 ~~second notice; and~~

14 ~~(iv) The citizen's action is filed within two years after the~~  
15 ~~date when the alleged violation occurred.~~

16 ~~(b) If the person who brings the citizen's action prevails, the~~  
17 ~~judgment awarded shall escheat to the state, but he or she shall be~~  
18 ~~entitled to be reimbursed by the state of Washington for costs and~~  
19 ~~attorneys' fees he or she has incurred. In the case of a citizen's~~  
20 ~~action that is dismissed and that the court also finds was brought~~  
21 ~~without reasonable cause, the court may order the person commencing~~  
22 ~~the action to pay all costs of trial and reasonable attorneys' fees~~  
23 ~~incurred by the defendant.~~

24 ~~(5) In any action brought under this section, the court may award~~  
25 ~~to the state all costs of investigation and trial, including~~  
26 ~~reasonable attorneys' fees to be fixed by the court. If the violation~~  
27 ~~is found to have been intentional, the amount of the judgment, which~~  
28 ~~shall for this purpose include the costs, may be trebled as punitive~~  
29 ~~damages. If damages or trebled damages are awarded in such an action~~  
30 ~~brought against a lobbyist, the judgment may be awarded against the~~  
31 ~~lobbyist, and the lobbyist's employer or employers joined as~~  
32 ~~defendants, jointly, severally, or both. If the defendant prevails,~~  
33 ~~he or she shall be awarded all costs of trial, and may be awarded~~  
34 ~~reasonable attorneys' fees to be fixed by the court to be paid by the~~  
35 ~~state of Washington.))~~

36 NEW SECTION. **Sec. 15.** A new section is added to chapter 42.17A  
37 RCW to read as follows:

38 (1) A person who has reason to believe that a provision of this  
39 chapter is being or has been violated may bring a citizen's action in

1 the name of the state, in accordance with the procedures of this  
2 section.

3 (2) A citizen's action may be brought and prosecuted only if the  
4 person first has filed a complaint with the commission and:

5 (a) The commission has failed to take action authorized under RCW  
6 42.17A.755(1) within ninety days of the complaint being filed with  
7 the commission; and

8 (b) For matters referred to the attorney general within ninety  
9 days of the commission receiving the complaint, the attorney general  
10 has failed to commence an action within forty-five days of receiving  
11 referral from the commission.

12 (3) To initiate the citizen's action, after meeting the  
13 requirements under subsection (2) of this section, a person must  
14 notify the attorney general and the commission that he or she will  
15 commence a citizen's action within ten days upon the attorney  
16 general's failure to do so.

17 (4) The citizen's action must be commenced within two years after  
18 the date when the alleged violation occurred and may not be commenced  
19 against a committee before the end of such period if the committee  
20 has received an acknowledgment of dissolution.

21 (5) If the person who brings the citizen's action prevails, the  
22 judgment awarded shall escheat to the state, but he or she shall be  
23 entitled to be reimbursed by the state for reasonable costs and  
24 reasonable attorneys' fees the person incurred. In the case of a  
25 citizen's action that is dismissed and that the court also finds was  
26 brought without reasonable cause, the court may order the person  
27 commencing the action to pay all trial costs and reasonable  
28 attorneys' fees incurred by the defendant.

29 NEW SECTION. **Sec. 16.** A new section is added to chapter 42.17A  
30 RCW to read as follows:

31 In any action brought under this chapter, the court may award to  
32 the commission all reasonable costs of investigation and trial,  
33 including reasonable attorneys' fees to be fixed by the court. If the  
34 violation is found to have been intentional, the amount of the  
35 judgment, which shall for this purpose include the costs, may be  
36 trebled as punitive damages. If damages or trebled damages are  
37 awarded in such an action brought against a lobbyist, the judgment  
38 may be awarded against the lobbyist, and the lobbyist's employer or  
39 employers joined as defendants, jointly, severally, or both. If the

1 defendant prevails, he or she shall be awarded all costs of trial and  
2 may be awarded reasonable attorneys' fees to be fixed by the court  
3 and paid by the state of Washington.

4 NEW SECTION. **Sec. 17.** A new section is added to chapter 42.17A  
5 RCW to read as follows:

6 The public disclosure transparency account is created in the  
7 custody of the state treasurer. All receipts from penalties collected  
8 pursuant to enforcement actions under this chapter must be deposited  
9 into the account. Such funds may not be used to supplant general fund  
10 appropriations to the commission. Only the legislature may authorize  
11 expenditures from the account for purposes consistent with the  
12 implementation and administration of duties under this chapter.

13 NEW SECTION. **Sec. 18.** (1) The sum of one hundred twenty-five  
14 thousand dollars is appropriated for the fiscal year ending June 30,  
15 2018, from the general fund—state account to the public disclosure  
16 commission solely for the purposes of administering chapter 42.17A  
17 RCW.

18 (2) The sum of one hundred twenty-five thousand dollars is  
19 appropriated for the fiscal year ending June 30, 2019, from the  
20 general fund—state account to the public disclosure commission solely  
21 for the purposes of administering chapter 42.17A RCW.

22 NEW SECTION. **Sec. 19.** If any provision of this act or its  
23 application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

--- END ---