
SENATE BILL 5533

State of Washington

65th Legislature

2017 Regular Session

By Senators Rossi, Baumgartner, Fortunato, Braun, Brown, Wilson, Becker, Padden, and Angel

Read first time 01/27/17. Referred to Committee on Commerce, Labor & Sports.

1 AN ACT Relating to prohibiting contributions to gubernatorial
2 candidates by entities that collectively bargain with the state;
3 amending RCW 42.17A.405; and providing for submission of this act to
4 a vote of the people.

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

6 **Sec. 1.** RCW 42.17A.405 and 2013 c 311 s 1 are each amended to
7 read as follows:

8 (1) The contribution limits in this section apply to:

9 (a) Candidates for legislative office;

10 (b) Candidates for state office other than legislative office;

11 (c) Candidates for county office;

12 (d) Candidates for special purpose district office if that
13 district is authorized to provide freight and passenger transfer and
14 terminal facilities and that district has over two hundred thousand
15 registered voters;

16 (e) Candidates for city council office;

17 (f) Candidates for mayoral office;

18 (g) Candidates for school board office;

19 (h) Candidates for public hospital district board of
20 commissioners in districts with a population over one hundred fifty
21 thousand;

1 (i) Persons holding an office in (a) through (h) of this
2 subsection against whom recall charges have been filed or to a
3 political committee having the expectation of making expenditures in
4 support of the recall of a person holding the office;

5 (j) Caucus political committees;

6 (k) Bona fide political parties.

7 (2) No person, other than a bona fide political party or a caucus
8 political committee, may make contributions to a candidate for a
9 legislative office, county office, city council office, mayoral
10 office, school board office, or public hospital district board of
11 commissioners that in the aggregate exceed eight hundred dollars or
12 to a candidate for a public office in a special purpose district or a
13 state office other than a legislative office that in the aggregate
14 exceed one thousand six hundred dollars for each election in which
15 the candidate is on the ballot or appears as a write-in candidate.
16 Contributions to candidates subject to the limits in this section
17 made with respect to a primary may not be made after the date of the
18 primary. However, contributions to a candidate or a candidate's
19 authorized committee may be made with respect to a primary until
20 thirty days after the primary, subject to the following limitations:
21 (a) The candidate lost the primary; (b) the candidate's authorized
22 committee has insufficient funds to pay debts outstanding as of the
23 date of the primary; and (c) the contributions may only be raised and
24 spent to satisfy the outstanding debt. Contributions to candidates
25 subject to the limits in this section made with respect to a general
26 election may not be made after the final day of the applicable
27 election cycle.

28 (3) No person, other than a bona fide political party or a caucus
29 political committee, may make contributions to a state official, a
30 county official, a city official, a school board member, a public
31 hospital district commissioner, or a public official in a special
32 purpose district against whom recall charges have been filed, or to a
33 political committee having the expectation of making expenditures in
34 support of the recall of the state official, county official, city
35 official, school board member, public hospital district commissioner,
36 or public official in a special purpose district during a recall
37 campaign that in the aggregate exceed eight hundred dollars if for a
38 legislative office, county office, school board office, public
39 hospital district office, or city office, or one thousand six hundred

1 dollars if for a special purpose district office or a state office
2 other than a legislative office.

3 (4)(a) Notwithstanding subsection (2) of this section, no bona
4 fide political party or caucus political committee may make
5 contributions to a candidate during an election cycle that in the
6 aggregate exceed (i) eighty cents multiplied by the number of
7 eligible registered voters in the jurisdiction from which the
8 candidate is elected if the contributor is a caucus political
9 committee or the governing body of a state organization, or (ii)
10 forty cents multiplied by the number of registered voters in the
11 jurisdiction from which the candidate is elected if the contributor
12 is a county central committee or a legislative district committee.

13 (b) No candidate may accept contributions from a county central
14 committee or a legislative district committee during an election
15 cycle that when combined with contributions from other county central
16 committees or legislative district committees would in the aggregate
17 exceed forty cents times the number of registered voters in the
18 jurisdiction from which the candidate is elected.

19 (5)(a) Notwithstanding subsection (3) of this section, no bona
20 fide political party or caucus political committee may make
21 contributions to a state official, county official, city official,
22 school board member, public hospital district commissioner, or a
23 public official in a special purpose district against whom recall
24 charges have been filed, or to a political committee having the
25 expectation of making expenditures in support of the state official,
26 county official, city official, school board member, public hospital
27 district commissioner, or a public official in a special purpose
28 district during a recall campaign that in the aggregate exceed (i)
29 eighty cents multiplied by the number of eligible registered voters
30 in the jurisdiction entitled to recall the state official if the
31 contributor is a caucus political committee or the governing body of
32 a state organization, or (ii) forty cents multiplied by the number of
33 registered voters in the jurisdiction from which the candidate is
34 elected if the contributor is a county central committee or a
35 legislative district committee.

36 (b) No official holding an office specified in subsection (1) of
37 this section against whom recall charges have been filed, no
38 authorized committee of the official, and no political committee
39 having the expectation of making expenditures in support of the
40 recall of the official may accept contributions from a county central

1 committee or a legislative district committee during an election
2 cycle that when combined with contributions from other county central
3 committees or legislative district committees would in the aggregate
4 exceed forty cents multiplied by the number of registered voters in
5 the jurisdiction from which the candidate is elected.

6 (6) For purposes of determining contribution limits under
7 subsections (4) and (5) of this section, the number of eligible
8 registered voters in a jurisdiction is the number at the time of the
9 most recent general election in the jurisdiction.

10 (7) Notwithstanding subsections (2) through (5) of this section,
11 no person other than an individual, bona fide political party, or
12 caucus political committee may make contributions reportable under
13 this chapter to a caucus political committee that in the aggregate
14 exceed eight hundred dollars in a calendar year or to a bona fide
15 political party that in the aggregate exceed four thousand dollars in
16 a calendar year. This subsection does not apply to loans made in the
17 ordinary course of business.

18 (8) For the purposes of RCW 42.17A.125, 42.17A.405 through
19 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560,
20 and 42.17A.565, a contribution to the authorized political committee
21 of a candidate or of an official specified in subsection (1) of this
22 section against whom recall charges have been filed is considered to
23 be a contribution to the candidate or official.

24 (9) A contribution received within the twelve-month period after
25 a recall election concerning an office specified in subsection (1) of
26 this section is considered to be a contribution during that recall
27 campaign if the contribution is used to pay a debt or obligation
28 incurred to influence the outcome of that recall campaign.

29 (10) The contributions allowed by subsection (3) of this section
30 are in addition to those allowed by subsection (2) of this section,
31 and the contributions allowed by subsection (5) of this section are
32 in addition to those allowed by subsection (4) of this section.

33 (11) RCW 42.17A.125, 42.17A.405 through 42.17A.415, 42.17A.450
34 through 42.17A.495, 42.17A.500, 42.17A.560, and 42.17A.565 apply to a
35 special election conducted to fill a vacancy in an office specified
36 in subsection (1) of this section. However, the contributions made to
37 a candidate or received by a candidate for a primary or special
38 election conducted to fill such a vacancy shall not be counted toward
39 any of the limitations that apply to the candidate or to

1 contributions made to the candidate for any other primary or
2 election.

3 (12) Notwithstanding the other subsections of this section, no
4 corporation or business entity not doing business in Washington
5 state, no labor union with fewer than ten members who reside in
6 Washington state, and no political committee that has not received
7 contributions of ten dollars or more from at least ten persons
8 registered to vote in Washington state during the preceding one
9 hundred eighty days may make contributions reportable under this
10 chapter to a state office candidate, to a state official against whom
11 recall charges have been filed, or to a political committee having
12 the expectation of making expenditures in support of the recall of
13 the official. This subsection does not apply to loans made in the
14 ordinary course of business.

15 (13) Notwithstanding the other subsections of this section, no
16 county central committee or legislative district committee may make
17 contributions reportable under this chapter to a candidate specified
18 in subsection (1) of this section, or an official specified in
19 subsection (1) of this section against whom recall charges have been
20 filed, or political committee having the expectation of making
21 expenditures in support of the recall of an official specified in
22 subsection (1) of this section if the county central committee or
23 legislative district committee is outside of the jurisdiction
24 entitled to elect the candidate or recall the official.

25 (14) Notwithstanding the other provisions of this section, no
26 entity that engages in collective bargaining as defined in RCW
27 41.56.030 with the office of the governor or its representatives may
28 make contributions reportable under this chapter to any candidate for
29 the office of governor, directly or indirectly.

30 (15) No person may accept contributions that exceed the
31 contribution limitations provided in this section.

32 ~~((15))~~ (16) The following contributions are exempt from the
33 contribution limits of this section:

34 (a) An expenditure or contribution earmarked for voter
35 registration, for absentee ballot information, for precinct caucuses,
36 for get-out-the-vote campaigns, for precinct judges or inspectors,
37 for sample ballots, or for ballot counting, all without promotion of
38 or political advertising for individual candidates;

1 (b) An expenditure by a political committee for its own internal
2 organization or fund-raising without direct association with
3 individual candidates; or

4 (c) An expenditure or contribution for independent expenditures
5 as defined in RCW 42.17A.005 or electioneering communications as
6 defined in RCW 42.17A.005.

7 NEW SECTION. **Sec. 2.** The secretary of state shall submit this
8 act to the people for their adoption and ratification, or rejection,
9 at the next general election to be held in this state, in accordance
10 with Article II, section 1 of the state Constitution and the laws
11 adopted to facilitate its operation.

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