
SUBSTITUTE HOUSE BILL 1195

State of Washington

66th Legislature

2019 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Hudgins, Walsh, Dolan, Wylie, and Pollet; by request of Public Disclosure Commission)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to the efficient administration of campaign
2 finance and public disclosure reporting and enforcement; amending RCW
3 42.17A.001, 42.17A.055, 42.17A.065, 42.17A.100, 42.17A.105,
4 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140,
5 42.17A.205, 42.17A.207, 42.17A.215, 42.17A.225, 42.17A.255,
6 42.17A.260, 42.17A.265, 42.17A.305, 42.17A.345, 42.17A.420,
7 42.17A.475, 42.17A.600, 42.17A.605, 42.17A.610, 42.17A.615,
8 42.17A.630, 42.17A.655, 42.17A.700, 42.17A.710, 42.17A.750,
9 42.17A.755, 42.17A.765, 42.17A.775, and 42.17A.785; reenacting and
10 amending RCW 42.17A.005, 42.17A.210, 42.17A.230, 42.17A.235, and
11 42.17A.240; adding a new section to chapter 42.17A RCW; creating a
12 new section; repealing RCW 42.17A.050 and 42.17A.061; providing an
13 effective date; and declaring an emergency.

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

15 NEW SECTION. **Sec. 1.** The legislature finds that passage of
16 chapter 304, Laws of 2018 (Engrossed Substitute House Bill No. 2938)
17 and chapter 111, Laws of 2018 (Substitute Senate Bill No. 5991) was
18 an important step in achieving the goals of reforming campaign
19 finance reporting and oversight, including simplifying the reporting
20 and enforcement processes to promote administrative efficiencies.
21 Much has been accomplished in the short time the public disclosure

1 commission has implemented these new laws. However, some additional
2 improvements were identified by the legislature, stakeholders, and
3 the public disclosure commission, that are necessary to further
4 implement these goals and the purpose of the state campaign finance
5 law. Additional refinements to the law will help to ensure the public
6 disclosure commission may continue to provide transparency of
7 election campaign funding activities, meaningful guidance to
8 participants in the political process, and enforcement that is
9 timely, fair, and focused on improving compliance.

10 **Sec. 2.** RCW 42.17A.001 and 1975 1st ex.s. c 294 s 1 are each
11 amended to read as follows:

12 It is hereby declared by the sovereign people to be the public
13 policy of the state of Washington:

14 (1) That political campaign and lobbying contributions and
15 expenditures be fully disclosed to the public and that secrecy is to
16 be avoided.

17 (2) That the people have the right to expect from their elected
18 representatives at all levels of government the utmost of integrity,
19 honesty, and fairness in their dealings.

20 (3) That the people shall be assured that the private financial
21 dealings of their public officials, and of candidates for those
22 offices, present no conflict of interest between the public trust and
23 private interest.

24 (4) That our representative form of government is founded on a
25 belief that those entrusted with the offices of government have
26 nothing to fear from full public disclosure of their financial and
27 business holdings, provided those officials deal honestly and fairly
28 with the people.

29 (5) That public confidence in government at all levels is
30 essential and must be promoted by all possible means.

31 (6) That public confidence in government at all levels can best
32 be sustained by assuring the people of the impartiality and honesty
33 of the officials in all public transactions and decisions.

34 (7) That the concept of attempting to increase financial
35 participation of individual contributors in political campaigns is
36 encouraged by the passage of the Revenue Act of 1971 by the Congress
37 of the United States, and in consequence thereof, it is desirable to
38 have implementing legislation at the state level.

1 (8) That the concepts of disclosure and limitation of election
2 campaign financing are established by the passage of the Federal
3 Election Campaign Act of 1971 by the Congress of the United States,
4 and in consequence thereof it is desirable to have implementing
5 legislation at the state level.

6 (9) That small contributions by individual contributors are to be
7 encouraged, and that not requiring the reporting of small
8 contributions may tend to encourage such contributions.

9 (10) That the public's right to know of the financing of
10 political campaigns and lobbying and the financial affairs of elected
11 officials and candidates far outweighs any right that these matters
12 remain secret and private.

13 (11) That, mindful of the right of individuals to privacy and of
14 the desirability of the efficient administration of government, full
15 access to information concerning the conduct of government on every
16 level must be assured as a fundamental and necessary precondition to
17 the sound governance of a free society.

18 The provisions of this chapter shall be liberally construed to
19 promote complete disclosure of all information respecting the
20 financing of political campaigns and lobbying, and the financial
21 affairs of elected officials and candidates, and full access to
22 public records so as to assure continuing public confidence of
23 fairness of elections and governmental processes, and so as to assure
24 that the public interest will be fully protected. In promoting such
25 complete disclosure, however, this chapter shall be enforced so as to
26 ~~((insure))~~ ensure that the information disclosed will not be misused
27 for arbitrary and capricious purposes and to ~~((insure))~~ ensure that
28 all persons reporting under this chapter will be protected from
29 harassment and unfounded allegations based on information they have
30 freely disclosed.

31 **Sec. 3.** RCW 42.17A.005 and 2018 c 304 s 2 and 2018 c 111 s 3 are
32 each reenacted and amended to read as follows:

33 The definitions in this section apply throughout this chapter
34 unless the context clearly requires otherwise.

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

37 (2) ~~(("Actual violation" means a violation of this chapter that
38 is not a remedial violation or technical correction.~~

1 ~~(3)~~) "Agency" includes all state agencies and all local
2 agencies. "State agency" includes every state office, department,
3 division, bureau, board, commission, or other state agency. "Local
4 agency" includes every county, city, town, municipal corporation,
5 quasi-municipal corporation, or special purpose district, or any
6 office, department, division, bureau, board, commission, or agency
7 thereof, or other local public agency.

8 ~~((4))~~ (3) "Authorized committee" means the political committee
9 authorized by a candidate, or by the public official against whom
10 recall charges have been filed, to accept contributions or make
11 expenditures on behalf of the candidate or public official.

12 ~~((5))~~ (4) "Ballot proposition" means any "measure" as defined
13 by RCW 29A.04.091, or any initiative, recall, or referendum
14 proposition proposed to be submitted to the voters of the state or
15 any municipal corporation, political subdivision, or other voting
16 constituency from and after the time when the proposition has been
17 initially filed with the appropriate election officer of that
18 constituency before its circulation for signatures.

19 ~~((6))~~ (5) "Benefit" means a commercial, proprietary, financial,
20 economic, or monetary advantage, or the avoidance of a commercial,
21 proprietary, financial, economic, or monetary disadvantage.

22 ~~((7))~~ (6) "Bona fide political party" means:

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

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

29 (c) The county central committee or legislative district
30 committee of a major political party. There may be only one
31 legislative district committee for each party in each legislative
32 district.

33 ~~((8))~~ (7) "Books of account" means:

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

38 (b) In the case of a commercial advertiser, details of political
39 advertising or electioneering communications provided by the
40 advertiser, including the names and addresses of persons from whom it

1 accepted political advertising or electioneering communications, the
2 exact nature and extent of the services rendered and the total cost
3 and the manner of payment for the services.

4 ~~((9))~~ (8) "Candidate" means any individual who seeks nomination
5 for election or election to public office. An individual seeks
6 nomination or election when ~~((he or she))~~ the individual first:

7 (a) Receives contributions or makes expenditures or reserves
8 space or facilities with intent to promote ~~((his or her))~~ the
9 individual's candidacy for office;

10 (b) Announces publicly or files for office;

11 (c) Purchases commercial advertising space or broadcast time to
12 promote ~~((his or her))~~ the individual's candidacy; or

13 (d) Gives ~~((his or her))~~ consent to another person to take on
14 behalf of the individual any of the actions in (a) or (c) of this
15 subsection.

16 ~~((10))~~ (9) "Caucus political committee" means a political
17 committee organized and maintained by the members of a major
18 political party in the state senate or state house of
19 representatives.

20 ~~((11))~~ (10) "Commercial advertiser" means any person ~~((who))~~
21 that sells the service of communicating messages or producing
22 ~~((printed))~~ material for broadcast or distribution to the general
23 public or segments of the general public whether through ~~((the use~~
24 ~~of))~~ brochures, fliers, newspapers, magazines, television ((and)),
25 radio ~~((stations)), billboards ((companies)), direct mail advertising~~
26 ~~((companies)), printing ((companies)),~~ paid internet or digital
27 communications, or ((otherwise)) any other means of mass
28 communications used for the purpose of appealing, directly or
29 indirectly, for votes or for financial or other support in any
30 election campaign.

31 ~~((12))~~ (11) "Commission" means the agency established under RCW
32 42.17A.100.

33 ~~((13))~~ (12) "Committee" unless the context indicates otherwise,
34 includes ~~((any))~~ a political committee such as a candidate, ballot
35 ~~((measure))~~ proposition, recall, political, or continuing political
36 committee.

37 ~~((14))~~ (13) "Compensation" unless the context requires a
38 narrower meaning, includes payment in any form for real or personal
39 property or services of any kind. For the purpose of compliance with
40 RCW 42.17A.710, "compensation" does not include per diem allowances

1 or other payments made by a governmental entity to reimburse a public
2 official for expenses incurred while the official is engaged in the
3 official business of the governmental entity.

4 ~~((15))~~ (14) "Continuing political committee" means a political
5 committee that is an organization of continuing existence not
6 ~~((established))~~ limited to participation in ~~((anticipation of))~~ any
7 particular election campaign or election cycle.

8 ~~((16))~~ (15)(a) "Contribution" includes:

9 (i) A loan, gift, deposit, subscription, forgiveness of
10 indebtedness, donation, advance, pledge, payment, transfer of funds
11 ~~((between political committees))~~, or anything of value, including
12 personal and professional services for less than full consideration;

13 (ii) An expenditure made by a person in cooperation,
14 consultation, or concert with, or at the request or suggestion of, a
15 candidate, a political or incidental committee, the person or persons
16 named on the candidate's or committee's registration form who direct
17 expenditures on behalf of the candidate or committee, or their
18 agents;

19 (iii) The financing by a person of the dissemination,
20 distribution, or republication, in whole or in part, of broadcast,
21 written, graphic, digital, or other form of political advertising or
22 electioneering communication prepared by a candidate, a political or
23 incidental committee, or its authorized agent;

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

27 (b) "Contribution" does not include:

28 (i) ~~((legally))~~ Accrued interest on money deposited in a
29 political or incidental committee's account;

30 (ii) Ordinary home hospitality;

31 (iii) A contribution received by a candidate or political or
32 incidental committee that is returned to the contributor within ten
33 business days of the date on which it is received by the candidate or
34 political or incidental committee;

35 (iv) A news item, feature, commentary, or editorial in a
36 regularly scheduled news medium that is of ~~((primary))~~ interest to
37 the ~~((general))~~ public, that is in a news medium controlled by a
38 person whose business is that news medium, and that is not controlled
39 by a candidate or a political or incidental committee;

1 (v) An internal political communication primarily limited to the
2 members of or contributors to a political party organization or
3 political or incidental committee, or to the officers, management
4 staff, or stockholders of a corporation or similar enterprise, or to
5 the members of a labor organization or other membership organization;

6 (vi) The rendering of personal services of the sort commonly
7 performed by volunteer campaign workers, or incidental expenses
8 personally incurred by volunteer campaign workers not in excess of
9 fifty dollars personally paid for by the worker. "Volunteer
10 services," for the purposes of this subsection, means services or
11 labor for which the individual is not compensated by any person;

12 (vii) Messages in the form of reader boards, banners, or yard or
13 window signs displayed on a person's own property or property
14 occupied by a person. However, a facility used for such political
15 advertising for which a rental charge is normally made must be
16 reported as an in-kind contribution and counts toward((s)) any
17 applicable contribution limit of the person providing the facility;

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

19 (A) A political party or caucus political committee if the person
20 paying for the services is the regular employer of the person
21 rendering such services; or

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

26 (ix) The performance of ministerial functions by a person on
27 behalf of two or more candidates or political or incidental
28 committees either as volunteer services defined in (b)(vi) of this
29 subsection or for payment by the candidate or political or incidental
30 committee for whom the services are performed as long as:

31 (A) The person performs solely ministerial functions;

32 (B) A person who is paid by two or more candidates or political
33 or incidental committees is identified by the candidates and
34 political committees on whose behalf services are performed as part
35 of their respective statements of organization under RCW 42.17A.205;
36 and

37 (C) The person does not disclose, except as required by law, any
38 information regarding a candidate's or committee's plans, projects,
39 activities, or needs, or regarding a candidate's or committee's
40 contributions or expenditures that is not already publicly available

1 from campaign reports filed with the commission, or otherwise engage
2 in activity that constitutes a contribution under (a)(ii) of this
3 subsection.

4 A person who performs ministerial functions under this subsection
5 (~~((16))~~) (15)(b)(ix) is not considered an agent of the candidate or
6 committee as long as (~~(he or she)~~) the person has no authority to
7 authorize expenditures or make decisions on behalf of the candidate
8 or committee.

9 (c) Contributions other than money or its equivalent are deemed
10 to have a monetary value equivalent to the fair market value of the
11 contribution. Services or property or rights furnished at less than
12 their fair market value for the purpose of assisting any candidate or
13 political committee are deemed a contribution. Such a contribution
14 must be reported as an in-kind contribution at its fair market value
15 and counts towards any applicable contribution limit of the provider.

16 (~~((17))~~) (16) "Depository" means a bank, mutual savings bank,
17 savings and loan association, or credit union doing business in this
18 state.

19 (~~((18))~~) (17) "Elected official" means any person elected at a
20 general or special election to any public office, and any person
21 appointed to fill a vacancy in any such office.

22 (~~((19))~~) (18) "Election" includes any primary, general, or
23 special election for public office and any election in which a ballot
24 proposition is submitted to the voters. An election in which the
25 qualifications for voting include other than those requirements set
26 forth in Article VI, section 1 (Amendment 63) of the Constitution of
27 the state of Washington shall not be considered an election for
28 purposes of this chapter.

29 (~~((20))~~) (19) "Election campaign" means any campaign in support
30 of or in opposition to a candidate for election to public office and
31 any campaign in support of, or in opposition to, a ballot
32 proposition.

33 (~~((21))~~) (20) "Election cycle" means the period beginning on the
34 first day of January after the date of the last previous general
35 election for the office that the candidate seeks and ending on
36 December 31st after the next election for the office. In the case of
37 a special election to fill a vacancy in an office, "election cycle"
38 means the period beginning on the day the vacancy occurs and ending
39 on December 31st after the special election.

1 (~~(22)~~) (21) (a) "Electioneering communication" means any
2 broadcast, cable, or satellite television, radio transmission,
3 digital communication, United States postal service mailing,
4 billboard, newspaper, or periodical that:

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

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

12 (iii) Either alone, or in combination with one or more
13 communications identifying the candidate by the same sponsor during
14 the sixty days before an election, has a fair market value or cost of
15 one thousand dollars or more.

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

17 (i) Usual and customary advertising of a business owned by a
18 candidate, even if the candidate is mentioned in the advertising when
19 the candidate has been regularly mentioned in that advertising
20 appearing at least twelve months preceding (~~(his or her)~~) the
21 candidate becoming a candidate;

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

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

28 (A) Of (~~(primary)~~) interest to the (~~(general)~~) public;

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

31 (C) Not a medium controlled by a candidate or a political or
32 incidental committee;

33 (iv) Slate cards and sample ballots;

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

38 (vi) Public service announcements;

39 (vii) An internal political communication primarily limited to
40 the members of or contributors to a political party organization or

1 political or incidental committee, or to the officers, management
2 staff, or stockholders of a corporation or similar enterprise, or to
3 the members of a labor organization or other membership organization;

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

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

8 ~~((23))~~ (22) "Expenditure" includes a payment, contribution,
9 subscription, distribution, loan, advance, deposit, or gift of money
10 or anything of value, and includes a contract, promise, or agreement,
11 whether or not legally enforceable, to make an expenditure.
12 "Expenditure" also includes a promise to pay, a payment, or a
13 transfer of anything of value in exchange for goods, services,
14 property, facilities, or anything of value for the purpose of
15 assisting, benefiting, or honoring any public official or candidate,
16 or assisting in furthering or opposing any election campaign. For the
17 purposes of this chapter, agreements to make expenditures, contracts,
18 and promises to pay may be reported as estimated obligations until
19 actual payment is made. "Expenditure" shall not include the partial
20 or complete repayment by a candidate or political or incidental
21 committee of the principal of a loan, the receipt of which loan has
22 been properly reported.

23 ~~((24))~~ (23) "Final report" means the report described as a
24 final report in RCW 42.17A.235~~((8))~~ (11)(a).

25 ~~((25))~~ (24) "General election" for the purposes of RCW
26 42.17A.405 means the election that results in the election of a
27 person to a state or local office. It does not include a primary.

28 ~~((26))~~ (25) "Gift" has the definition in RCW 42.52.010.

29 ~~((27))~~ (26) "Immediate family" includes the spouse or domestic
30 partner, dependent children, and other dependent relatives, if living
31 in the household. For the purposes of the definition of
32 "intermediary" in this section, "immediate family" means an
33 individual's spouse or domestic partner, and child, stepchild,
34 grandchild, parent, stepparent, grandparent, brother, half brother,
35 sister, or half sister of the individual and the spouse or the
36 domestic partner of any such person and a child, stepchild,
37 grandchild, parent, stepparent, grandparent, brother, half brother,
38 sister, or half sister of the individual's spouse or domestic partner
39 and the spouse or the domestic partner of any such person.

1 ~~((28))~~ (27) "Incidental committee" means any nonprofit
2 organization not otherwise defined as a political committee but that
3 may incidentally make a contribution or an expenditure in excess of
4 the reporting thresholds in RCW 42.17A.235, directly or through a
5 political committee. Any nonprofit organization is not an incidental
6 committee if it is only remitting payments through the nonprofit
7 organization in an aggregated form and the nonprofit organization is
8 not required to report those payments in accordance with this
9 chapter.

10 ~~((29))~~ (28) "Incumbent" means a person who is in present
11 possession of an elected office.

12 ~~((30))~~ (29)(a) "Independent expenditure" means an expenditure
13 that has each of the following elements:

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

16 (A) A candidate for that office;

17 (B) An authorized committee of that candidate for that office;
18 and

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

24 (ii) It is made in support of or in opposition to a candidate for
25 office by a person with whom the candidate has not collaborated for
26 the purpose of making the expenditure, if the expenditure pays in
27 whole or in part for political advertising supporting that candidate
28 or promoting the defeat of any other candidate or candidates for that
29 office;

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

34 (iv) The expenditure, alone or in conjunction with another
35 expenditure or other expenditures of the same person in support of or
36 opposition to that candidate, has a value of ~~((one-half the
37 contribution limit from an individual per election))~~ one thousand
38 dollars or more. A series of expenditures, each of which is under
39 ~~((one-half the contribution limit from an individual per election))~~
40 one thousand dollars, constitutes one independent expenditure if

1 their cumulative value is (~~one-half the contribution limit from an~~
2 ~~individual per election~~) one thousand dollars or more.

3 (b) "Independent expenditure" does not include: Ordinary home
4 hospitality; communications with journalists or editorial staff
5 designed to elicit a news item, feature, commentary, or editorial in
6 a regularly scheduled news medium that is of primary interest to the
7 general public, controlled by a person whose business is that news
8 medium, and not controlled by a candidate or a political committee;
9 participation in the creation of a publicly funded voters pamphlet
10 statement in written or video form; an internal political
11 communication primarily limited to contributors to a political party
12 organization or political action committee, the officers, management
13 staff, and stockholders of a corporation or similar enterprise, or
14 the members of a labor organization or other membership organization;
15 or the rendering of personal services of the sort commonly performed
16 by volunteer campaign workers or incidental expenses personally
17 incurred by volunteer campaign workers not in excess of two hundred
18 fifty dollars personally paid for by the worker.

19 (~~(31)~~) (30) (a) "Intermediary" means an individual who transmits
20 a contribution to a candidate or committee from another person unless
21 the contribution is from the individual's employer, immediate family,
22 or an association to which the individual belongs.

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

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

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

30 (~~(32)~~) (31) "Legislation" means bills, resolutions, motions,
31 amendments, nominations, and other matters pending or proposed in
32 either house of the state legislature, and includes any other matter
33 that may be the subject of action by either house or any committee of
34 the legislature and all bills and resolutions that, having passed
35 both houses, are pending approval by the governor.

36 (~~(33)~~) (32) "Legislative office" means the office of a member
37 of the state house of representatives or the office of a member of
38 the state senate.

39 (~~(34)~~) (33) "Lobby" and "lobbying" each mean attempting to
40 influence the passage or defeat of any legislation by the legislature

1 of the state of Washington, or the adoption or rejection of any rule,
2 standard, rate, or other legislative enactment of any state agency
3 under the state administrative procedure act, chapter 34.05 RCW.
4 Neither "lobby" nor "lobbying" includes an association's or other
5 organization's act of communicating with the members of that
6 association or organization.

7 ~~((35))~~ (34) "Lobbyist" includes any person who lobbies either
8 ~~((in his or her))~~ on the person's own or another's behalf.

9 ~~((36))~~ (35) "Lobbyist's employer" means the person or persons
10 by whom a lobbyist is employed and all persons by whom ~~((he or she))~~
11 the lobbyist is compensated for acting as a lobbyist.

12 ~~((37))~~ (36) "Ministerial functions" means an act or duty
13 carried out as part of the duties of an administrative office without
14 exercise of personal judgment or discretion.

15 ~~((38))~~ (37) "Participate" means that, with respect to a
16 particular election, an entity:

17 (a) Makes either a monetary or in-kind contribution to a
18 candidate;

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

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

24 (d) Makes a recommendation regarding whether a candidate should
25 be supported or opposed before a contribution is made by a subsidiary
26 corporation or local unit with respect to that candidate or that
27 candidate's opponent; or

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

35 ~~((39))~~ (38) "Person" includes an individual, partnership, joint
36 venture, public or private corporation, association, federal, state,
37 or local governmental entity or agency however constituted,
38 candidate, committee, political committee, political party, executive
39 committee thereof, or any other organization or group of persons,
40 however organized.

1 ~~((40))~~ (39) "Political advertising" includes any advertising
2 displays, newspaper ads, billboards, signs, brochures, articles,
3 tabloids, flyers, letters, radio or television presentations, digital
4 communication, or other means of mass communication, used for the
5 purpose of appealing, directly or indirectly, for votes or for
6 financial or other support or opposition in any election campaign.

7 ~~((41))~~ (40) "Political committee" means any person (except a
8 candidate or an individual dealing with ~~((his or her))~~ the
9 candidate's or individual's own funds or property) having the
10 expectation of receiving contributions or making expenditures in
11 support of, or opposition to, any candidate or any ballot
12 proposition.

13 ~~((42))~~ (41) "Primary" for the purposes of RCW 42.17A.405 means
14 the procedure for nominating a candidate to state or local office
15 under chapter 29A.52 RCW or any other primary for an election that
16 uses, in large measure, the procedures established in chapter 29A.52
17 RCW.

18 ~~((43))~~ (42) "Public office" means any federal, state, judicial,
19 county, city, town, school district, port district, special district,
20 or other state political subdivision elective office.

21 ~~((44))~~ (43) "Public record" has the definition in RCW
22 42.56.010.

23 ~~((45))~~ (44) "Recall campaign" means the period of time
24 beginning on the date of the filing of recall charges under RCW
25 29A.56.120 and ending thirty days after the recall election.

26 ~~((46))~~ (45) "~~((Remedial))~~ Remediable violation" means any
27 violation of this chapter that:

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

31 (b) Occurred:

32 (i) More than thirty days before an election, where the
33 commission entered into an agreement to resolve the matter; or

34 (ii) At any time where the violation did not constitute a
35 material violation because it was inadvertent and minor or otherwise
36 has been cured and, after consideration of all the circumstances,
37 further proceedings would not serve the purposes of this chapter;

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

1 (d) Involved:

2 (i) A person who:

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

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

9 (ii) A candidate who:

10 (A) Lost the election in question; and

11 (B) Did not receive contributions over one hundred times the
12 contribution limit in aggregate per election during the campaign in
13 question.

14 (~~(47)~~) (46)(a) "Sponsor" for purposes of an electioneering
15 communications, independent expenditures, or political advertising
16 means the person paying for the electioneering communication,
17 independent expenditure, or political advertising. If a person acts
18 as an agent for another or is reimbursed by another for the payment,
19 the original source of the payment is the sponsor.

20 (b) "Sponsor," for purposes of a political or incidental
21 committee, means any person, except an authorized committee, to whom
22 any of the following applies:

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

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

29 (~~(48)~~) (47) "Sponsored committee" means a committee, other than
30 an authorized committee, that has one or more sponsors.

31 (~~(49)~~) (48) "State office" means state legislative office or
32 the office of governor, lieutenant governor, secretary of state,
33 attorney general, commissioner of public lands, insurance
34 commissioner, superintendent of public instruction, state auditor, or
35 state treasurer.

36 (~~(50)~~) (49) "State official" means a person who holds a state
37 office.

38 (~~(51)~~) (50) "Surplus funds" mean, in the case of a political
39 committee or candidate, the balance of contributions that remain in
40 the possession or control of that committee or candidate subsequent

1 to the election for which the contributions were received, and that
2 are in excess of the amount necessary to pay remaining debts or
3 expenses incurred by the committee or candidate with respect to that
4 election. In the case of a continuing political committee, "surplus
5 funds" mean those contributions remaining in the possession or
6 control of the committee that are in excess of the amount necessary
7 to pay all remaining debts or expenses when it makes its final report
8 under RCW 42.17A.255.

9 ~~((52))~~ (51) "Technical correction" means the correction of a
10 minor or ministerial error in a required report that does not
11 materially ~~((impact))~~ harm the public interest and needs to be
12 corrected for the report to be in full compliance with the
13 requirements of this chapter.

14 ~~((53))~~ (52) "Treasurer" and "deputy treasurer" mean the
15 individuals appointed by a candidate or political or incidental
16 committee, pursuant to RCW 42.17A.210, to perform the duties
17 specified in that section.

18 (53) "Violation" means a violation of this chapter that is not a
19 remediable violation, minor violation, or an error classified by the
20 commission as appropriate to address by a technical correction.

21 **Sec. 4.** RCW 42.17A.055 and 2018 c 304 s 3 are each amended to
22 read as follows:

23 (1) For each required report, as technology permits, the
24 commission shall make an electronic reporting tool available to
25 ~~((candidates, public officials, and political committees that))~~ all
26 those who are required to file that report~~((s))~~ under this chapter
27 ~~((an electronic filing alternative for submitting financial affairs~~
28 ~~reports, contribution reports, and expenditure reports)).~~

29 (2) ~~((The commission shall make available to lobbyists and~~
30 ~~lobbyists' employers required to file reports under RCW 42.17A.600,~~
31 ~~42.17A.615, 42.17A.625, or 42.17A.630 an electronic filing~~
32 ~~alternative for submitting these reports.~~

33 ~~(3) State agencies required to report under RCW 42.17A.635 must~~
34 ~~file all reports electronically.~~

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

38 ~~(5))~~ All persons required to file reports under this chapter
39 must file them electronically where the commission has provided an

1 electronic option. The executive director may make exceptions on a
2 case-by-case basis for persons who lack the technological ability to
3 file reports electronically.

4 (3) If the electronic filing system provided by the commission is
5 inoperable for any period of time, the commission must keep a record
6 of the date and time of each instance and post outages on its web
7 site. If a report is due on a day the electronic filing system is
8 inoperable, it is not late if filed the first business day the system
9 is back in operation. The commission must provide notice to all
10 reporting entities when the system is back in operation.

11 ~~((+6))~~ (4) All persons required to file reports under this
12 chapter shall, at the time of initial filing, provide the commission
13 an email address, or other electronic contact information, that shall
14 constitute the official address for purposes of all communications
15 from the commission. The person required to file one or more reports
16 must provide any new ~~((email address))~~ electronic contact information
17 to the commission within ten days, if the address has changed from
18 that listed on the most recent report. Committees must provide the
19 committee treasurer's electronic contact information to the
20 commission. Committees must also provide any new electronic contact
21 information for the committee's treasurer to the commission within
22 ten days of the change. The executive director may waive the
23 ~~((email))~~ electronic contact information requirement and allow use of
24 a postal address, ~~((on))~~ upon the ~~((basis))~~ showing of hardship.

25 ~~((7) The commission must publish a calendar of significant~~
26 ~~reporting dates on its web site.))~~

27 **Sec. 5.** RCW 42.17A.065 and 2010 c 204 s 204 are each amended to
28 read as follows:

29 By July 1st of each year, the commission shall calculate the
30 following performance measures, provide a copy of the performance
31 measures to the governor and appropriate legislative committees, and
32 make the performance measures available to the public:

33 (1) The average number of days that elapse between the
34 commission's receipt of reports filed under RCW 42.17A.205,
35 42.17A.225, 42.17A.235, ~~((and))~~ 42.17A.255, 42.17A.265, 42.17A.600,
36 42.17A.615, 42.17A.625, and 42.17A.630 and the time that the report,
37 a copy of the report, or a copy of the data or information included
38 in the report, is first accessible to the general public (a) in the
39 commission's office, and (b) via the commission's web site;

1 (2) ~~((The average number of days that elapse between the~~
2 ~~commission's receipt of reports filed under RCW 42.17A.265 and the~~
3 ~~time that the report, a copy of the report, or a copy of the data or~~
4 ~~information included in the report, is first accessible to the~~
5 ~~general public (a) in the commission's office, and (b) via the~~
6 ~~commission's web site;~~

7 ~~(3) The average number of days that elapse between the~~
8 ~~commission's receipt of reports filed under RCW 42.17A.600,~~
9 ~~42.17A.615, 42.17A.625, and 42.17A.630 and the time that the report,~~
10 ~~a copy of the report, or a copy of the data or information included~~
11 ~~in the report, is first accessible to the general public (a) in the~~
12 ~~commission's office, and (b) via the commission's web site;~~

13 ~~(4) The percentage of candidates, categorized as statewide,~~
14 ~~legislative, or local, that have used each of the following methods~~
15 ~~to file reports under RCW 42.17A.235 or 42.17A.265: (a) Hard copy~~
16 ~~paper format; or (b) electronic format via the Internet;~~

17 ~~(5) The percentage of continuing political committees that have~~
18 ~~used each of the following methods to file reports under RCW~~
19 ~~42.17A.225 or 42.17A.265: (a) Hard copy paper format; or (b)~~
20 ~~electronic format via the Internet; and~~

21 ~~(6)) The percentage of ((lobbyists and lobbyists' employers~~
22 ~~that)) filers pursuant to RCW 42.17A.055 who have used ((each of the~~
23 ~~following methods to file reports under RCW 42.17A.600, 42.17A.615,~~
24 ~~42.17A.625, or 42.17A.630)): (a) Hard copy paper format; or (b)~~
25 ~~electronic format ((via the Internet)).~~

26 **Sec. 6.** RCW 42.17A.100 and 2010 c 204 s 301 are each amended to
27 read as follows:

28 (1) The public disclosure commission is established. The
29 commission shall be composed of five ~~((members))~~ commissioners
30 appointed by the governor, with the consent of the senate. The
31 commission shall have the authority and duties as set forth in this
32 chapter. All appointees shall be persons of the highest integrity and
33 qualifications. No more than three ~~((members))~~ commissioners shall
34 have an identification with the same political party.

35 (2) The term of each ~~((member))~~ commissioner shall be five years,
36 which may continue until a successor is appointed, but may not exceed
37 an additional twelve months. No ~~((member))~~ commissioner is eligible
38 for appointment to more than one full term. Any ~~((member))~~

1 commissioner may be removed by the governor, but only upon grounds of
2 neglect of duty or misconduct in office.

3 (3) (a) During ~~((his or her))~~ a commissioner's tenure, ~~((a member~~
4 ~~of the commission))~~ the commissioner is prohibited from engaging in
5 any of the following activities, either within or outside the state
6 of Washington, except as provided under (b) of this subsection:

7 ~~((a))~~ (i) Holding or campaigning for elective office;

8 ~~((b))~~ (ii) Serving as an officer of any political party or
9 political committee;

10 ~~((c))~~ (iii) Permitting ~~((his or her))~~ the commissioner's name
11 to be used in support of or in opposition to a candidate or
12 proposition;

13 ~~((d))~~ (iv) Soliciting or making contributions to a candidate or
14 in support of or in opposition to any candidate or proposition;

15 ~~((e))~~ (v) Participating in any way in any election campaign; or

16 ~~((f))~~ (vi) Lobbying, employing, or assisting a lobbyist, except
17 that a ~~((member))~~ commissioner or the staff of the commission may
18 lobby to the limited extent permitted by RCW 42.17A.635 on matters
19 directly affecting this chapter, and except as provided in (b) of
20 this subsection.

21 (b) A commissioner may engage in the activities set forth in
22 (a)(vi) of this subsection, if the activity:

23 (i) Is outside of the state of Washington and not otherwise
24 within the jurisdiction of the commission;

25 (ii) Does not create the appearance of a conflict of interest
26 with the duties of the commission; and

27 (iii) Does not involve any affiliation with the commission.

28 (c) This subsection is not intended to prohibit a commissioner
29 from participating in or supporting nonprofit or other organizations,
30 in the commissioner's private capacity, to the extent such
31 participation is not prohibited under (a) of this subsection.

32 (d) The provisions of this subsection do not relieve a
33 commissioner of any applicable disqualification and recusal
34 requirements.

35 (4) A vacancy on the commission shall be filled within thirty
36 days of the vacancy by the governor, with the consent of the senate,
37 and the appointee shall serve for the remaining term of ~~((his or~~
38 ~~her))~~ the appointee's predecessor. A vacancy shall not impair the
39 powers of the remaining ~~((members))~~ commissioners to exercise all of
40 the powers of the commission.

1 (5) Three (~~members of the commission~~) commissioners shall
2 constitute a quorum. The commission shall elect its own chair and
3 adopt its own rules of procedure in the manner provided in chapter
4 34.05 RCW.

5 (6) (~~Members~~) Commissioners shall be compensated in accordance
6 with RCW 43.03.250 and shall be reimbursed for travel expenses
7 incurred while engaged in the business of the commission as provided
8 in RCW 43.03.050 and 43.03.060. The compensation provided pursuant to
9 this section shall not be considered salary for purposes of the
10 provisions of any retirement system created under the laws of this
11 state.

12 **Sec. 7.** RCW 42.17A.105 and 2010 c 204 s 302 are each amended to
13 read as follows:

14 The commission shall:

15 (1) Develop and provide forms for the reports and statements
16 required to be made under this chapter;

17 (2) (~~Prepare and publish a manual setting forth~~) Provide
18 recommended uniform methods of bookkeeping and reporting for use by
19 persons required to make reports and statements under this chapter;

20 (3) Compile and maintain a current list of all filed reports and
21 statements;

22 (4) Investigate whether properly completed statements and reports
23 have been filed within the times required by this chapter;

24 (5) Upon complaint or upon its own motion, investigate and report
25 apparent violations of this chapter to the appropriate law
26 enforcement authorities;

27 (6) Conduct a sufficient number of audits and field
28 investigations, as staff capacity permits without impacting the
29 timeliness of addressing alleged violations, to provide a
30 statistically valid finding regarding the degree of compliance with
31 the provisions of this chapter by all required filers. Any documents,
32 records, reports, computer files, papers, or materials provided to
33 the commission for use in conducting audits and investigations must
34 be returned to the candidate, campaign, or political committee from
35 which they were received within one week of the commission's
36 completion of an audit or field investigation;

37 (7) Prepare and publish an annual report to the governor as to
38 the effectiveness of this chapter and (~~its enforcement by~~
39 ~~appropriate law enforcement authorities~~) the work of the commission;

1 (8) Enforce this chapter according to the powers granted it by
2 law;

3 (9) ~~((Adopt rules governing the arrangement, handling, indexing,
4 and disclosing of those reports required by this chapter to be filed
5 with a county auditor or county elections official. The rules shall:
6 (a) Ensure ease of access by the public to the reports; and
7 (b) Include, but not be limited to, requirements for indexing the
8 reports by the names of candidates or political committees and by the
9 ballot proposition for or against which a political committee is
10 receiving contributions or making expenditures;
11 (10))~~ Adopt rules to carry out the policies of chapter 348, Laws
12 of 2006. The adoption of these rules is not subject to the time
13 restrictions of RCW 42.17A.110(1);

14 ~~((11))~~ (10) Adopt administrative rules establishing
15 requirements for filer participation in any system designed and
16 implemented by the commission for the electronic filing of reports;
17 ~~((and~~

18 ~~(12))~~ (11) Maintain and make available to the public and
19 political committees of this state a toll-free telephone number;

20 (12) Operate a web site or contract for the operation of a web
21 site that allows access to reports, copies of reports, or copies of
22 data and information submitted in reports, filed with the commission
23 under RCW 42.17A.205, 42.17A.225, 42.17A.235, 42.17A.255, 42.17A.265,
24 42.17A.600, 42.17A.615, 42.17A.625, and 42.17A.630;

25 (13) (a) Attempt to make available via the web site other public
26 records submitted to or generated by the commission that are required
27 by this chapter to be available for public use or inspection;

28 (b) The statement of financial affairs filed by a professional
29 staff member of the legislature pursuant to RCW 42.17A.700 is subject
30 to public disclosure upon request, but the commission may not post
31 the statements of financial affairs on any web site;

32 (14) Publish a calendar of significant reporting dates on the
33 commission's web site; and

34 (15) Establish goals that all reports, copies of reports, or
35 copies of the data or information included in reports, filed under
36 RCW 42.17A.205, 42.17A.225, 42.17A.235, 42.17A.255, 42.17A.265,
37 42.17A.600, 42.17A.615, 42.17A.625, and 42.17A.630, are submitted:

38 (a) Using the commission's electronic filing system and must be
39 accessible in the commission's office and on the commission's web

1 site within two business days of the commission's receipt of the
2 report; and

3 (b) On paper and must be accessible in the commission's office
4 and on the commission's web site within four business days of the
5 actual physical receipt of the report, and not the technical date of
6 filing as provided under RCW 42.17A.140, as specified in rule adopted
7 by the commission.

8 **Sec. 8.** RCW 42.17A.110 and 2018 c 304 s 4 are each amended to
9 read as follows:

10 In addition to the duties in RCW 42.17A.105, the commission may:

11 (1) Adopt, amend, and rescind suitable administrative rules to
12 carry out the policies and purposes of this chapter, which rules
13 shall be adopted under chapter 34.05 RCW. Any rule relating to
14 campaign finance, political advertising, or related forms that would
15 otherwise take effect after June 30th of a general election year
16 shall take effect no earlier than the day following the general
17 election in that year;

18 (2) Appoint an executive director and set, within the limits
19 established by the office of financial management under RCW
20 43.03.028, the executive director's compensation. The executive
21 director shall perform such duties and have such powers as the
22 commission may prescribe and delegate to implement and enforce this
23 chapter efficiently and effectively. The commission shall not
24 delegate its authority to adopt, amend, or rescind rules nor may it
25 delegate authority to determine that ~~((an actual))~~ a violation of
26 this chapter has occurred or to assess penalties for such violations;

27 (3) Prepare and publish reports and technical studies as in its
28 judgment will tend to promote the purposes of this chapter, including
29 reports and statistics concerning campaign financing, lobbying,
30 financial interests of elected officials, and enforcement of this
31 chapter;

32 (4) Conduct, as it deems appropriate, audits and field
33 investigations;

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

37 (6) Administer oaths and affirmations, issue subpoenas, and
38 compel attendance, take evidence, and require the production of any

1 records relevant to any investigation authorized under this chapter,
2 or any other proceeding under this chapter;

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

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

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

13 (10) Make available and keep current on its web site a glossary
14 of all defined terms in this chapter and in rules adopted by the
15 commission.

16 NEW SECTION. Sec. 9. A new section is added to chapter 42.17A
17 RCW to read as follows:

18 (1) The commission may apply for and obtain a superior court
19 order approving and authorizing a subpoena in advance of its
20 issuance. The application may be made in Thurston county, the county
21 where the subpoenaed person resides or is found, or the county where
22 the subpoenaed documents, records, or evidence are located. The
23 application must:

24 (a) State that an order is sought under this section;

25 (b) Adequately specify the documents, records, evidence, or
26 testimony; and

27 (c) Include a declaration made under oath that an investigation
28 is being conducted for a lawfully authorized purpose related to an
29 investigation within the commission's authority and that the
30 subpoenaed documents, records, evidence, or testimony are reasonably
31 related to an investigation within the commission's authority.

32 (2) When an application under this section is made to the
33 satisfaction of the court, the court must issue an order approving
34 the subpoena. An order under this subsection constitutes authority of
35 law for the agency to subpoena the documents, records, evidence, or
36 testimony.

37 (3) The commission may seek approval and a court may issue an
38 order under this section without prior notice to any person,
39 including the person to whom the subpoena is directed and the person

1 who is the subject of an investigation. An application for court
2 approval is subject to the fee and process set forth in RCW
3 36.18.012(3).

4 **Sec. 10.** RCW 42.17A.120 and 2010 c 204 s 304 are each amended to
5 read as follows:

6 (1) The commission may suspend or modify any of the reporting
7 requirements of this chapter if it finds that literal application of
8 this chapter works a manifestly unreasonable hardship in a particular
9 case and the suspension or modification will not frustrate the
10 purposes of this chapter. The commission may suspend or modify
11 reporting requirements only to the extent necessary to substantially
12 relieve the hardship and only after a hearing is held and the
13 suspension or modification receives approval ~~((from a majority of the~~
14 ~~commission. The commission shall act to suspend or modify any~~
15 ~~reporting requirements:~~

16 ~~(a) Only if it determines that facts exist that are clear and~~
17 ~~convincing proof of the findings required under this section; and~~

18 ~~(b) Only to the extent necessary to substantially relieve the~~
19 ~~hardship)). A suspension or modification of the financial affairs
20 reporting requirements in RCW 42.17A.710 may be approved for an
21 elected official's term of office or for up to three years for an
22 executive state officer. If a material change in the applicant's
23 circumstances or relevant information occurs or has occurred, the
24 applicant must request a modification at least one month prior to the
25 next filing deadline rather than at the conclusion of the term.~~

26 (2) A manifestly unreasonable hardship exists if reporting the
27 name of an entity required to be reported under RCW
28 42.17A.710(1)(g)(ii) would be likely to adversely affect the
29 competitive position of any entity in which the person filing the
30 report, or any member of ~~((his or her))~~ the person's immediate
31 family, holds any office, directorship, general partnership interest,
32 or an ownership interest of ten percent or more.

33 (3) Requests for ~~((renewals of))~~ reporting modifications may be
34 heard in a brief adjudicative proceeding as set forth in RCW
35 34.05.482 through 34.05.494 and in accordance with the standards
36 established in this section. ~~((No initial request may be heard in a~~
37 ~~brief adjudicative proceeding. No request for renewal may be heard in~~
38 ~~a brief adjudicative proceeding if the initial request was granted~~
39 ~~more than three years previously or if the applicant is holding an~~

1 office or position of employment different from the office or
2 position held when the initial request was granted.)) The commission,
3 the commission chair acting as presiding officer, or another
4 commissioner appointed by the chair to serve as presiding officer,
5 may preside over a brief adjudicatory proceeding. If a modification
6 is requested by a filer because of a concern for personal safety, the
7 information submitted regarding that safety concern shall not be made
8 public prior to, or at, the hearing on the request. Any information
9 provided or prepared for the modification hearing shall remain exempt
10 from public disclosure under this chapter and chapter 42.56 RCW to
11 the extent it is determined at the hearing that disclosure of such
12 information would present a personal safety risk to a reasonable
13 person.

14 (4) If the commission, or presiding officer, grants a
15 modification request, the commission or presiding officer may apply
16 the modification retroactively to previously filed reports. In that
17 event, previously reported information of the kind that is no longer
18 being reported is confidential and exempt from public disclosure
19 under this chapter and chapter 42.56 RCW.

20 (5) Any citizen has standing to bring an action in Thurston
21 county superior court to contest the propriety of any order entered
22 under this section within one year from the date of the entry of the
23 order.

24 ((+5)) (6) The commission shall adopt rules governing the
25 proceedings.

26 **Sec. 11.** RCW 42.17A.125 and 2011 c 60 s 21 are each amended to
27 read as follows:

28 ((1) At the beginning of each even-numbered calendar year, the
29 commission shall increase or decrease the dollar amounts in RCW
30 42.17A.005(26), 42.17A.405, 42.17A.410, 42.17A.445(3), 42.17A.475,
31 and 42.17A.630(1) based on changes in economic conditions as
32 reflected in the inflationary index recommended by the office of
33 financial management. The new dollar amounts established by the
34 commission under this section shall be rounded off to amounts as
35 judged most convenient for public understanding and so as to be
36 within ten percent of the target amount equal to the base amount
37 provided in this chapter multiplied by the increase in the
38 inflationary index since July 2008.

1 ~~(2) The commission may revise,~~) At least once every five years,
2 but no more often than every two years, the commission must consider
3 whether to revise the monetary reporting thresholds and reporting
4 code values of this chapter. If the commission chooses to make
5 revisions, the revisions shall be only for the purpose of recognizing
6 economic changes as reflected by an inflationary index recommended by
7 the office of financial management, and may be rounded off to amounts
8 as determined by the commission to be most accessible for public
9 understanding. The revisions shall be guided by the change in the
10 index for the period commencing with the month of December preceding
11 the last revision and concluding with the month of December preceding
12 the month the revision is adopted. As to each of the three general
13 categories of this chapter, reports of campaign finance, reports of
14 lobbyist activity, and reports of the financial affairs of elected
15 and appointed officials, the revisions shall equally affect all
16 thresholds within each category. The revisions authorized by this
17 subsection shall reflect economic changes from the time of the last
18 legislative enactment affecting the respective code or threshold.

19 ~~((3))~~ Revisions made in accordance with ~~((subsections (1) and~~
20 ~~(2) of))~~ this section shall be adopted as rules ~~((under))~~ in
21 accordance with chapter 34.05 RCW.

22 **Sec. 12.** RCW 42.17A.135 and 2010 c 204 s 307 are each amended to
23 read as follows:

24 (1) Except as provided in subsections (2), (3), and (7) of this
25 section, the reporting provisions of this chapter do not apply to:

26 (a) Candidates, elected officials, and agencies in political
27 subdivisions with ~~((less))~~ fewer than ~~((one))~~ two thousand registered
28 voters as of the date of the most recent general election in the
29 jurisdiction;

30 (b) Political committees formed to support or oppose candidates
31 or ballot propositions in such political subdivisions; or

32 (c) Persons making independent expenditures in support of or
33 opposition to such ballot propositions.

34 (2) The reporting provisions of this chapter apply in any exempt
35 political subdivision from which a "petition for disclosure"
36 containing the valid signatures of fifteen percent of the number of
37 registered voters, as of the date of the most recent general election
38 in the political subdivision, is filed with the commission. The
39 commission shall by rule prescribe the form of the petition. After

1 the signatures are gathered, the petition shall be presented to the
2 auditor or elections officer of the county, or counties, in which the
3 political subdivision is located. The auditor or elections officer
4 shall verify the signatures and certify to the commission that the
5 petition contains no less than the required number of valid
6 signatures. The commission, upon receipt of a valid petition, shall
7 order every known affected person in the political subdivision to
8 file the initially required statement and reports within fourteen
9 days of the date of the order.

10 (3) The reporting provisions of this chapter apply in any exempt
11 political subdivision that by ordinance, resolution, or other
12 official action has petitioned the commission to make the provisions
13 applicable to elected officials and candidates of the exempt
14 political subdivision. A copy of the action shall be sent to the
15 commission. If the commission finds the petition to be a valid action
16 of the appropriate governing body or authority, the commission shall
17 order every known affected person in the political subdivision to
18 file the initially required statement and reports within fourteen
19 days of the date of the order.

20 (4) The commission shall void any order issued by it pursuant to
21 subsection (2) or (3) of this section when, at least four years after
22 issuing the order, the commission is presented a petition or official
23 action so requesting from the affected political subdivision. Such
24 petition or official action shall meet the respective requirements of
25 subsection (2) or (3) of this section.

26 (5) Any petition for disclosure, ordinance, resolution, or
27 official action of an agency petitioning the commission to void the
28 exemption in RCW 42.17A.200(3) shall not be considered unless it has
29 been filed with the commission:

30 (a) In the case of a ballot (~~(measure)~~) proposition, at least
31 sixty days before the date of any election in which campaign finance
32 reporting is to be required;

33 (b) In the case of a candidate, at least sixty days before the
34 first day on which a person may file a declaration of candidacy for
35 any election in which campaign finance reporting is to be required.

36 (6) Any person exempted from reporting under this chapter may at
37 (~~(his or her)~~) the person's option file the statement and reports.

38 (7) The reporting provisions of this chapter apply to a candidate
39 in any political subdivision if the candidate receives or expects to
40 receive five thousand dollars or more in contributions.

1 **Sec. 13.** RCW 42.17A.140 and 2010 c 204 s 308 are each amended to
2 read as follows:

3 (1) Except as provided in subsection (2) of this section, the
4 date of receipt of any properly addressed application, report,
5 statement, notice, or payment required to be made under the
6 provisions of this chapter is the date shown by the post office
7 cancellation mark on the envelope of the submitted material. The
8 provisions of this section do not apply to reports required to be
9 delivered under RCW 42.17A.265 and 42.17A.625.

10 (2) When a report is filed electronically with the commission, it
11 is deemed to have been received on the file transfer date. The
12 commission shall notify the filer of receipt of the electronically
13 filed report. Such notification may be sent by mail(~~((facsimile,))~~)
14 or (~~((electronic mail))~~) electronically. If the notification of receipt
15 of the electronically filed report is not received by the filer, the
16 filer may offer (~~((his or her own))~~) proof of sending the report, and
17 such proof shall be treated as if it were a receipt sent by the
18 commission. Electronic filing may be used for purposes of filing the
19 special reports required to be delivered under RCW 42.17A.265 and
20 42.17A.625.

21 **Sec. 14.** RCW 42.17A.205 and 2011 c 145 s 3 are each amended to
22 read as follows:

23 (1) Every political committee shall file a statement of
24 organization with the commission. The statement must be filed within
25 two weeks after organization or within two weeks after the date the
26 committee first has the expectation of receiving contributions or
27 making expenditures in any election campaign, whichever is earlier. A
28 political committee organized within the last three weeks before an
29 election and having the expectation of receiving contributions or
30 making expenditures during and for that election campaign shall file
31 a statement of organization within three business days after its
32 organization or when it first has the expectation of receiving
33 contributions or making expenditures in the election campaign.

34 (2) The statement of organization shall include but not be
35 limited to:

36 (a) The name (~~((and))~~), address, and electronic contact information
37 of the committee;

1 (b) The names ~~((and))~~, addresses, and electronic contact
2 information of all related or affiliated committees or other persons,
3 and the nature of the relationship or affiliation;

4 (c) The names, addresses, and titles of its officers; or if it
5 has no officers, the names, addresses, and titles of its responsible
6 leaders;

7 (d) The name ~~((and))~~, address, and electronic contact information
8 of its treasurer and depository;

9 (e) A statement whether the committee is a continuing one;

10 (f) The name, office sought, and party affiliation of each
11 candidate whom the committee is supporting or opposing, and, if the
12 committee is supporting the entire ticket of any party, the name of
13 the party;

14 (g) The ballot proposition concerned, if any, and whether the
15 committee is in favor of or opposed to such proposition;

16 (h) What distribution of surplus funds will be made, in
17 accordance with RCW 42.17A.430, in the event of dissolution;

18 ~~((The street address of the place and the hours during which
19 the committee will make available for public inspection its books of
20 account and all reports filed in accordance with RCW 42.17A.235;~~

21 ~~((j))~~ Such other information as the commission may by
22 ~~((regulation))~~ rule prescribe, in keeping with the policies and
23 purposes of this chapter;

24 ~~((k))~~ (j) The name, address, and title of any person who
25 authorizes expenditures or makes decisions on behalf of the candidate
26 or committee; and

27 ~~((l))~~ (k) The name, address, and title of any person who is
28 paid by or is a volunteer for a candidate or political committee to
29 perform ministerial functions and who performs ministerial functions
30 on behalf of two or more candidates or committees.

31 (3) No two political committees may have the same name.

32 (4) Any material change in information previously submitted in a
33 statement of organization shall be reported to the commission within
34 the ten days following the change.

35 (5) As used in this section, the "name" of a sponsored committee
36 must include the name of the person ~~((that))~~ who is the sponsor of
37 the committee. If more than one person meets the definition of
38 sponsor, the name of the committee must include the name of at least
39 one sponsor, but may include the names of other sponsors. A person

1 may sponsor only one political committee for the same elected office
2 or same ballot (~~(measure)~~) proposition per election cycle.

3 **Sec. 15.** RCW 42.17A.207 and 2018 c 111 s 4 are each amended to
4 read as follows:

5 (1)(a) An incidental committee must file a statement of
6 organization with the commission within two weeks after the date the
7 committee first:

8 (i) Has the expectation of making (~~(contributions—or)~~) any
9 expenditures aggregating at least twenty-five thousand dollars in a
10 calendar year in any election campaign, or to a political committee;
11 and

12 (ii) Is required to disclose a payment received under RCW
13 42.17A.240(2)(~~(e)~~) (d).

14 (b) If an incidental committee first meets the criteria requiring
15 filing a statement of organization as specified in (a) of this
16 subsection in the last three weeks before an election, then it must
17 file the statement of organization within three business days.

18 (2) The statement of organization must include but is not limited
19 to:

20 (a) The name (~~(and)~~), address, and electronic contact information
21 of the committee;

22 (b) The names and addresses of all related or affiliated
23 political or incidental committees or other persons, and the nature
24 of the relationship or affiliation;

25 (c) The names, addresses, and titles of its officers; or if it
26 has no officers, the names, addresses, and titles of its responsible
27 leaders and the name of the person designated as the treasurer of the
28 incidental committee;

29 (d) The name, office sought, and party affiliation of each
30 candidate whom the committee is supporting or opposing if the
31 committee contributes directly to a candidate and, if donating to a
32 political committee, the name and address of that political
33 committee;

34 (e) The ballot proposition concerned, if any, and whether the
35 committee is in favor of or opposed to such proposition; and

36 (f) Such other information as the commission may by rule
37 prescribe, in keeping with the policies and purposes of this chapter.

1 (3) Any material change in information previously submitted in a
2 statement of organization must be reported to the commission within
3 the ten days following the change.

4 **Sec. 16.** RCW 42.17A.210 and 2010 c 205 s 2 and 2010 c 204 s 403
5 are each reenacted and amended to read as follows:

6 (1) Each candidate, within two weeks after becoming a candidate,
7 and each political committee, at the time it is required to file a
8 statement of organization, shall designate and file with the
9 commission the name and address of one legally competent individual,
10 who may be the candidate, to serve as a treasurer.

11 (2) A candidate, a political committee, or a treasurer may
12 appoint as many deputy treasurers as is considered necessary and
13 shall file the names and addresses of the deputy treasurers with the
14 commission.

15 (3) (a) A candidate or political committee may at any time remove
16 a treasurer or deputy treasurer.

17 (b) In the event of the death, resignation, removal, or change of
18 a treasurer or deputy treasurer, the candidate or political committee
19 shall designate and file with the commission the name and address of
20 any successor.

21 (4) No treasurer or deputy treasurer may be deemed to be in
22 compliance with the provisions of this chapter until ~~((his or her))~~
23 the treasurer's or deputy treasurer's name ((and)), address, and
24 electronic contact information is filed with the commission.

25 **Sec. 17.** RCW 42.17A.215 and 2010 c 204 s 404 are each amended to
26 read as follows:

27 Each candidate and each political committee shall designate and
28 file with the commission ~~((and the appropriate county elections~~
29 ~~officer))~~ the name and address of not more than one depository for
30 each county in which the campaign is conducted in which the
31 candidate's or political committee's accounts are maintained and the
32 name of the account or accounts maintained in that depository on
33 behalf of the candidate or political committee. The candidate or
34 political committee may at any time change the designated depository
35 and shall file with the commission ~~((and the appropriate county~~
36 ~~elections officer))~~ the same information for the successor depository
37 as for the original depository. The candidate or political committee
38 may not be deemed in compliance with the provisions of this chapter

1 until the information required for the depository is filed with the
2 commission ((and the appropriate county elections officer)).

3 **Sec. 18.** RCW 42.17A.225 and 2018 c 304 s 6 are each amended to
4 read as follows:

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

9 (2) A continuing political committee shall file with the
10 commission a report on the tenth day of each month detailing
11 expenditures made and contributions received for the preceding
12 calendar month. This report need only be filed if either the total
13 contributions received or total expenditures made since the last such
14 report exceed two hundred dollars. The report shall be on a form
15 supplied by the commission and shall include the following
16 information:

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

18 (b) Each expenditure made to retire previously accumulated debts
19 of the committee identified by recipient, amount, and date of
20 payments;

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

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

27 (4)(a) A continuing political committee shall file reports as
28 required by this chapter until the committee has ceased to function
29 and intends to dissolve, at which time, when there is no outstanding
30 debt or obligation and the committee is concluded in all respects, a
31 final report shall be filed. Upon submitting a final report, the
32 continuing political committee so intending to dissolve must file
33 notice of intent to dissolve with the commission and the commission
34 must post the notice on its web site.

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

37 (i) The continuing political committee does not make any
38 expenditures other than those related to the dissolution process or
39 engage in any political activity or any other activities that

1 generate additional reporting requirements under this chapter after
2 filing such notice;

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

5 (iii) All penalties assessed by the commission or court order
6 (~~are~~) have been paid by the continuing political committee.

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

10 (d) The treasurer may not close the continuing political
11 committee's bank account before the political committee has
12 dissolved.

13 (e) Upon dissolution, the commission must issue an acknowledgment
14 of dissolution, the duties of the treasurer shall cease, and there
15 shall be no further obligations under this chapter. Dissolution does
16 not absolve the candidate or board of the committee from
17 responsibility for any future obligations resulting from the finding
18 after dissolution of a violation committed prior to dissolution.

19 (5) The treasurer shall maintain books of account, current within
20 five business days, that accurately reflect all contributions and
21 expenditures. During the ten calendar days immediately preceding the
22 date of any election that the committee has received any
23 contributions or made any expenditures, the books of account shall be
24 kept current within one business day and shall be open for public
25 inspection in the same manner as provided for candidates and other
26 political committees in RCW 42.17A.235(6).

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

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

33 **Sec. 19.** RCW 42.17A.230 and 2010 c 205 s 5 and 2010 c 204 s 407
34 are each reenacted and amended to read as follows:

35 (1) Fund-raising activities meeting the standards of subsection
36 (2) of this section may be reported in accordance with the provisions
37 of this section in lieu of reporting in accordance with RCW
38 42.17A.235.

39 (2) Standards:

1 (a) The activity consists of one or more of the following:
2 (i) A sale of goods or services sold at a reasonable
3 approximation of the fair market value of each item or service; or
4 (ii) A gambling operation that is licensed, conducted, or
5 operated in accordance with the provisions of chapter 9.46 RCW; or
6 (iii) A gathering where food and beverages are purchased and the
7 price of admission or the per person charge for the food and
8 beverages is no more than twenty-five dollars; or
9 (iv) A concert, dance, theater performance, or similar
10 entertainment event and the price of admission is no more than
11 twenty-five dollars; or
12 (v) An auction or similar sale for which the total fair market
13 value or cost of items donated by any person is no more than fifty
14 dollars; and
15 (b) No person responsible for receiving money at the fund-raising
16 activity knowingly accepts payments from a single person at or from
17 such an activity to the candidate or committee aggregating more than
18 fifty dollars unless the name and address of the person making the
19 payment, together with the amount paid to the candidate or committee,
20 are disclosed in the report filed pursuant to subsection (6) of this
21 section; and
22 (c) Any other standards established by rule of the commission to
23 prevent frustration of the purposes of this chapter.
24 (3) All funds received from a fund-raising activity that conforms
25 with subsection (2) of this section must be deposited in the
26 depository within five business days of receipt by the treasurer or
27 deputy treasurer.
28 (4) At the time reports are required under RCW 42.17A.235, the
29 treasurer or deputy treasurer making the deposit shall file with the
30 commission a report of the fund-raising activity which must contain
31 the following information:
32 (a) The date of the activity;
33 (b) A precise description of the fund-raising methods used in the
34 activity; and
35 (c) The total amount of cash receipts from persons, each of whom
36 paid no more than fifty dollars.
37 (5) The treasurer or deputy treasurer shall certify the report is
38 correct.
39 (6) The treasurer shall report pursuant to RCW 42.17A.235 and
40 42.17A.240:

1 (a) The name and address and the amount contributed by each
2 person contributing goods or services with a fair market value of
3 more than fifty dollars to a fund-raising activity reported under
4 subsection (4) of this section; and

5 (b) The name and address and the amount paid by each person whose
6 identity can be ascertained, who made a contribution to the candidate
7 or committee aggregating more than fifty dollars at or from such a
8 fund-raising activity.

9 **Sec. 20.** RCW 42.17A.235 and 2018 c 304 s 7 and 2018 c 111 s 5
10 are each reenacted and amended to read as follows:

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

16 (b) In addition to the information required under RCW
17 (~~(42.17A.205)~~) 42.17A.207 and 42.17A.210, on the day an incidental
18 committee files a statement of organization with the commission, each
19 incidental committee must file with the commission a report of any
20 election campaign expenditures under RCW 42.17A.240(6), as well as
21 the source of the ten largest cumulative payments of ten thousand
22 dollars or greater it received in the current calendar year from a
23 single person, including any persons tied as the tenth largest source
24 of payments it received, if any.

25 (2) Each treasurer of a candidate or political committee, or an
26 incidental committee, required to file a statement of organization
27 under this chapter, shall file with the commission a report, for each
28 election in which a candidate (~~(or)~~), political committee, or
29 incidental committee is participating, containing the information
30 required by RCW 42.17A.240 at the following intervals:

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

33 (b) On the tenth day of the first full month after the election.

34 (3) (a) Each treasurer of a candidate or political committee shall
35 file with the commission a report on the tenth day of each month
36 during which the candidate or political committee is not
37 participating in an election campaign, only if the committee has
38 received a contribution or made an expenditure in the preceding
39 calendar month and either the total contributions received or total

1 expenditures made since the last such report exceed two hundred
2 dollars.

3 ~~((For an))~~ (b) Each incidental committee~~((r))~~ shall file with the
4 commission a report on the tenth day of each month during which the
5 incidental committee is not otherwise required to report under this
6 section only if the committee has:

7 ~~((A))~~ (i) Received a payment that would change the information
8 required under RCW 42.17A.240(2)~~((e))~~ (d) as included in its last
9 report; or

10 ~~((B))~~ (ii) Made any election campaign expenditure reportable
11 under RCW 42.17A.240(6) since its last report, and the total election
12 campaign expenditures made since the last report exceed two hundred
13 dollars.

14 (4) The report filed twenty-one days before the election shall
15 report all contributions received and expenditures made as of the end
16 of one business day before the date of the report. The report filed
17 seven days before the election shall report all contributions
18 received and expenditures made as of the end of one business day
19 before the date of the report. Reports filed on the tenth day of the
20 month shall report all contributions received and expenditures made
21 from the closing date of the last report filed through the last day
22 of the month preceding the date of the current report.

23 (5) For the period beginning the first day of the fourth month
24 preceding the date of the special election, or for the period
25 beginning the first day of the fifth month before the date of the
26 general election, and ending on the date of that special or general
27 election, each Monday the treasurer for a candidate or a political
28 committee shall file with the commission a report of each bank
29 deposit made during the previous seven calendar days. The report
30 shall contain the name of each person contributing the funds and the
31 amount contributed by each person. However, persons who contribute no
32 more than twenty-five dollars in the aggregate are not required to be
33 identified in the report. A copy of the report shall be retained by
34 the treasurer for ~~((his or her))~~ the treasurer's records. In the
35 event of deposits made by candidates, political committee members, or
36 paid staff other than the treasurer, the copy shall be immediately
37 provided to the treasurer for ~~((his or her))~~ the treasurer's records.
38 Each report shall be certified as correct by the treasurer.

39 (6) (a) The treasurer for a candidate or a political committee
40 shall maintain books of account accurately reflecting all

1 contributions and expenditures on a current basis within five
2 business days of receipt or expenditure. During the ten calendar days
3 immediately preceding the date of the election the books of account
4 shall be kept current within one business day. As specified in the
5 political committee's statement of organization filed under RCW
6 42.17A.205, the books of account must be open for public inspection
7 by appointment at a place agreed upon by both the treasurer and the
8 requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day
9 from the tenth calendar day immediately before the election through
10 the day immediately before the election, other than Saturday, Sunday,
11 or a legal holiday. It is a violation of this chapter for a candidate
12 or political committee to refuse to allow and keep an appointment for
13 an inspection to be conducted during these authorized times and days.
14 The appointment must be allowed at an authorized time and day for
15 such inspections that is within forty-eight hours of the time and day
16 that is requested for the inspection. The treasurer may provide
17 digital access or copies of the books of account in lieu of
18 scheduling an appointment at a designated place for inspection. If
19 the treasurer and requestor are unable to agree on a location and the
20 treasurer has not provided digital access to the books of account,
21 the default location for an appointment shall be a place of public
22 accommodation selected by the treasurer within a reasonable distance
23 from the treasurer's office.

24 (b) At the time of making the appointment, a person wishing to
25 inspect the books of account must provide the treasurer the name and
26 telephone number of the person wishing to inspect the books of
27 account. The person inspecting the books of account must show photo
28 identification before the inspection begins.

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

34 (7) Copies of all reports filed pursuant to this section shall be
35 readily available for public inspection by appointment, pursuant to
36 subsection (6) of this section.

37 (8) The treasurer or candidate shall preserve books of account,
38 bills, receipts, and all other financial records of the campaign or
39 political committee for not less than (~~two~~) five calendar years

1 following the year during which the transaction occurred or for any
2 longer period as otherwise required by law.

3 (9) All reports filed pursuant to subsection (1) or (2) of this
4 section shall be certified as correct by the candidate and the
5 treasurer.

6 (10) Where there is not a pending complaint concerning a report,
7 it is not evidence of a violation of this section to submit an
8 amended report within twenty-one days of filing an (~~underlying~~)
9 initial report if:

10 (a) The report is accurately amended;

11 (b) The (~~corrected~~) amended report is filed more than thirty
12 days before an election;

13 (c) The total aggregate dollar amount of the adjustment for the
14 (~~individual~~) amended report is within three times the contribution
15 limit per election or two hundred dollars, whichever is greater; and

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

19 (11)(a) When there is no outstanding debt or obligation, the
20 campaign fund is closed, the campaign is concluded in all respects,
21 and the political committee has ceased to function and intends to
22 dissolve, the treasurer shall file a final report. Upon submitting a
23 final report, the political committee so intending to dissolve must
24 file notice of intent to dissolve with the commission and the
25 commission must post the notice on its web site.

26 (b) Any political committee may dissolve sixty days after it
27 files its notice to dissolve, only if:

28 (i) The political committee does not make any expenditures other
29 than those related to the dissolution process or engage in any
30 political activity or any other activities that generate additional
31 reporting requirements under this chapter after filing such notice;

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

34 (iii) All penalties assessed by the commission or court order
35 (~~are~~) have been paid by the political committee.

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

39 (~~The treasurer may not close the political committee's bank~~
40 ~~account before the political committee has dissolved.~~

1 ~~(e))~~) Upon dissolution, the commission must issue an
2 acknowledgment of dissolution, the duties of the treasurer shall
3 cease, and there shall be no further obligations under this chapter.
4 Dissolution does not absolve the candidate or board of the committee
5 from responsibility for any future obligations resulting from the
6 finding after dissolution of a violation committed prior to
7 dissolution.

8 ~~((9))~~) (12) The commission must adopt rules for the dissolution
9 of incidental committees.

10 **Sec. 21.** RCW 42.17A.240 and 2018 c 304 s 8 and 2018 c 111 s 6
11 are each reenacted and amended to read as follows:

12 Each report required under RCW 42.17A.235 (1) ~~((and (2))~~) through
13 (4) must be certified as correct by the treasurer and the candidate
14 and shall disclose the following, except ~~((that the commission may~~
15 ~~suspend or modify reporting requirements for contributions received~~
16 ~~by an incidental committee in cases of manifestly unreasonable~~
17 ~~hardship under RCW 42.17A.120)) an incidental committee only must
18 disclose and certify as correct the information required under
19 subsections (2)(d) and (6) of this section:~~

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

21 (2) The name and address of each person who has made one or more
22 contributions during the period, together with the money value and
23 date of each contribution and the aggregate value of all
24 contributions received from each person during the campaign, or in
25 the case of a continuing political committee, the current calendar
26 year, with the following exceptions:

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

29 **(b)** Income that results from a fund-raising activity conducted in
30 accordance with RCW 42.17A.230 may be reported as one lump sum, with
31 the exception of that portion received from persons whose names and
32 addresses are required to be included in the report required by RCW
33 42.17A.230;

34 ~~((b))~~) (c) Contributions of no more than twenty-five dollars in
35 the aggregate from any one person during the election campaign may be
36 reported as one lump sum if the treasurer maintains a separate and
37 private list of the name, address, and amount of each such
38 contributor;

1 ~~((e))~~ (d) Payments received by an incidental committee from any
2 one person need not be reported unless the person is one of the
3 committee's ten largest sources of payments received, including any
4 persons tied as the tenth largest source of payments received, during
5 the current calendar year, and the value of the cumulative payments
6 received from that person during the current calendar year is ten
7 thousand dollars or greater. For payments to incidental committees
8 from multiple persons received in aggregated form, any payment of
9 more than ten thousand dollars from any single person must be
10 reported, but the aggregated payment itself may not be reported. The
11 commission may suspend or modify reporting requirements for payments
12 received by an incidental committee in cases of manifestly
13 unreasonable hardship under this chapter;

14 ~~((d))~~ (e) Payments from private foundations organized under
15 section 501(c)(3) of the internal revenue code to an incidental
16 committee do not have to be reported if:

17 (i) The private foundation is contracting with the incidental
18 committee for a specific purpose other than election campaign
19 purposes;

20 (ii) Use of the funds for election campaign purposes is
21 explicitly prohibited by contract; and

22 (iii) Funding from the private foundation represents less than
23 twenty-five percent of the incidental committee's total budget;

24 ~~((e) For purposes of this subsection,)~~ (f) Commentary or
25 analysis on a ballot ~~((measure))~~ proposition by an incidental
26 committee is not considered a contribution if it does not advocate
27 specifically to vote for or against the ballot ~~((measure))~~
28 proposition; and

29 ~~((f))~~ (g) The money value of contributions of postage is the
30 face value of the postage;

31 (3) Each loan, promissory note, or security instrument to be used
32 by or for the benefit of the candidate or political committee made by
33 any person, including the names and addresses of the lender and each
34 person liable directly, indirectly or contingently and the date and
35 amount of each such loan, promissory note, or security instrument;

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

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

1 (6) The name and address of each person to whom an expenditure
2 was made in the aggregate amount of more than fifty dollars during
3 the period covered by this report, the amount, date, and purpose of
4 each expenditure, and the total sum of all expenditures. An
5 incidental committee only must report on expenditures, made and
6 reportable as contributions as defined in RCW 42.17A.005, to election
7 campaigns. For purposes of this subsection, commentary or analysis on
8 a ballot (~~(measure)~~) proposition by an incidental committee is not
9 considered an expenditure if it does not advocate specifically to
10 vote for or against the ballot (~~(measure)~~) proposition;

11 (7) The name (~~(and)~~), address, and electronic contact information
12 of each person (~~(directly compensated)~~) to whom an expenditure was
13 made for soliciting or procuring signatures on an initiative or
14 referendum petition, the amount of the compensation to each person,
15 and the total expenditures made for this purpose. Such expenditures
16 shall be reported under this subsection in addition to what is
17 required to be reported under subsection (6) of this section;

18 (8) (a) The name and address of any person and the amount owed for
19 any debt with a value of more than seven hundred fifty dollars that
20 has not been paid for any invoices submitted, goods received, or
21 services performed, within five business days during the period
22 within thirty days before an election, or within ten business days
23 during any other period.

24 (b) For purposes of this subsection, debt does not include (~~(+~~
25 ~~-i-)~~) regularly recurring expenditures of the same amount that
26 have already been reported at least once and that are not late or
27 outstanding (~~(- or~~

28 ~~-ii) Any obligations already reported to pay for goods and~~
29 ~~services made by a third party on behalf of a candidate or political~~
30 ~~committee after the original payment or debt to that party has been~~
31 ~~reported)~~);

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

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

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

37 **Sec. 22.** RCW 42.17A.255 and 2011 c 60 s 24 are each amended to
38 read as follows:

1 (1) For the purposes of this section the term "independent
2 expenditure" means any expenditure that is made in support of or in
3 opposition to any candidate or ballot proposition and is not
4 otherwise required to be reported pursuant to RCW (~~42.17A.220~~)
5 42.17A.225, 42.17A.235, and 42.17A.240. "Independent expenditure"
6 does not include: An internal political communication primarily
7 limited to the contributors to a political party organization or
8 political action committee, or the officers, management staff, and
9 stockholders of a corporation or similar enterprise, or the members
10 of a labor organization or other membership organization; or the
11 rendering of personal services of the sort commonly performed by
12 volunteer campaign workers, or incidental expenses personally
13 incurred by volunteer campaign workers not in excess of fifty dollars
14 personally paid for by the worker. "Volunteer services," for the
15 purposes of this section, means services or labor for which the
16 individual is not compensated by any person.

17 (2) Within five days after the date of making an independent
18 expenditure that by itself or when added to all other such
19 independent expenditures made during the same election campaign by
20 the same person equals one hundred dollars or more, or within five
21 days after the date of making an independent expenditure for which no
22 reasonable estimate of monetary value is practicable, whichever
23 occurs first, the person who made the independent expenditure shall
24 file with the commission an initial report of all independent
25 expenditures made during the campaign prior to and including such
26 date.

27 (3) At the following intervals each person who is required to
28 file an initial report pursuant to subsection (2) of this section
29 shall file with the commission a further report of the independent
30 expenditures made since the date of the last report:

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

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

34 (c) On the tenth day of each month in which no other reports are
35 required to be filed pursuant to this section. However, the further
36 reports required by this subsection (3) shall only be filed if the
37 reporting person has made an independent expenditure since the date
38 of the last previous report filed.

39 The report filed pursuant to (~~paragraph~~) (a) of this subsection
40 (3) shall be the final report, and upon submitting such final report

1 the duties of the reporting person shall cease, and there shall be no
2 obligation to make any further reports.

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

5 (5) Each report required by subsections (2) and (3) of this
6 section shall disclose for the period beginning at the end of the
7 period for the last previous report filed or, in the case of an
8 initial report, beginning at the time of the first independent
9 expenditure, and ending not more than one business day before the
10 date the report is due:

11 (a) The name ~~((and))~~, address, and electronic contact information
12 of the person filing the report;

13 (b) The name and address of each person to whom an independent
14 expenditure was made in the aggregate amount of more than fifty
15 dollars, and the amount, date, and purpose of each such expenditure.
16 If no reasonable estimate of the monetary value of a particular
17 independent expenditure is practicable, it is sufficient to report
18 instead a precise description of services, property, or rights
19 furnished through the expenditure and where appropriate to attach a
20 copy of the item produced or distributed by the expenditure;

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

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

26 **Sec. 23.** RCW 42.17A.260 and 2010 c 204 s 413 are each amended to
27 read as follows:

28 (1) The sponsor of political advertising ~~((who))~~ shall file a
29 special report to the commission within twenty-four hours of, or on
30 the first working day after, the date the political advertising is
31 first published, mailed, or otherwise presented to the public, if the
32 political advertising:

33 (a) Is published, mailed, or otherwise presented to the public
34 within twenty-one days of an election~~((, publishes, mails, or~~
35 ~~otherwise presents to the public political advertising supporting or~~
36 ~~opposing a candidate or ballot proposition that qualifies as an~~
37 ~~independent expenditure with a fair market value of one thousand~~
38 ~~dollars or more shall deliver, either electronically or in written~~
39 ~~form, a special report to the commission within twenty-four hours of,~~

1 ~~or on the first working day after, the date the political advertising~~
2 ~~is first published, mailed, or otherwise presented to the public));~~
3 and

4 (b) Either:

5 (i) Qualifies as an independent expenditure with a fair market
6 value or actual cost of one thousand dollars or more, for political
7 advertising supporting or opposing a candidate; or

8 (ii) Has a fair market value or actual cost of one thousand
9 dollars or more, for political advertising supporting or opposing a
10 ballot proposition.

11 (2) If a sponsor is required to file a special report under this
12 section, the sponsor shall also deliver to the commission within the
13 delivery period established in subsection (1) of this section a
14 special report for each subsequent independent expenditure of any
15 size supporting or opposing the same candidate who was the subject of
16 the previous independent expenditure, supporting or opposing that
17 candidate's opponent, or, in the case of a subsequent expenditure of
18 any size made in support of or in opposition to a ballot proposition
19 not otherwise required to be reported pursuant to RCW 42.17A.225,
20 42.17A.235, or 42.17A.240, supporting or opposing the same ballot
21 proposition that was the subject of the previous ((~~independent~~))
22 expenditure.

23 (3) The special report must include:

24 (a) The name and address of the person making the expenditure;

25 (b) The name and address of the person to whom the expenditure
26 was made;

27 (c) A detailed description of the expenditure;

28 (d) The date the expenditure was made and the date the political
29 advertising was first published or otherwise presented to the public;

30 (e) The amount of the expenditure;

31 (f) The name of the candidate supported or opposed by the
32 expenditure, the office being sought by the candidate, and whether
33 the expenditure supports or opposes the candidate; or the name of the
34 ballot proposition supported or opposed by the expenditure and
35 whether the expenditure supports or opposes the ballot proposition;
36 and

37 (g) Any other information the commission may require by rule.

38 (4) All persons required to report under RCW 42.17A.225,
39 42.17A.235, 42.17A.240, 42.17A.255, and 42.17A.305 are subject to the
40 requirements of this section. The commission may determine that

1 reports filed pursuant to this section also satisfy the requirements
2 of RCW 42.17A.255.

3 (5) The sponsor of independent expenditures supporting a
4 candidate or opposing that candidate's opponent required to report
5 under this section shall file with each required report an affidavit
6 or declaration of the person responsible for making the independent
7 expenditure that the expenditure was not made in cooperation,
8 consultation, or concert with, or at the request or suggestion of,
9 the candidate, the candidate's authorized committee, or the
10 candidate's agent, or with the encouragement or approval of the
11 candidate, the candidate's authorized committee, or the candidate's
12 agent.

13 **Sec. 24.** RCW 42.17A.265 and 2010 c 204 s 414 are each amended to
14 read as follows:

15 (1) Treasurers shall prepare and deliver to the commission a
16 special report when a contribution or aggregate of contributions
17 totals one thousand dollars or more, is from a single person or
18 entity, and is received during a special reporting period.

19 (2) A political committee shall prepare and deliver to the
20 commission a special report when it makes a contribution or an
21 aggregate of contributions to a single entity that totals one
22 thousand dollars or more during a special reporting period.

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

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

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

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

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

38 (5) If a campaign treasurer files a special report under this
39 section for one or more contributions received from a single entity

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

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

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

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

34 (7) The special report shall include:

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

36 (b) The date or dates of receipt;

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

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

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

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

3 (9) The commission shall prepare daily a summary of the special
4 reports made under this section and RCW 42.17A.625.

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

9 **Sec. 25.** RCW 42.17A.305 and 2010 c 204 s 502 are each amended to
10 read as follows:

11 (1) A payment for or promise to pay for any electioneering
12 communication shall be reported to the commission by the sponsor on
13 forms the commission shall develop by rule to include, at a minimum,
14 the following information:

15 (a) Name and address of the sponsor;

16 (b) Source of funds for the communication, including:

17 (i) General treasury funds. The name and address of businesses,
18 unions, groups, associations, or other organizations using general
19 treasury funds for the communication, however, if a business, union,
20 group, association, or other organization undertakes a special
21 solicitation of its members or other persons for an electioneering
22 communication, or it otherwise receives funds for an electioneering
23 communication, that entity shall report pursuant to (b)(ii) of this
24 subsection;

25 (ii) Special solicitations and other funds. The name, address,
26 and, for individuals, occupation and employer, of a person whose
27 funds were used to pay for the electioneering communication, along
28 with the amount, if such funds from the person have exceeded two
29 hundred fifty dollars in the aggregate for the electioneering
30 communication; and

31 (iii) Any other source information required or exempted by the
32 commission by rule;

33 (c) Name and address of the person to whom an electioneering
34 communication related expenditure was made;

35 (d) A detailed description of each expenditure of more than one
36 hundred dollars;

37 (e) The date the expenditure was made and the date the
38 electioneering communication was first broadcast, transmitted,
39 mailed, erected, distributed, or otherwise published;

1 (f) The amount of the expenditure;

2 (g) The name of each candidate clearly identified in the
3 electioneering communication, the office being sought by each
4 candidate, and the amount of the expenditure attributable to each
5 candidate; and

6 (h) Any other information the commission may require or exempt by
7 rule.

8 (2) Electioneering communications shall be reported as follows:
9 The sponsor of an electioneering communication shall report to the
10 commission within twenty-four hours of, or on the first working day
11 after, the date the electioneering communication is broadcast,
12 transmitted, mailed, erected, distributed, digitally or otherwise, or
13 otherwise published.

14 (3) Electioneering communications shall be reported
15 electronically by the sponsor using software provided or approved by
16 the commission. The commission may make exceptions on a case-by-case
17 basis for a sponsor who lacks the technological ability to file
18 reports using the electronic means provided or approved by the
19 commission.

20 (4) All persons required to report under RCW 42.17A.225,
21 42.17A.235, 42.17A.240, and 42.17A.255 are subject to the
22 requirements of this section, although the commission may determine
23 by rule that persons filing according to those sections may be exempt
24 from reporting some of the information otherwise required by this
25 section. The commission may determine that reports filed pursuant to
26 this section also satisfy the requirements of RCW 42.17A.255 and
27 42.17A.260.

28 (5) Failure of any sponsor to report electronically under this
29 section shall be a violation of this chapter.

30 **Sec. 26.** RCW 42.17A.345 and 2010 c 204 s 508 are each amended to
31 read as follows:

32 (1) Each commercial advertiser who has accepted or provided
33 political advertising or electioneering communications during the
34 election campaign shall maintain (~~documents and~~) current books of
35 account and related materials as provided by rule that shall be open
36 for public inspection during normal business hours during the
37 campaign and for a period of no less than (~~three~~) five years after
38 the date of the applicable election. The documents and books of
39 account shall specify:

1 (a) The names and addresses of persons from whom it accepted
2 political advertising or electioneering communications;

3 (b) The exact nature and extent of the services rendered; and

4 (c) The total cost and the manner of payment for the services.

5 (2) At the request of the commission, each commercial advertiser
6 required to comply with subsection (1) of this section shall
7 ~~((deliver))~~ provide to the commission copies of the information that
8 must be maintained and be open for public inspection pursuant to
9 subsection (1) of this section.

10 **Sec. 27.** RCW 42.17A.420 and 2018 c 111 s 7 are each amended to
11 read as follows:

12 (1) It is a violation of this chapter for any person to make, or
13 for any candidate or political committee to accept from any one
14 person, contributions reportable under RCW 42.17A.240 in the
15 aggregate exceeding fifty thousand dollars for any campaign for
16 statewide office or exceeding five thousand dollars for any other
17 campaign subject to the provisions of this chapter within twenty-one
18 days of a general election. This subsection does not apply to:

19 (a) Contributions made by, or accepted from, a bona fide
20 political party as defined in this chapter, excluding the county
21 central committee or legislative district committee~~((~~—This~~~~
22 ~~subsection does not apply to))~~;

23 (b) Contributions made to, or received by, a ballot proposition
24 committee; or

25 (c) Payments received by an incidental committee.

26 (2) Contributions governed by this section include, but are not
27 limited to, contributions made or received indirectly through a third
28 party or entity whether the contributions are or are not reported to
29 the commission as earmarked contributions under RCW 42.17A.270.

30 **Sec. 28.** RCW 42.17A.475 and 2010 c 204 s 611 are each amended to
31 read as follows:

32 (1) A person may not make a contribution of more than ~~((eighty))~~
33 one hundred dollars, other than an in-kind contribution, except by a
34 written instrument containing the name of the donor and the name of
35 the payee.

36 (2) A political committee may not make a contribution, other than
37 in-kind, except by a written instrument containing the name of the
38 donor and the name of the payee.

1 **Sec. 29.** RCW 42.17A.600 and 2010 c 204 s 801 are each amended to
2 read as follows:

3 (1) Before lobbying, or within thirty days after being employed
4 as a lobbyist, whichever occurs first, unless exempt under RCW
5 42.17A.610, a lobbyist shall register by filing with the commission a
6 lobbyist registration statement, in such detail as the commission
7 shall prescribe, that includes the following information:

8 (a) The lobbyist's name, permanent business address, electronic
9 contact information, and any temporary residential and business
10 addresses in Thurston county during the legislative session;

11 (b) The name, address and occupation or business of the
12 lobbyist's employer;

13 (c) The duration of the lobbyist's employment;

14 (d) The compensation to be received for lobbying, the amount to
15 be paid for expenses, and what expenses are to be reimbursed;

16 (e) Whether the lobbyist is employed solely as a lobbyist or
17 whether the lobbyist is a regular employee performing services for
18 (~~his or her~~) the lobbyist's employer which include but are not
19 limited to the influencing of legislation;

20 (f) The general subject or subjects to be lobbied;

21 (g) A written authorization from each of the lobbyist's employers
22 confirming such employment;

23 (h) The name (~~and~~), address, and electronic contact information
24 of the person who will have custody of the accounts, bills, receipts,
25 books, papers, and documents required to be kept under this chapter;

26 (i) If the lobbyist's employer is an entity (including, but not
27 limited to, business and trade associations) whose members include,
28 or which as a representative entity undertakes lobbying activities
29 for, businesses, groups, associations, or organizations, the name and
30 address of each member of such entity or person represented by such
31 entity whose fees, dues, payments, or other consideration paid to
32 such entity during either of the prior two years have exceeded five
33 hundred dollars or who is obligated to or has agreed to pay fees,
34 dues, payments, or other consideration exceeding five hundred dollars
35 to such entity during the current year.

36 (2) Any lobbyist who receives or is to receive compensation from
37 more than one person for lobbying shall file a separate notice of
38 representation for each person. However, if two or more persons are
39 jointly paying or contributing to the payment of the lobbyist, the
40 lobbyist may file a single statement detailing the name, business

1 address, and occupation of each person paying or contributing and the
2 respective amounts to be paid or contributed.

3 (3) Whenever a change, modification, or termination of the
4 lobbyist's employment occurs, the lobbyist shall file with the
5 commission an amended registration statement within one week of the
6 change, modification, or termination.

7 (4) Each registered lobbyist shall file a new registration
8 statement, revised as appropriate, on the second Monday in January of
9 each odd-numbered year. Failure to do so terminates the lobbyist's
10 registration.

11 **Sec. 30.** RCW 42.17A.605 and 2010 c 204 s 802 are each amended to
12 read as follows:

13 Each lobbyist shall at the time ~~((he or she))~~ the lobbyist
14 registers submit electronically to the commission a recent photograph
15 of ~~((himself or herself))~~ the lobbyist of a size and format as
16 determined by rule of the commission, together with the name of the
17 lobbyist's employer, the length of ~~((his or her))~~ the lobbyist's
18 employment as a lobbyist before the legislature, a brief biographical
19 description, and any other information ~~((he or she))~~ the lobbyist may
20 wish to submit not to exceed fifty words in length. The photograph
21 and information shall be published by the commission ~~((at least~~
22 ~~biennially in a booklet form for distribution to legislators and the~~
23 ~~public))~~ on its web site.

24 **Sec. 31.** RCW 42.17A.610 and 2010 c 204 s 803 are each amended to
25 read as follows:

26 The following persons and activities are exempt from registration
27 and reporting under RCW 42.17A.600, 42.17A.615, and 42.17A.640:

28 (1) Persons who limit their lobbying activities to appearing
29 before public sessions of committees of the legislature, or public
30 hearings of state agencies;

31 (2) Activities by lobbyists or other persons whose participation
32 has been solicited by an agency under RCW 34.05.310(2);

33 (3) News or feature reporting activities and editorial comment by
34 working members of the press, radio, digital media, or television and
35 the publication or dissemination thereof by a newspaper, book
36 publisher, regularly published periodical, radio station, digital
37 platform, or television station;

1 (4) Persons who lobby without compensation or other consideration
2 for acting as a lobbyist, if the person makes no expenditure for or
3 on behalf of any member of the legislature or elected official or
4 public officer or employee of the state of Washington in connection
5 with such lobbying. The exemption contained in this subsection is
6 intended to permit and encourage citizens of this state to lobby any
7 legislator, public official, or state agency without incurring any
8 registration or reporting obligation provided they do not exceed the
9 limits stated above. Any person exempt under this subsection (4) may
10 at (~~his or her~~) the person's option register and report under this
11 chapter;

12 (5) Persons who restrict their lobbying activities to no more
13 than four days or parts of four days during any three-month period
14 and whose total expenditures during such three-month period for or on
15 behalf of any one or more members of the legislature or state elected
16 officials or public officers or employees of the state of Washington
17 in connection with such lobbying do not exceed twenty-five dollars.
18 The commission shall adopt rules to require disclosure by persons
19 exempt under this subsection or their employers or entities which
20 sponsor or coordinate the lobbying activities of such persons if it
21 determines that such regulations are necessary to prevent frustration
22 of the purposes of this chapter. Any person exempt under this
23 subsection (5) may at (~~his or her~~) the person's option register and
24 report under this chapter;

25 (6) The governor;

26 (7) The lieutenant governor;

27 (8) Except as provided by RCW 42.17A.635(1), members of the
28 legislature;

29 (9) Except as provided by RCW 42.17A.635(1), persons employed by
30 the legislature for the purpose of aiding in the preparation or
31 enactment of legislation or the performance of legislative duties;

32 (10) Elected officials, and officers and employees of any agency
33 reporting under RCW 42.17A.635(5).

34 **Sec. 32.** RCW 42.17A.615 and 2010 c 204 s 804 are each amended to
35 read as follows:

36 (1) Any lobbyist registered under RCW 42.17A.600 and any person
37 who lobbies shall file electronically with the commission monthly
38 reports of (~~his or her~~) the lobbyist's or person's lobbying
39 activities. The reports shall be made in the form and manner

1 prescribed by the commission and must be signed by the lobbyist. The
2 monthly report shall be filed within fifteen days after the last day
3 of the calendar month covered by the report.

4 (2) The monthly report shall contain:

5 (a) The totals of all expenditures for lobbying activities made
6 or incurred by the lobbyist or on behalf of the lobbyist by the
7 lobbyist's employer during the period covered by the report.
8 Expenditure totals for lobbying activities shall be segregated
9 according to financial category, including compensation; food and
10 refreshments; living accommodations; advertising; travel;
11 contributions; and other expenses or services. Each individual
12 expenditure of more than twenty-five dollars for entertainment shall
13 be identified by date, place, amount, and the names of all persons
14 taking part in the entertainment, along with the dollar amount
15 attributable to each person, including the lobbyist's portion.

16 (b) In the case of a lobbyist employed by more than one employer,
17 the proportionate amount of expenditures in each category incurred on
18 behalf of each of the lobbyist's employers.

19 (c) An itemized listing of each contribution of money or of
20 tangible or intangible personal property, whether contributed by the
21 lobbyist personally or delivered or transmitted by the lobbyist, to
22 any candidate, elected official, or officer or employee of any
23 agency, or any political committee supporting or opposing any ballot
24 proposition, or for or on behalf of any candidate, elected official,
25 or officer or employee of any agency, or any political committee
26 supporting or opposing any ballot proposition. All contributions made
27 to, or for the benefit of, any candidate, elected official, or
28 officer or employee of any agency, or any political committee
29 supporting or opposing any ballot proposition shall be identified by
30 date, amount, and the name of the candidate, elected official, or
31 officer or employee of any agency, or any political committee
32 supporting or opposing any ballot proposition receiving, or to be
33 benefited by each such contribution.

34 (d) The subject matter of proposed legislation or other
35 legislative activity or rule making under chapter 34.05 RCW, the
36 state administrative procedure act, and the state agency considering
37 the same, which the lobbyist has been engaged in supporting or
38 opposing during the reporting period, unless exempt under RCW
39 42.17A.610(2).

1 (e) A listing of each payment for an item specified in RCW
2 42.52.150(5) in excess of fifty dollars and each item specified in
3 RCW 42.52.010(~~((10))~~) (9) (d) and (f) made to a state elected
4 official, state officer, or state employee. Each item shall be
5 identified by recipient, date, and approximate value of the item.

6 (f) The total expenditures paid or incurred during the reporting
7 period by the lobbyist for lobbying purposes, whether through or on
8 behalf of a lobbyist or otherwise, for (i) political advertising as
9 defined in RCW 42.17A.005; and (ii) public relations, telemarketing,
10 polling, or similar activities if the activities, directly or
11 indirectly, are intended, designed, or calculated to influence
12 legislation or the adoption or rejection of a rule, standard, or rate
13 by an agency under the administrative procedure act. The report shall
14 specify the amount, the person to whom the amount was paid, and a
15 brief description of the activity.

16 (3) Lobbyists are not required to report the following:

17 (a) Unreimbursed personal living and travel expenses not incurred
18 directly for lobbying;

19 (b) Any expenses incurred for (~~(his or her)~~) the lobbyist's own
20 living accommodations;

21 (c) Any expenses incurred for (~~(his or her)~~) the lobbyist's own
22 travel to and from hearings of the legislature;

23 (d) Any expenses incurred for telephone, and any office expenses,
24 including rent and salaries and wages paid for staff and secretarial
25 assistance.

26 (4) The commission may adopt rules to vary the content of
27 lobbyist reports to address specific circumstances, consistent with
28 this section. Lobbyist reports are subject to audit by the
29 commission.

30 **Sec. 33.** RCW 42.17A.630 and 2010 c 204 s 807 are each amended to
31 read as follows:

32 (1) Every employer of a lobbyist registered under this chapter
33 during the preceding calendar year and every person other than an
34 individual (~~(that)~~) who made contributions aggregating to more than
35 sixteen thousand dollars or independent expenditures aggregating to
36 more than eight hundred dollars during the preceding calendar year
37 shall file with the commission on or before the last day of February
38 of each year a statement disclosing for the preceding calendar year
39 the following information:

1 (a) The name of each state elected official and the name of each
2 candidate for state office who was elected to the office and any
3 member of the immediate family of those persons to whom the person
4 reporting has paid any compensation in the amount of eight hundred
5 dollars or more during the preceding calendar year for personal
6 employment or professional services, including professional services
7 rendered by a corporation, partnership, joint venture, association,
8 union, or other entity in which the person holds any office,
9 directorship, or any general partnership interest, or an ownership
10 interest of ten percent or more, the value of the compensation in
11 accordance with the reporting provisions set out in RCW
12 42.17A.710(~~((2))~~) (3), and the consideration given or performed in
13 exchange for the compensation.

14 (b) The name of each state elected official, successful candidate
15 for state office, or members of (~~his or her~~) the official's or
16 candidate's immediate family to whom the person reporting made
17 expenditures, directly or indirectly, either through a lobbyist or
18 otherwise, the amount of the expenditures and the purpose for the
19 expenditures. For the purposes of this subsection, "expenditure"
20 shall not include any expenditure made by the employer in the
21 ordinary course of business if the expenditure is not made for the
22 purpose of influencing, honoring, or benefiting the elected official,
23 successful candidate, or member of his immediate family, as an
24 elected official or candidate.

25 (c) The total expenditures made by the person reporting for
26 lobbying purposes, whether through or on behalf of a registered
27 lobbyist or otherwise.

28 (d) All contributions made to a political committee supporting or
29 opposing a candidate for state office, or to a political committee
30 supporting or opposing a statewide ballot proposition. Such
31 contributions shall be identified by the name and the address of the
32 recipient and the aggregate amount contributed to each such
33 recipient.

34 (e) The name and address of each registered lobbyist employed by
35 the person reporting and the total expenditures made by the person
36 reporting for each lobbyist for lobbying purposes.

37 (f) The names, offices sought, and party affiliations of
38 candidates for state offices supported or opposed by independent
39 expenditures of the person reporting and the amount of each such
40 expenditure.

1 (g) The identifying proposition number and a brief description of
2 any statewide ballot proposition supported or opposed by expenditures
3 not reported under (d) of this subsection and the amount of each such
4 expenditure.

5 (h) Any other information the commission prescribes by rule.

6 (2)(a) Except as provided in (b) of this subsection, an employer
7 of a lobbyist registered under this chapter shall file a special
8 report with the commission if the employer makes a contribution or
9 contributions aggregating more than one hundred dollars in a calendar
10 month to any one of the following: A candidate, elected official,
11 officer or employee of an agency, or political committee. The report
12 shall identify the date and amount of each such contribution and the
13 name of the candidate, elected official, agency officer or employee,
14 or political committee receiving the contribution or to be benefited
15 by the contribution. The report shall be filed on a form prescribed
16 by the commission and shall be filed within fifteen days after the
17 last day of the calendar month during which the contribution was
18 made.

19 (b) The provisions of (a) of this subsection do not apply to a
20 contribution that is made through a registered lobbyist and
21 reportable under RCW 42.17A.425.

22 **Sec. 34.** RCW 42.17A.655 and 2010 c 204 s 812 are each amended to
23 read as follows:

24 (1) A person required to register as a lobbyist under RCW
25 42.17A.600 shall substantiate financial reports required to be made
26 under this chapter with accounts, bills, receipts, books, papers, and
27 other necessary documents and records. All such documents must be
28 obtained and preserved for a period of at least five years from the
29 date of filing the statement containing such items and shall be made
30 available for inspection by the commission at any time. If the terms
31 of the lobbyist's employment contract require that these records be
32 turned over to (~~his or her~~) the lobbyist's employer, responsibility
33 for the preservation and inspection of these records under this
34 subsection shall be with such employer.

35 (2) A person required to register as a lobbyist under RCW
36 42.17A.600 shall not:

37 (a) Engage in any lobbying activity before registering as a
38 lobbyist;

1 (b) Knowingly deceive or attempt to deceive a legislator
2 regarding the facts pertaining to any pending or proposed
3 legislation;

4 (c) Cause or influence the introduction of a bill or amendment to
5 that bill for the purpose of later being employed to secure its
6 defeat;

7 (d) Knowingly represent an interest adverse to (~~his or her~~) the
8 lobbyist's employer without full disclosure of the adverse interest
9 to the employer and obtaining the employer's written consent;

10 (e) Exercise any undue influence, extortion, or unlawful
11 retaliation upon any legislator due to the legislator's position or
12 vote on any pending or proposed legislation;

13 (f) Enter into any agreement, arrangement, or understanding in
14 which any portion of (~~his or her~~) the lobbyist's compensation is or
15 will be contingent upon (~~his or her~~) the lobbyist's success in
16 influencing legislation.

17 (3) A violation by a lobbyist of this section shall be cause for
18 revocation of (~~his or her~~) the lobbyist's registration, and may
19 subject the lobbyist and the lobbyist's employer, if the employer
20 aids, abets, ratifies, or confirms the violation, to other civil
21 liabilities as provided by this chapter.

22 **Sec. 35.** RCW 42.17A.700 and 2010 c 204 s 901 are each amended to
23 read as follows:

24 (1) After January 1st and before April 15th of each year, every
25 elected official and every executive state officer who served for any
26 portion of the preceding year shall electronically file with the
27 commission a statement of financial affairs for the preceding
28 calendar year or for that portion of the year served. (~~However, any~~
29 ~~local elected official whose term of office ends on December 31st~~
30 ~~shall file the statement required to be filed by this section for the~~
31 ~~final year of his or her term.~~) Any official or officer in office
32 for any period of time in a calendar year, but not in office as of
33 January 1st of the following year, may electronically file either
34 within sixty days of leaving office or during the January 1st through
35 April 15th reporting period of that following year. Such filing must
36 include information for the portion of the current calendar year for
37 which the official or officer was in office.

1 (2) Within two weeks of becoming a candidate, every candidate
2 shall file with the commission a statement of financial affairs for
3 the preceding twelve months.

4 (3) Within two weeks of appointment, every person appointed to a
5 vacancy in an elective office or executive state officer position
6 during the months of January through November shall file with the
7 commission a statement of financial affairs for the preceding twelve
8 months, except as provided in subsection (4) of this section. For
9 appointments made in December, the appointee must file the statement
10 of financial affairs between January 1st and January 15th of the
11 immediate following year for the preceding twelve-month period ending
12 on December 31st.

13 (4) A statement of a candidate or appointee filed during the
14 period from January 1st to April 15th shall cover the period from
15 January 1st of the preceding calendar year to the time of candidacy
16 or appointment if the filing of the statement would relieve the
17 individual of a prior obligation to file a statement covering the
18 entire preceding calendar year.

19 (5) No individual may be required to file more than once in any
20 calendar year.

21 (6) Each statement of financial affairs filed under this section
22 shall be sworn as to its truth and accuracy.

23 (7) Every elected official and every executive state officer
24 shall file with their statement of financial affairs a statement
25 certifying that they have read and are familiar with RCW 42.17A.555
26 or 42.52.180, whichever is applicable.

27 (8) For the purposes of this section, the term "executive state
28 officer" includes those listed in RCW 42.17A.705.

29 (9) This section does not apply to incumbents or candidates for a
30 federal office or the office of precinct committee officer.

31 **Sec. 36.** RCW 42.17A.710 and 2010 c 204 s 903 are each amended to
32 read as follows:

33 (1) The statement of financial affairs required by RCW 42.17A.700
34 shall disclose the following information for the reporting individual
35 and each member of (~~his or her~~) the reporting individual's
36 immediate family:

37 (a) Occupation, name of employer, and business address;

38 (b) Each bank account, savings account, and insurance policy in
39 which a direct financial interest was held that exceeds twenty

1 thousand dollars at any time during the reporting period; each other
2 item of intangible personal property in which a direct financial
3 interest was held that exceeds two thousand dollars during the
4 reporting period; the name, address, and nature of the entity; and
5 the nature and highest value of each direct financial interest during
6 the reporting period;

7 (c) The name and address of each creditor to whom the value of
8 two thousand dollars or more was owed; the original amount of each
9 debt to each creditor; the amount of each debt owed to each creditor
10 as of the date of filing; the terms of repayment of each debt; and
11 the security given, if any, for each such debt. Debts arising from a
12 "retail installment transaction" as defined in chapter 63.14 RCW
13 (retail installment sales act) need not be reported;

14 (d) Every public or private office, directorship, and position
15 held as trustee; except that an elected official or executive state
16 officer need not report the elected official's or executive state
17 officer's service on a governmental board, commission, association,
18 or functional equivalent, when such service is part of the elected
19 official's or executive state officer's official duties;

20 (e) All persons for whom any legislation, rule, rate, or standard
21 has been prepared, promoted, or opposed for current or deferred
22 compensation. For the purposes of this subsection, "compensation"
23 does not include payments made to the person reporting by the
24 governmental entity for which the person serves as an elected
25 official or state executive officer or professional staff member for
26 (~~his or her~~) the person's service in office; the description of
27 such actual or proposed legislation, rules, rates, or standards; and
28 the amount of current or deferred compensation paid or promised to be
29 paid;

30 (f) The name and address of each governmental entity,
31 corporation, partnership, joint venture, sole proprietorship,
32 association, union, or other business or commercial entity from whom
33 compensation has been received in any form of a total value of two
34 thousand dollars or more; the value of the compensation; and the
35 consideration given or performed in exchange for the compensation;

36 (g) The name of any corporation, partnership, joint venture,
37 association, union, or other entity in which is held any office,
38 directorship, or any general partnership interest, or an ownership
39 interest of ten percent or more; the name or title of that office,
40 directorship, or partnership; the nature of ownership interest; and:

1 (i) With respect to a governmental unit in which the official seeks
2 or holds any office or position, if the entity has received
3 compensation in any form during the preceding twelve months from the
4 governmental unit, the value of the compensation and the
5 consideration given or performed in exchange for the compensation;
6 and (ii) the name of each governmental unit, corporation,
7 partnership, joint venture, sole proprietorship, association, union,
8 or other business or commercial entity from which the entity has
9 received compensation in any form in the amount of ten thousand
10 dollars or more during the preceding twelve months and the
11 consideration given or performed in exchange for the compensation. As
12 used in (g)(ii) of this subsection, "compensation" does not include
13 payment for water and other utility services at rates approved by the
14 Washington state utilities and transportation commission or the
15 legislative authority of the public entity providing the service.
16 With respect to any bank or commercial lending institution in which
17 is held any office, directorship, partnership interest, or ownership
18 interest, it shall only be necessary to report either the name,
19 address, and occupation of every director and officer of the bank or
20 commercial lending institution and the average monthly balance of
21 each account held during the preceding twelve months by the bank or
22 commercial lending institution from the governmental entity for which
23 the individual is an official or candidate or professional staff
24 member, or all interest paid by a borrower on loans from and all
25 interest paid to a depositor by the bank or commercial lending
26 institution if the interest exceeds two thousand four hundred
27 dollars;

28 (h) A list, including legal or other sufficient descriptions as
29 prescribed by the commission, of all real property in the state of
30 Washington, the assessed valuation of which exceeds ten thousand
31 dollars in which any direct financial interest was acquired during
32 the preceding calendar year, and a statement of the amount and nature
33 of the financial interest and of the consideration given in exchange
34 for that interest;

35 (i) A list, including legal or other sufficient descriptions as
36 prescribed by the commission, of all real property in the state of
37 Washington, the assessed valuation of which exceeds ten thousand
38 dollars in which any direct financial interest was divested during
39 the preceding calendar year, and a statement of the amount and nature

1 of the consideration received in exchange for that interest, and the
2 name and address of the person furnishing the consideration;

3 (j) A list, including legal or other sufficient descriptions as
4 prescribed by the commission, of all real property in the state of
5 Washington, the assessed valuation of which exceeds ten thousand
6 dollars in which a direct financial interest was held. If a
7 description of the property has been included in a report previously
8 filed, the property may be listed, for purposes of this subsection
9 (1)(j), by reference to the previously filed report;

10 (k) A list, including legal or other sufficient descriptions as
11 prescribed by the commission, of all real property in the state of
12 Washington, the assessed valuation of which exceeds twenty thousand
13 dollars, in which a corporation, partnership, firm, enterprise, or
14 other entity had a direct financial interest, in which corporation,
15 partnership, firm, or enterprise a ten percent or greater ownership
16 interest was held;

17 (l) A list of each occasion, specifying date, donor, and amount,
18 at which food and beverage in excess of fifty dollars was accepted
19 under RCW 42.52.150(5);

20 (m) A list of each occasion, specifying date, donor, and amount,
21 at which items specified in RCW 42.52.010(~~((10))~~) (9) (d) and (f)
22 were accepted; and

23 (n) Such other information as the commission may deem necessary
24 in order to properly carry out the purposes and policies of this
25 chapter, as the commission shall prescribe by rule.

26 (2)(a) When judges, prosecutors, sheriffs, or their immediate
27 family members are required to disclose real property that is the
28 personal residence of the judge, prosecutor, or sheriff, the
29 requirements of subsection (1)(h) through (k) of this section may be
30 satisfied for that property by substituting:

31 (i) The city or town;

32 (ii) The type of residence, such as a single-family or
33 multifamily residence, and the nature of ownership; and

34 (iii) Such other identifying information the commission
35 prescribes by rule for the mailing address where the property is
36 located.

37 (b) Nothing in this subsection relieves the judge, prosecutor, or
38 sheriff of any other applicable obligations to disclose potential
39 conflicts or to recuse oneself.

1 (3)(a) Where an amount is required to be reported under
 2 subsection (1)(a) through (m) of this section, it (~~shall be~~
 3 ~~sufficient to comply with the requirement to report whether the~~
 4 ~~amount is less than four thousand dollars, at least four thousand~~
 5 ~~dollars but less than twenty thousand dollars, at least twenty~~
 6 ~~thousand dollars but less than forty thousand dollars, at least forty~~
 7 ~~thousand dollars but less than one hundred thousand dollars, or one~~
 8 ~~hundred thousand dollars or more.)) may be reported within a range as
 9 provided in (b) of this subsection.~~

10 (b)

Code A	<u>Less than thirty thousand dollars;</u>
Code B	<u>At least thirty thousand dollars, but less than sixty thousand dollars;</u>
Code C	<u>At least sixty thousand dollars, but less than one hundred thousand dollars;</u>
Code D	<u>At least one hundred thousand dollars, but less than two hundred thousand dollars;</u>
Code E	<u>At least two hundred thousand dollars, but less than five hundred thousand dollars;</u>
Code F	<u>At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;</u>
Code G	<u>At least seven hundred fifty thousand dollars, but less than one million dollars;</u> or
Code H	<u>One million dollars or more.</u>

27 (c) An amount of stock may be reported by number of shares
 28 instead of by market value. No provision of this subsection may be
 29 interpreted to prevent any person from filing more information or
 30 more detailed information than required.

31 ~~((3))~~ (4) Items of value given to an official's or employee's
 32 spouse, domestic partner, or family member are attributable to the
 33 official or employee, except the item is not attributable if an
 34 independent business, family, or social relationship exists between
 35 the donor and the spouse, domestic partner, or family member.

1 **Sec. 37.** RCW 42.17A.750 and 2018 c 304 s 12 are each amended to
2 read as follows:

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

7 (a) If the court finds that the violation of any provision of
8 this chapter by any candidate (~~(or political)~~), committee, or
9 incidental committee probably affected the outcome of any election,
10 the result of that election may be held void and a special election
11 held within sixty days of the finding. Any action to void an election
12 shall be commenced within one year of the date of the election in
13 question. It is intended that this remedy be imposed freely in all
14 appropriate cases to protect the right of the electorate to an
15 informed and knowledgeable vote.

16 (b) If any lobbyist or sponsor of any grass roots lobbying
17 campaign violates any of the provisions of this chapter, (~~(his or~~
18 ~~her)~~) the lobbyist's or sponsor's registration may be revoked or
19 suspended and (~~(he or she)~~) the lobbyist or sponsor may be enjoined
20 from receiving compensation or making expenditures for lobbying. The
21 imposition of a sanction shall not excuse the lobbyist from filing
22 statements and reports required by this chapter.

23 (c) A person who violates any of the provisions of this chapter
24 may be subject to a civil penalty of not more than ten thousand
25 dollars for each violation. However, a person or entity who violates
26 RCW 42.17A.405 may be subject to a civil penalty of ten thousand
27 dollars or three times the amount of the contribution illegally made
28 or accepted, whichever is greater.

29 (d) When assessing a civil penalty, the court may consider the
30 nature of the violation and any relevant circumstances, including the
31 following factors:

32 (i) The respondent's compliance history, including whether the
33 noncompliance was isolated or limited in nature, indicative of
34 systematic or ongoing problems, or part of a pattern of violations by
35 the respondent, resulted from a knowing or intentional effort to
36 conceal, deceive or mislead, or from collusive behavior, or in the
37 case of a political committee or other entity, part of a pattern of
38 violations by the respondent's officers, staff, principal decision
39 makers, consultants, or sponsoring organization;

1 (ii) The impact on the public, including whether the
2 noncompliance deprived the public of timely or accurate information
3 during a time-sensitive period or otherwise had a significant or
4 material impact on the public;

5 (iii) Experience with campaign finance law and procedures or the
6 financing, staffing, or size of the respondent's campaign or
7 organization;

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

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

14 (vi) Whether the respondent or any person benefited politically
15 or economically from the noncompliance;

16 (vii) Whether there was a personal emergency or illness of the
17 respondent or member of (~~his or her~~) the respondent's immediate
18 family;

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

21 (ix) Whether there was commission staff or equipment error,
22 including technical problems at the commission that prevented or
23 delayed electronic filing;

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

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

27 (xii) Good faith efforts to comply, including consultation with
28 commission staff prior to initiation of enforcement action and
29 cooperation with commission staff during enforcement action and a
30 demonstrated wish to acknowledge and take responsibility for the
31 violation;

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

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

34 (e) A person who fails to file a properly completed statement or
35 report within the time required by this chapter may be subject to a
36 civil penalty of ten dollars per day for each day each delinquency
37 continues.

38 (f) Each state agency director who knowingly fails to file
39 statements required by RCW 42.17A.635 shall be subject to personal
40 liability in the form of a civil penalty in the amount of one hundred

1 dollars per statement. These penalties are in addition to any other
2 civil remedies or sanctions imposed on the agency.

3 (g) A person who fails to report a contribution or expenditure as
4 required by this chapter may be subject to a civil penalty equivalent
5 to the amount not reported as required.

6 (h) Any state agency official, officer, or employee who is
7 responsible for or knowingly directs or expends public funds in
8 violation of RCW 42.17A.635 (2) or (3) may be subject to personal
9 liability in the form of a civil penalty in an amount that is at
10 least equivalent to the amount of public funds expended in the
11 violation.

12 (i) The court may enjoin any person to prevent the doing of any
13 act herein prohibited, or to compel the performance of any act
14 required herein.

15 (2) The commission may refer the following violations for
16 criminal prosecution:

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

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

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

26 **Sec. 38.** RCW 42.17A.755 and 2018 c 304 s 13 are each amended to
27 read as follows:

28 (1) The commission may initiate or respond to a complaint,
29 request a technical correction, or otherwise resolve matters of
30 compliance with this chapter, in accordance with this section. If a
31 complaint is filed with or initiated by the commission, the
32 commission must:

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

36 (b) Initiate an investigation to determine whether (~~an actual~~)
37 a violation has occurred, conduct hearings, and issue and enforce an
38 appropriate order, in accordance with chapter 34.05 RCW and
39 subsection (3) of this section; or

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

3 (2) (a) For complaints of (~~remedial~~) remediable violations or
4 requests for technical corrections, the commission may, by rule,
5 delegate authority to its executive director to resolve these matters
6 in accordance with subsection (1)(a) of this section, provided the
7 executive director consistently applies such authority.

8 (b) The commission shall, by rule, develop additional processes
9 by which a respondent may agree by stipulation to any allegations and
10 pay a penalty subject to a schedule of violations and penalties,
11 unless waived by the commission as provided for in this section. Any
12 stipulation must be referred to the commission for review. If
13 approved or modified by the commission, agreed to by the parties, and
14 the respondent complies with all requirements set forth in the
15 stipulation, the matter is then considered resolved and no further
16 action or review is allowed.

17 (3) If the commission initiates an investigation, an initial
18 hearing must be held within ninety days of the complaint being filed.
19 Following an investigation, in cases where it chooses to determine
20 whether (~~an actual~~) a violation has occurred, the commission shall
21 hold a hearing pursuant to the administrative procedure act, chapter
22 34.05 RCW. Any order that the commission issues under this section
23 shall be pursuant to such a hearing.

24 (a) The person against whom an order is directed under this
25 section shall be designated as the respondent. The order may require
26 the respondent to cease and desist from the activity that constitutes
27 a violation and in addition, or alternatively, may impose one or more
28 of the remedies provided in RCW 42.17A.750(1) (b) through (h), or
29 other requirements as the commission determines appropriate to
30 effectuate the purposes of this chapter.

31 (b) The commission may assess a penalty in an amount not to
32 exceed ten thousand dollars per violation, unless the parties
33 stipulate otherwise. Any order that the commission issues under this
34 section that imposes a financial penalty must be made pursuant to a
35 hearing, held in accordance with the administrative procedure act,
36 chapter 34.05 RCW.

37 (c) The commission has the authority to waive a penalty for a
38 first-time (~~actual~~) violation. A second (~~actual~~) violation of the
39 same requirement by the same person, regardless if the person or
40 individual committed the (~~actual~~) violation for a different

1 political committee or incidental committee, shall result in a
2 penalty. Successive (~~actual~~) violations of the same requirement
3 shall result in successively increased penalties. The commission may
4 suspend any portion of an assessed penalty contingent on future
5 compliance with this chapter. The commission must create a schedule
6 to enhance penalties based on repeat (~~actual~~) violations by the
7 person.

8 (d) Any order issued by the commission is subject to judicial
9 review under the administrative procedure act, chapter 34.05 RCW. If
10 the commission's order is not satisfied and no petition for review is
11 filed within thirty days, the commission may petition a court of
12 competent jurisdiction of any county in which a petition for review
13 could be filed under that jurisdiction, for an order of enforcement.
14 Proceedings in connection with the commission's petition shall be in
15 accordance with RCW 42.17A.760.

16 (4) In lieu of holding a hearing or issuing an order under this
17 section, the commission may refer the matter to the attorney general
18 consistent with this section, when the commission believes:

19 (a) Additional authority is needed to ensure full compliance with
20 this chapter;

21 (b) An (~~actual~~) apparent violation potentially warrants a
22 penalty greater than the commission's penalty authority; or

23 (c) The maximum penalty the commission is able to levy is not
24 enough to address the severity of the violation.

25 (5) Prior to filing a citizen's action under RCW 42.17A.775, a
26 person who has filed a complaint pursuant to this section must
27 provide written notice to the attorney general if the commission does
28 not, within 90 days of the complaint being filed with the commission,
29 take action pursuant to subsection (1) of this section. A person must
30 simultaneously provide a copy of the written notice to the
31 commission.

32 **Sec. 39.** RCW 42.17A.765 and 2018 c 304 s 14 are each amended to
33 read as follows:

34 (1) (~~a) (Only after a matter is referred by the commission, under~~
35 ~~RCW 42.17A.755,)~~ The attorney general may bring civil actions in the
36 name of the state for any appropriate civil remedy, including but not
37 limited to the special remedies provided in RCW 42.17A.750 (~~-~~)) upon:

38 (i) Referral by the commission pursuant to RCW 42.17A.755(4);

1 (ii) Receipt of a notice provided in accordance with RCW
2 42.17A.755(5); or

3 (iii) Receipt of a notice of intent to commence a citizen's
4 action, as provided under RCW 42.17A.775(3).

5 (b) Within forty-five days of receiving a referral from the
6 commission or notice of the commission's failure to take action
7 provided in accordance with RCW 42.17A.755(5), or within ten days of
8 receiving a citizen's action notice, the attorney general must
9 ((provide notice of his or her)) publish a decision whether to
10 commence an action on the attorney general's office web site ((within
11 forty-five days of receiving the referral, which constitutes state
12 action for purposes of this chapter)). Publication of the decision
13 within the forty-five day period, or ten-day period, whichever is
14 applicable, shall preclude a citizen's action pursuant to RCW
15 42.17A.775.

16 ~~((b))~~ (c) The attorney general should use the enforcement
17 powers in this section in a consistent manner that provides guidance
18 in complying with the provisions of this chapter to candidates,
19 political committees, or other individuals subject to the regulations
20 of this chapter.

21 (2) The attorney general may investigate or cause to be
22 investigated the activities of any person who there is reason to
23 believe is or has been acting in violation of this chapter, and may
24 require any such person or any other person reasonably believed to
25 have information concerning the activities of such person to appear
26 at a time and place designated in the county in which such person
27 resides or is found, to give such information under oath and to
28 produce all accounts, bills, receipts, books, paper and documents
29 which may be relevant or material to any investigation authorized
30 under this chapter.

31 (3) When the attorney general requires the attendance of any
32 person to obtain such information or produce the accounts, bills,
33 receipts, books, papers, and documents that may be relevant or
34 material to any investigation authorized under this chapter, ~~((he or~~
35 ~~she))~~ the attorney general shall issue an order setting forth the
36 time when and the place where attendance is required and shall cause
37 the same to be delivered to or sent by registered mail to the person
38 at least fourteen days before the date fixed for attendance. The
39 order shall have the same force and effect as a subpoena, shall be
40 effective statewide, and, upon application of the attorney general,

1 obedience to the order may be enforced by any superior court judge in
2 the county where the person receiving it resides or is found, in the
3 same manner as though the order were a subpoena. The court, after
4 hearing, for good cause, and upon application of any person aggrieved
5 by the order, shall have the right to alter, amend, revise, suspend,
6 or postpone all or any part of its provisions. In any case where the
7 order is not enforced by the court according to its terms, the
8 reasons for the court's actions shall be clearly stated in writing,
9 and the action shall be subject to review by the appellate courts by
10 certiorari or other appropriate proceeding.

11 **Sec. 40.** RCW 42.17A.775 and 2018 c 304 s 16 are each amended to
12 read as follows:

13 (1) A person who has reason to believe that a provision of this
14 chapter is being or has been violated may bring a citizen's action in
15 the name of the state, in accordance with the procedures of this
16 section.

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

19 (a) The commission has not taken action authorized under RCW
20 42.17A.755(1) within ninety days of the complaint being filed with
21 the commission(~~;~~ and), and the person who initially filed the
22 complaint with the commission provided written notice to the attorney
23 general in accordance with RCW 42.17A.755(5) and the attorney general
24 has not commenced an action, or published a decision whether to
25 commence action pursuant to RCW 42.17A.765(1)(b), within forty-five
26 days of receiving the notice;

27 (b) For matters referred to the attorney general within ninety
28 days of the commission receiving the complaint, the attorney general
29 has not commenced an action, or published a decision whether to
30 commence an action pursuant to RCW 42.17A.765(1)(b), within forty-
31 five days of receiving referral from the commission; and

32 (c) The person who initially filed the complaint with the
33 commission has provided notice of a citizen's action in accordance
34 with subsection (3) of this section and the commission or the
35 attorney general has not commenced action within the ten days
36 provided under subsection (3) of this section.

37 (3) To initiate the citizen's action, after meeting the
38 requirements under subsection (2) (a) and (b) of this section, a
39 person must notify the attorney general and the commission that (~~he~~

1 ~~or she~~) the person will commence a citizen's action within ten days
2 if the commission does not take action authorized under RCW
3 42.17A.755(1), or (~~if applicable~~) the attorney general does not
4 commence an action or publish a decision whether to commence an
5 action pursuant to RCW 42.17A.765(1)(b). The attorney general and the
6 commission must notify the other of its decision whether to commence
7 an action.

8 (4) The citizen's action must be commenced within two years after
9 the date when the alleged violation occurred and may not be commenced
10 against a committee or incidental committee before the end of such
11 period if the committee or incidental committee has received an
12 acknowledgment of dissolution.

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

22 **Sec. 41.** RCW 42.17A.785 and 2018 c 304 s 18 are each amended to
23 read as follows:

24 (1) The public disclosure transparency account is created in the
25 state treasury. All receipts from penalties, sanctions, or other
26 remedies collected pursuant to enforcement actions (~~or~~),
27 settlements, judgments, or otherwise under this chapter, including
28 any fees or costs awarded to the state, must be deposited into the
29 account. Moneys in the account may be spent only after appropriation.
30 Moneys in the account may be used only for the implementation of
31 chapter 304, Laws of 2018 and duties under this chapter, and may not
32 be used to supplant general fund appropriations to the commission.

33 (2) Any fees and costs awarded pursuant to RCW 42.17A.775(5) may
34 not be deposited into the public disclosure transparency account or
35 reimbursed from the account or otherwise by the state. Payment and
36 collection of any such fees and costs are the sole responsibility of
37 the person commencing the action and the defendant.

1 NEW SECTION. **Sec. 42.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 42.17A.050 (Web site for commission documents) and 2010 c
4 204 s 201, 1999 c 401 s 9, & 1994 c 40 s 2; and

5 (2) RCW 42.17A.061 (Access goals) and 2010 c 204 s 203, 2000 c
6 237 s 5, & 1999 c 401 s 2.

7 NEW SECTION. **Sec. 43.** Sections 35 and 36 of this act take
8 effect January 1, 2020.

9 NEW SECTION. **Sec. 44.** Except for sections 35 and 36 of this
10 act, this act is necessary for the immediate preservation of the
11 public peace, health, or safety, or support of the state government
12 and its existing public institutions, and takes effect immediately.

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