

# SENATE BILL REPORT

## SB 5855

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As Amended by House, March 2, 2022

**Title:** An act relating to the use of campaign funds to reimburse expenses for child care and other caregiving services.

**Brief Description:** Concerning the use of campaign funds to reimburse expenses for child care and other caregiving services.

**Sponsors:** Senators Lovelett, Nobles, Wilson, C., Billig, Das, Hasegawa, Hawkins, Hunt, Keiser, Kuderer, Nguyen, Randall, Saldaña, Stanford and Trudeau.

**Brief History:**

**Committee Activity:** State Government & Elections: 1/26/22, 2/02/22 [DP, w/oRec].

**Floor Activity:** Passed Senate: 2/10/22, 46-3.

Passed House: 3/2/22, 95-1.

**Brief Summary of Bill**

- Authorizes the use of campaign contributions to reimburse candidates for expenses for the direct care, protection, and supervision of a child or person over whom the candidate has direct caregiving responsibility incurred directly due to campaign activities.

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### SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Hawkins.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Wilson, J., Ranking Member.

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

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** All monetary contributions received by a candidate for office must be deposited into an account established and designated for that purpose. Expenditures from the account must be authorized by the candidate or a person named on the candidate's registration form.

Campaign contributions may be used for personal expenses of a candidate, the candidate's treasurer, or another individual under limited circumstances:

- as reimbursement for or payments to cover lost earnings incurred as a result of campaigning;
- as reimbursement for direct out-of-pocket expenses related to the election campaign and post-election activities; and
- for repayment of loans made by the candidate to political committees, although a candidate may not be reimbursed for more than \$4,700 for loans to the candidate's own authorized committee.

By administrative rule, campaigns may reimburse candidates for the fair market value of expenditures that are both personal and campaign-related. The rule provides, as an example, that a candidate may be reimbursed from their campaign for the portion of child care costs that occurred directly as a result of the candidate's campaign activities. While the example exists in rule, no analogous provision exists in the Revised Code of Washington.

**Summary of Bill:** Candidates may be reimbursed from campaign funds for expenses for the direct care, protection, and supervision of a child or person over whom the candidate has direct caregiving responsibility incurred directly due to campaign activities.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Lack of child care is a huge impediment to running for political office. If this reimbursement isn't clearly allowed, candidates won't take advantage of it. This will encourage more parents, particularly single parents and parents of young children, to run for political office, making our elected officials more representative of our communities. Over 50 federal candidates have used campaign funds to pay for child care since a ruling in 2018. This will empower a diverse pipeline of working caregivers to run for office. Fifteen states have passed legislation allowing the use of campaign funds for dependent care.

OTHER: There is a concern that by listing specific types of exemptions from the prohibition against personal use of campaign funds, there may be the unintended

consequence of making that an exclusive list, missing a type of care that is intended to be covered.

**Persons Testifying:** PRO: Senator Liz Lovelett, Prime Sponsor; Sarah Hague, Vote Mama Foundation.

OTHER: Sean Flynn, Public Disclosure Commission.

**Persons Signed In To Testify But Not Testifying:** No one.

**EFFECT OF HOUSE AMENDMENT(S):**

Expenses incurred for child care or other direct caregiving expenses are designated as an example of a reimbursable out-of-pocket expense, rather than designated as a separate category or reimbursable expenses.