

**ESSB 5284** - H COMM AMD

By Committee on State Government & Tribal Relations

**ADOPTED AND ENGROSSED 04/07/2023**

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 42.17A.205 and 2019 c 428 s 14 are each amended to  
4 read as follows:

5 (1) Every political committee shall file a statement of  
6 organization with the commission. The statement must be filed within  
7 two weeks after organization or within two weeks after the date the  
8 committee first has the expectation of receiving contributions or  
9 making expenditures in any election campaign, whichever is earlier. A  
10 political committee organized within (~~the last three weeks~~) the  
11 period beginning the first day of the last full month before an  
12 election and having the expectation of receiving contributions or  
13 making expenditures during and for that election campaign shall file  
14 a statement of organization within three business days after its  
15 organization or when it first has the expectation of receiving  
16 contributions or making expenditures in the election campaign.

17 (2) The statement of organization shall include but not be  
18 limited to:

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

21 (b) The names, addresses, and electronic contact information of  
22 all related or affiliated committees or other persons, and the nature  
23 of the relationship or affiliation;

24 (c) The names, addresses, and titles of its officers; or if it  
25 has no officers, the names, addresses, and titles of its responsible  
26 leaders;

27 (d) The name, address, and electronic contact information of its  
28 treasurer and depository;

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

30 (f) The name, office sought, and party affiliation of each  
31 candidate whom the committee is supporting or opposing, and, if the

1 committee is supporting the entire ticket of any party, the name of  
2 the party;

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

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

7 (i) Such other information as the commission may by rule  
8 prescribe, in keeping with the policies and purposes of this chapter;

9 (j) The name, address, and title of any person who authorizes  
10 expenditures or makes decisions on behalf of the candidate or  
11 committee; and

12 (k) The name, address, and title of any person who is paid by or  
13 is a volunteer for a candidate or political committee to perform  
14 ministerial functions and who performs ministerial functions on  
15 behalf of two or more candidates or committees.

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

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

20 (5) As used in this section, the "name" of a sponsored committee  
21 must include the name of the person who is the sponsor of the  
22 committee. If more than one person meets the definition of sponsor,  
23 the name of the committee must include the name of at least one  
24 sponsor, but may include the names of other sponsors. A person may  
25 sponsor only one political committee for the same elected office or  
26 same ballot proposition per election cycle.

27 **Sec. 2.** RCW 42.17A.207 and 2019 c 428 s 15 are each amended to  
28 read as follows:

29 (1)(a) An incidental committee must file a statement of  
30 organization with the commission within two weeks after the date the  
31 committee first:

32 (i) Has the expectation of making any expenditures aggregating at  
33 least (~~(twenty-five thousand dollars)~~) \$25,000 in a calendar year in  
34 any election campaign, or to a political committee; and

35 (ii) Is required to disclose a payment received under RCW  
36 42.17A.240(2)(d).

37 (b) If an incidental committee first meets the criteria requiring  
38 filing a statement of organization as specified in (a) of this  
39 subsection (~~(in the last three weeks)~~) within the period beginning

1 the first day of the last full month before an election, then it must  
2 file the statement of organization within three business days.

3 (2) The statement of organization must include but is not limited  
4 to:

5 (a) The name, address, and electronic contact information of the  
6 committee;

7 (b) The names and addresses of all related or affiliated  
8 political or incidental committees or other persons, and the nature  
9 of the relationship or affiliation;

10 (c) The names, addresses, and titles of its officers; or if it  
11 has no officers, the names, addresses, and titles of its responsible  
12 leaders and the name of the person designated as the treasurer of the  
13 incidental committee;

14 (d) The name, office sought, and party affiliation of each  
15 candidate whom the committee is supporting or opposing if the  
16 committee contributes directly to a candidate and, if donating to a  
17 political committee, the name and address of that political  
18 committee;

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

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

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

26 **Sec. 3.** RCW 42.17A.235 and 2019 c 428 s 20 are each amended to  
27 read as follows:

28 (1)(a) In addition to the information required under RCW  
29 42.17A.205 and 42.17A.210, each candidate or political committee must  
30 file with the commission a report of all contributions received and  
31 expenditures made as a political committee on the next reporting date  
32 pursuant to the timeline established in this section.

33 (b) In addition to the information required under RCW 42.17A.207  
34 and 42.17A.210, on the day an incidental committee files a statement  
35 of organization with the commission, each incidental committee must  
36 file with the commission a report of any election campaign  
37 expenditures under RCW 42.17A.240(~~(+6))~~ (7), as well as the source  
38 of the (~~(ten))~~ 10 largest cumulative payments of (~~(ten—thousand~~  
39 ~~dollars))~~ \$10,000 or greater it received in the current calendar year

1 from a single person, including any persons tied as the (~~tenth~~)  
2 10th largest source of payments it received, if any.

3 (2) Each treasurer of a candidate or political committee, or an  
4 incidental committee, required to file a statement of organization  
5 under this chapter, shall file with the commission a report, for each  
6 election in which a candidate, political committee, or incidental  
7 committee is participating, containing the information required by  
8 RCW 42.17A.240 at the following intervals:

9 (a) On the (~~twenty-first day and the seventh~~) 34th day, the  
10 20th day, and the sixth day immediately preceding the date (~~on~~  
11 ~~which~~) of the general election (is held); (and)

12 (b) On the 20th day and the sixth day immediately preceding the  
13 date of the primary or special election; and

14 (c) On the (~~tenth~~) 10th day of the first full month after the  
15 election.

16 (3)(a) Each treasurer of a candidate or political committee shall  
17 file with the commission a report on the (~~tenth~~) 10th day of each  
18 month during which the candidate or political committee is not  
19 (~~participating in an election campaign~~) otherwise required to  
20 report under subsection (2) of this section, only if the committee  
21 has received a contribution or made an expenditure in the preceding  
22 calendar month and either the total contributions received or total  
23 expenditures made since the last such report exceed (~~two hundred~~  
24 ~~dollars~~) \$200.

25 (b) Each incidental committee shall file with the commission a  
26 report on the (~~tenth~~) 10th day of each month during which the  
27 incidental committee is not otherwise required to report under this  
28 section only if the committee has:

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

31 (ii) Made any election campaign expenditure reportable under RCW  
32 42.17A.240(~~(6)~~) (7) since its last report, and the total election  
33 campaign expenditures made since the last report exceed (~~two hundred~~  
34 ~~dollars~~) \$200.

35 (4) The (~~report~~) reports filed (~~twenty-one~~) 34 days, 20 days,  
36 and six days before the general election and 20 days and six days  
37 before the primary or special election shall report all contributions  
38 received and expenditures made (~~as of~~) from the closing date of the  
39 last report filed through the end of (~~one business day~~) two  
40 calendar days before the date of (~~the report~~) each filing. (~~The~~

1 ~~report filed seven days before the election shall report all~~  
2 ~~contributions received and expenditures made as of the end of one~~  
3 ~~business day before the date of the report.)~~) Reports filed on the  
4 ((~~tenth~~)) 10th day of the month shall report all contributions  
5 received and expenditures made from the closing date of the last  
6 report filed through the last day of the month preceding the date of  
7 the current report.

8 (5) For the period beginning the first day of the fourth month  
9 preceding the date of the special election, or for the period  
10 beginning the first day of the fifth month before the date of the  
11 general election, and ending on the date of that special or general  
12 election, each Monday the treasurer for a candidate or a political  
13 committee shall file with the commission a report of each bank  
14 deposit made during the previous seven calendar days. The report  
15 shall contain the name of each person contributing the funds and the  
16 amount contributed by each person. However, persons who contribute no  
17 more than ((~~twenty-five dollars~~)) \$25 in the aggregate are not  
18 required to be identified in the report. A copy of the report shall  
19 be retained by the treasurer for the treasurer's records. In the  
20 event of deposits made by candidates, political committee members, or  
21 paid staff other than the treasurer, the copy shall be immediately  
22 provided to the treasurer for the treasurer's records. Each report  
23 shall be certified as correct by the treasurer.

24 (6) (a) The treasurer for a candidate or a political committee  
25 shall maintain books of account accurately reflecting all  
26 contributions and expenditures on a current basis within five  
27 business days of receipt or expenditure. During the ((~~ten~~)) 10  
28 calendar days immediately preceding the date of the election the  
29 books of account shall be kept current within one business day. As  
30 specified in the political committee's statement of organization  
31 filed under RCW 42.17A.205, the books of account must be open for  
32 public inspection by appointment at a place agreed upon by both the  
33 treasurer and the requestor, for inspections between 9:00 a.m. and  
34 5:00 p.m. on any day from the ((~~tenth~~)) 10th calendar day immediately  
35 before the election through the day immediately before the election,  
36 other than Saturday, Sunday, or a legal holiday. It is a violation of  
37 this chapter for a candidate or political committee to refuse to  
38 allow and keep an appointment for an inspection to be conducted  
39 during these authorized times and days. The appointment must be  
40 allowed at an authorized time and day for such inspections that is

1 within (~~forty-eight~~) 48 hours of the time and day that is requested  
2 for the inspection. The treasurer may provide digital access or  
3 copies of the books of account in lieu of scheduling an appointment  
4 at a designated place for inspection. If the treasurer and requestor  
5 are unable to agree on a location and the treasurer has not provided  
6 digital access to the books of account, the default location for an  
7 appointment shall be a place of public accommodation selected by the  
8 treasurer within a reasonable distance from the treasurer's office.

9 (b) At the time of making the appointment, a person wishing to  
10 inspect the books of account must provide the treasurer the name and  
11 telephone number of the person wishing to inspect the books of  
12 account. The person inspecting the books of account must show photo  
13 identification before the inspection begins.

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

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

22 (8) The treasurer or candidate shall preserve books of account,  
23 bills, receipts, and all other financial records of the campaign or  
24 political committee for not less than five calendar years following  
25 the year during which the transaction occurred or for any longer  
26 period as otherwise required by law.

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

30 (10) Where there is not a pending complaint concerning a report,  
31 it is not evidence of a violation of this section to submit an  
32 amended report within (~~twenty-one~~) 21 days of filing an initial  
33 report if:

34 (a) The report is accurately amended;

35 (b) The amended report is filed more than (~~thirty~~) 30 days  
36 before an election;

37 (c) The total aggregate dollar amount of the adjustment for the  
38 amended report is within three times the contribution limit per  
39 election or (~~two hundred dollars~~) \$200, whichever is greater; and

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

4 (11)(a) When there is no outstanding debt or obligation, the  
5 campaign fund is closed, the campaign is concluded in all respects,  
6 and the political committee has ceased to function and intends to  
7 dissolve, the treasurer shall file a final report. Upon submitting a  
8 final report, the political committee so intending to dissolve must  
9 file notice of intent to dissolve with the commission and the  
10 commission must post the notice on its website.

11 (b) Any political committee may dissolve (~~sixty~~) 60 days after  
12 it files its notice to dissolve, only if:

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

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

19 (iii) All penalties assessed by the commission or court order  
20 have been paid by the political committee.

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

24 (d) Upon dissolution, the commission must issue an acknowledgment  
25 of dissolution, the duties of the treasurer shall cease, and there  
26 shall be no further obligations under this chapter. Dissolution does  
27 not absolve the candidate or board of the committee from  
28 responsibility for any future obligations resulting from the finding  
29 after dissolution of a violation committed prior to dissolution.

30 (12) The commission must adopt rules for the dissolution of  
31 incidental committees.

32 **Sec. 4.** RCW 42.17A.255 and 2020 c 152 s 5 are each amended to  
33 read as follows:

34 (1) For the purposes of this section the term "independent  
35 expenditure" means any expenditure that is made in support of or in  
36 opposition to any candidate or ballot proposition and is not  
37 otherwise required to be reported pursuant to RCW 42.17A.225,  
38 42.17A.235, and 42.17A.240. "Independent expenditure" does not  
39 include: An internal political communication primarily limited to the

1 contributors to a political party organization or political action  
2 committee, or the officers, management staff, and stockholders of a  
3 corporation or similar enterprise, or the members of a labor  
4 organization or other membership organization; or the rendering of  
5 personal services of the sort commonly performed by volunteer  
6 campaign workers, or incidental expenses personally incurred by  
7 volunteer campaign workers not in excess of fifty dollars personally  
8 paid for by the worker. "Volunteer services," for the purposes of  
9 this section, means services or labor for which the individual is not  
10 compensated by any person.

11 (2) Within five days after the date of making an independent  
12 expenditure that by itself or when added to all other such  
13 independent expenditures made during the same election campaign by  
14 the same person equals (~~one hundred dollars~~) \$100 or more, or  
15 within five days after the date of making an independent expenditure  
16 for which no reasonable estimate of monetary value is practicable,  
17 whichever occurs first, the person who made the independent  
18 expenditure shall file with the commission an initial report of all  
19 independent expenditures made during the campaign prior to and  
20 including such date.

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

25 (~~(a)~~) (i) On the (~~twenty-first day and the seventh~~) 34th day,  
26 the 20th day, and the sixth day preceding the date (~~on which~~) of  
27 the general election (is held); (and

28 ~~(b)~~) (ii) On the 20th day and the sixth day immediately  
29 preceding the date of the primary or special election;

30 (iii) On the (~~tenth~~) 10th day of the first month after the  
31 election; and

32 (~~(c)~~) (iv) On the (~~tenth~~) 10th day of each month in which no  
33 other reports are required to be filed pursuant to this section.

34 (~~However, the~~)

35 (b) (i) The further reports required by this subsection (3) shall  
36 only be filed if the reporting person has made an independent  
37 expenditure since the date of the last previous report filed.

38 (~~The report filed pursuant to (a) of this subsection (3)~~) (ii)  
39 If no further reports are required to be filed, the last report  
40 required to be filed shall be the final report, and upon submitting



1 such final report the duties of the reporting person shall cease, and  
2 there shall be no 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~~) two business days  
10 before the date the report is due:

11 (a) The name, address, and electronic contact information of the  
12 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~~) \$50, and the amount, date, and purpose of each such  
16 expenditure. If no reasonable estimate of the monetary value of a  
17 particular independent expenditure is practicable, it is sufficient  
18 to report instead a precise description of services, property, or  
19 rights furnished through the expenditure and where appropriate to  
20 attach a 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;

23 (d) A statement from the person making an independent expenditure  
24 that:

25 (i) The expenditure is not financed in any part by a foreign  
26 national; and

27 (ii) Foreign nationals are not involved in making decisions  
28 regarding the expenditure in any way; and

29 (e) Such other information as shall be required by the commission  
30 by rule in conformance with the policies and purposes of this  
31 chapter.

32 **Sec. 5.** RCW 42.17A.260 and 2020 c 152 s 6 are each amended to  
33 read as follows:

34 (1) The sponsor of political advertising shall file a special  
35 report to the commission within (~~twenty-four~~) 24 hours of, or on  
36 the first working day after, the date the political advertising is  
37 first published, mailed, or otherwise presented to the public, if the  
38 political advertising:

1 (a) Is published, mailed, or otherwise presented to the public  
2 within (~~twenty-one~~) 21 days of an election; and

3 (b) Either:

4 (i) Qualifies as an independent expenditure with a fair market  
5 value or actual cost of (~~one thousand dollars~~) \$1,000 or more, for  
6 political advertising supporting or opposing a candidate; or

7 (ii) Has a fair market value or actual cost of (~~one thousand~~  
8 ~~dollars~~) \$1,000 or more, for political advertising supporting or  
9 opposing a ballot proposition, and is not otherwise required to be  
10 reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240,  
11 supporting or opposing the same ballot proposition.

12 (2) If a sponsor is required to file a special report under this  
13 section, the sponsor shall also deliver to the commission within the  
14 delivery period established in subsection (1) of this section a  
15 special report for (~~each~~):

16 (a) Each subsequent independent expenditure of any size  
17 supporting or opposing the same candidate who was the subject of the  
18 previous independent expenditure, supporting or opposing that  
19 candidate's opponent (~~, or, in the case of a~~); or

20 (b) Each subsequent expenditure of any size made in support of or  
21 in opposition to ((a)) the same ballot proposition that was the  
22 subject of the previous expenditure, and is not otherwise required to  
23 be reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240 (~~, or~~  
24 ~~supporting or opposing the same ballot proposition that was the~~  
25 ~~subject of the previous expenditure~~)).

26 (3) The special report must include:

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

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

30 (c) A detailed description of the expenditure;

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

33 (e) The amount of the expenditure;

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

39 (g) A statement from the sponsor that:

1 (i) The political advertising is not financed in any part by a  
2 foreign national; and

3 (ii) Foreign nationals are not involved in making decisions  
4 regarding the political advertising in any way; and

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

6 (4) All persons required to report under RCW 42.17A.225,  
7 42.17A.235, 42.17A.240, 42.17A.255, and 42.17A.305 are subject to the  
8 requirements of this section, except as otherwise provided in this  
9 section. The commission may determine that reports filed pursuant to  
10 this section also satisfy the requirements of RCW 42.17A.255.

11 (5) The sponsor of independent expenditures supporting a  
12 candidate or opposing that candidate's opponent required to report  
13 under this section shall file with each required report an affidavit  
14 or declaration of the person responsible for making the independent  
15 expenditure that the expenditure was not made in cooperation,  
16 consultation, or concert with, or at the request or suggestion of,  
17 the candidate, the candidate's authorized committee, or the  
18 candidate's agent, or with the encouragement or approval of the  
19 candidate, the candidate's authorized committee, or the candidate's  
20 agent.

21 **Sec. 6.** RCW 42.17A.265 and 2020 c 152 s 7 are each amended to  
22 read as follows:

23 (1) Treasurers shall prepare and deliver to the commission a  
24 special report when a contribution or aggregate of contributions  
25 totals (~~(one thousand dollars or more)~~) more than the contribution  
26 limit to a candidate for state officer other than legislative office,  
27 as provided in RCW 42.17A.405(2), is from a single person or entity,  
28 and is received during (~~(a special reporting period)~~) the period from  
29 the beginning of the last full month preceding an election in which  
30 the treasurer's committee is participating, and concluding the day  
31 before that election.

32 (2) A political committee shall prepare and deliver to the  
33 commission a special report when it makes a contribution or an  
34 aggregate of contributions to a single entity that totals (~~(one~~  
35 ~~thousand dollars or more during a special reporting period)~~) more  
36 than the contribution limit to a candidate for state office other  
37 than legislative office, as provided in RCW 42.17A.405(2), during the  
38 same special reporting period as set forth in subsection (1) of this  
39 section.

1 (3) An aggregate of contributions includes only those  
2 contributions made to or received from a single entity during any one  
3 special reporting period. ~~((Any))~~ After a special report is filed as  
4 provided under subsection (1) or (2) of this section, an additional  
5 special report must be filed for any subsequent contribution of any  
6 size made to or received from the same person or entity during the  
7 special reporting period ~~((must also be reported))~~.

8 (4) ~~((Special reporting periods, for purposes of this section,~~  
9 ~~include:~~

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

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

14 ~~(c) An aggregate of contributions includes only those~~  
15 ~~contributions received from a single entity during any one special~~  
16 ~~reporting period or made by the contributing political committee to a~~  
17 ~~single entity during any one special reporting period.~~

18 ~~(5) If a campaign treasurer files a special report under this~~  
19 ~~section for one or more contributions received from a single entity~~  
20 ~~during a special reporting period, the treasurer shall also file a~~  
21 ~~special report under this section for each subsequent contribution of~~  
22 ~~any size which is received from that entity during the special~~  
23 ~~reporting period. If a political committee files a special report~~  
24 ~~under this section for a contribution or contributions made to a~~  
25 ~~single entity during a special reporting period, the political~~  
26 ~~committee shall also file a special report for each subsequent~~  
27 ~~contribution of any size which is made to that entity during the~~  
28 ~~special reporting period.~~

29 ~~(6))~~ Special reports required by this section shall be delivered  
30 electronically, or in written form if an electronic alternative is  
31 not available.

32 (a) The special report required of a contribution recipient under  
33 subsection (1) of this section shall be delivered to the commission  
34 within ~~((forty-eight))~~ 48 hours of the time, or on the first  
35 ~~((working))~~ business day after:

36 (i) The qualifying contribution ~~((of one thousand dollars or~~  
37 ~~more))~~ is received by the candidate or treasurer; ~~((the))~~

38 (ii) The aggregate received by the candidate or treasurer first  
39 equals ~~((one thousand dollars or more))~~ the qualifying amount; or  
40 ~~((any))~~

1        (iii) Any subsequent contribution from the same source is  
2 received by the candidate or treasurer.

3        (b) The special report required of a contributor under subsection  
4 (2) of this section or RCW 42.17A.625 shall be delivered to the  
5 commission, and the candidate or political committee to whom the  
6 contribution or contributions are made, within ~~((twenty-four))~~ 24  
7 hours of the time, or on the first ~~((working))~~ business day after:

8        (i) The qualifying contribution is made; ~~((the))~~

9        (ii) The aggregate of contributions made first equals ~~((one~~  
10 ~~thousand dollars or more))~~ the qualifying amount; or ~~((any))~~

11        (iii) Any subsequent contribution to the same person or entity is  
12 made.

13        ~~((7))~~ (5) The special report shall include:

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

15        (b) The date or dates of receipt;

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

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

18        (e) A statement that the candidate or political committee has  
19 received ~~((a certification from any partnership, association,~~  
20 ~~corporation, organization, or other combination of persons making a~~  
21 ~~contribution reportable under this section that:~~

22        ~~(i) The contribution is not financed in any part by a foreign~~  
23 ~~national; and~~

24        ~~(ii) Foreign nationals are not involved in making decisions~~  
25 ~~regarding the contribution in any way))~~ all of the certifications  
26 regarding foreign nationals that are required under RCW 42.17A.418,  
27 or a statement that no contributions were large enough to require a  
28 certification; and

29        (f) Any other information the commission may by rule require.

30        ~~((8))~~ (6) Contributions reported under this section shall also  
31 be reported as required by other provisions of this chapter.

32        ~~((9))~~ (7) The commission shall prepare daily a summary of the  
33 special reports made under this section and RCW 42.17A.625.

34        ~~((10))~~ (8) Contributions governed by this section include, but  
35 are not limited to, contributions made or received indirectly through  
36 a third party or entity whether the contributions are or are not  
37 reported to the commission as earmarked contributions under RCW  
38 42.17A.270.

1       **Sec. 7.** RCW 42.17A.345 and 2019 c 428 s 26 are each amended to  
2 read as follows:

3       (1) Each commercial advertiser who has accepted or provided  
4 political advertising or electioneering communications during the  
5 election campaign shall maintain current books of account and related  
6 materials as provided by rule that shall be open for public  
7 inspection during normal business hours during the campaign and for a  
8 period of no less than five years after the date of the applicable  
9 election. The documents and books of account shall specify:

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

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

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

14       (2) At the request of the commission, each commercial advertiser  
15 required to comply with subsection (1) of this section shall provide  
16 to the commission copies of the information that must be maintained  
17 and be open for public inspection pursuant to subsection (1) of this  
18 section.

19       (3) Any person who purchases political advertising or  
20 electioneering communications from a commercial advertiser must  
21 disclose upon request from the commercial advertiser:

22       (a) That the purchase includes political advertising or  
23 electioneering communications;

24       (b) The name of the sponsor, if different than the person making  
25 the purchase; and

26       (c) Any other information the commercial advertiser is required  
27 to maintain, as provided by this section or rule.

28       (4) Any failure to provide the required information in subsection  
29 (3) of this section upon request is a violation under this chapter,  
30 but such failure shall not relieve a commercial advertiser of any of  
31 the requirements under this section.

32       **Sec. 8.** RCW 42.17A.418 and 2020 c 152 s 10 are each amended to  
33 read as follows:

34       (1) Each candidate or political committee that has accepted ((a  
35 ~~contribution~~)) one or more contributions in an election cycle that in  
36 the aggregate exceed the threshold amount in subsection (4) of this  
37 section, and each out-of-state committee that has accepted ((a  
38 ~~contribution~~)) one or more contributions in an election cycle  
39 reportable under RCW 42.17A.250 that in the aggregate exceed that

1 same threshold, from a partnership, association, corporation,  
2 organization, or other combination of persons, must receive a  
3 certification from ~~((each))~~ the contributor that:

4 (a) The ~~((contribution is))~~ contributions are not financed in any  
5 part by a foreign national; and

6 (b) Foreign nationals are not involved in making decisions  
7 regarding the contributions in any way.

8 (2) The certifications must be maintained for a period of no less  
9 than three years after the date of the applicable election.

10 (3) At the request of the commission, each candidate or committee  
11 required to comply with subsection (1) of this section must provide  
12 to the commission copies of the certifications maintained under this  
13 section.

14 (4) The threshold amount to trigger the requirement for foreign  
15 national certifications in this section is the sum of the  
16 contribution limits to a candidate for legislative office for the  
17 primary plus for the general election, as provided in RCW  
18 42.17A.405(2).

19 **Sec. 9.** RCW 42.17A.240 and 2020 c 152 s 3 are each amended to  
20 read as follows:

21 Each report required under RCW 42.17A.235 (1) through (4) must be  
22 certified as correct by the treasurer and the candidate and shall  
23 disclose the following, except an incidental committee only must  
24 disclose and certify as correct the information required under  
25 subsections (2)(d) and (7) of this section:

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

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

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

35 (b) Income that results from a fund-raising activity conducted in  
36 accordance with RCW 42.17A.230 may be reported as one lump sum, with  
37 the exception of that portion received from persons whose names and  
38 addresses are required to be included in the report required by RCW  
39 42.17A.230;

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

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

19 (e) Payments from private foundations organized under section  
20 501(c)(3) of the internal revenue code to an incidental committee do  
21 not have to be reported if:

22 (i) The private foundation is contracting with the incidental  
23 committee for a specific purpose other than election campaign  
24 purposes;

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

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

29 (f) Commentary or analysis on a ballot proposition by an  
30 incidental committee is not considered a contribution if it does not  
31 advocate specifically to vote for or against the ballot proposition;  
32 and

33 (g) The money value of contributions of postage is the face value  
34 of the postage;

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

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



1 (5) A statement that the candidate or political committee has  
2 received ((a certification from any partnership, association,  
3 corporation, organization, or other combination of persons making a  
4 contribution to the candidate or political committee that:

5 (a) The contribution is not financed in any part by a foreign  
6 national; and

7 (b) Foreign nationals are not involved in making decisions  
8 regarding the contribution in any way)) all of the certifications  
9 regarding foreign nationals that are required under RCW 42.17A.418,  
10 or a statement that no contributions were large enough to require a  
11 certification;

12 (6) The name and address of each candidate or political committee  
13 to which any transfer of funds was made, including the amounts and  
14 dates of the transfers;

15 (7) The name and address of each person to whom an expenditure  
16 was made in the aggregate amount of more than fifty dollars during  
17 the period covered by this report, the amount, date, and purpose of  
18 each expenditure, and the total sum of all expenditures. An  
19 incidental committee only must report on expenditures, made and  
20 reportable as contributions as defined in RCW 42.17A.005, to election  
21 campaigns. For purposes of this subsection, commentary or analysis on  
22 a ballot proposition by an incidental committee is not considered an  
23 expenditure if it does not advocate specifically to vote for or  
24 against the ballot proposition;

25 (8) The name, address, and electronic contact information of each  
26 person to whom an expenditure was made for soliciting or procuring  
27 signatures on an initiative or referendum petition, the amount of the  
28 compensation to each person, and the total expenditures made for this  
29 purpose. Such expenditures shall be reported under this subsection in  
30 addition to what is required to be reported under subsection (7) of  
31 this section;

32 (9) (a) The name and address of any person and the amount owed for  
33 any debt with a value of more than seven hundred fifty dollars that  
34 has not been paid for any invoices submitted, goods received, or  
35 services performed, within five business days during the period  
36 within thirty days before an election, or within ten business days  
37 during any other period.

38 (b) For purposes of this subsection, debt does not include  
39 regularly recurring expenditures of the same amount that have already  
40 been reported at least once and that are not late or outstanding;

- 1 (10) The surplus or deficit of contributions over expenditures;  
2 (11) The disposition made in accordance with RCW 42.17A.430 of  
3 any surplus funds; and  
4 (12) Any other information required by the commission by rule in  
5 conformance with the policies and purposes of this chapter.

6 **Sec. 10.** RCW 42.17A.250 and 2020 c 152 s 4 are each amended to  
7 read as follows:

8 (1) An out-of-state political committee organized for the purpose  
9 of supporting or opposing candidates or ballot propositions in  
10 another state that is not otherwise required to report under RCW  
11 42.17A.205 through 42.17A.240 shall report as required in this  
12 section when it makes an expenditure supporting or opposing a  
13 Washington state candidate or political committee. The committee  
14 shall file with the commission a statement disclosing:

15 (a) Its name and address;

16 (b) The purposes of the out-of-state committee;

17 (c) The names, addresses, and titles of its officers or, if it  
18 has no officers, the names, addresses, and the titles of its  
19 responsible leaders;

20 (d) The name, office sought, and party affiliation of each  
21 candidate in the state of Washington whom the out-of-state committee  
22 is supporting or opposing and, if the committee is supporting or  
23 opposing the entire ticket of any party, the name of the party;

24 (e) The ballot proposition supported or opposed in the state of  
25 Washington, if any, and whether the committee is in favor of or  
26 opposed to that proposition;

27 (f) The name and address of each person residing in the state of  
28 Washington or corporation that has a place of business in the state  
29 of Washington who has made one or more contributions in the aggregate  
30 of more than twenty-five dollars to the out-of-state committee during  
31 the current calendar year, together with the money value and date of  
32 the contributions;

33 (g) The name, address, and employer of each person or corporation  
34 residing outside the state of Washington who has made one or more  
35 contributions in the aggregate of more than two thousand five hundred  
36 fifty dollars to the out-of-state committee during the current  
37 calendar year, together with the money value and date of the  
38 contributions. Annually, the commission must modify the two thousand  
39 five hundred fifty dollar limit in this subsection based on

1 percentage change in the implicit price deflator for personal  
2 consumption expenditures for the United States as published for the  
3 most recent twelve-month period by the bureau of economic analysis of  
4 the federal department of commerce;

5 (h) The name and address of each person in the state of  
6 Washington to whom an expenditure was made by the out-of-state  
7 committee with respect to a candidate or political committee in the  
8 aggregate amount of more than fifty dollars, the amount, date, and  
9 purpose of the expenditure, and the total sum of the expenditures;

10 (i) A statement that the out-of-state committee has received ((a  
11 ~~certification from any partnership, association, corporation,~~  
12 ~~organization, or other combination of persons making a contribution~~  
13 ~~reportable under this section that:~~

14 ~~(i) The contribution is not financed in any part by a foreign~~  
15 ~~national; and~~

16 ~~(ii) Foreign nationals are not involved in making decisions~~  
17 ~~regarding the contribution in any way)) all of the certifications  
18 regarding foreign nationals that are required under RCW 42.17A.418,  
19 or a statement that no contributions were large enough to require a  
20 certification; and~~

21 (j) Any other information as the commission may prescribe by rule  
22 in keeping with the policies and purposes of this chapter.

23 (2) Each statement shall be filed no later than the tenth day of  
24 the month following any month in which a contribution or other  
25 expenditure reportable under subsection (1) of this section is made.  
26 An out-of-state committee incurring an obligation to file additional  
27 statements in a calendar year may satisfy the obligation by timely  
28 filing reports that supplement previously filed information."

29 Correct the title.

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