
HOUSE BILL 2433

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Peery, Ballard, G. Fisher, Foreman, Linville, Pruitt, Wineberry, Silver, Van Luven, L. Johnson, Cooke, Dunshee, Horn, Appelwick, Thibaudeau, Forner, Wang, H. Myers, Romero, Fuhrman, Wood, Valle, Brumsickle, Mastin, Finkbeiner, Ballasiotes, Chandler, Brough, Morris, Lemmon, Ogden, Springer, Quall, Wolfe, McMorris, Moak, Dorn, Sheahan, Carlson, R. Fisher, Karahalios, Johanson, Campbell, Edmondson, Cothorn, Kessler, Basich, J. Kohl, Conway, Jones, Shin, Sheldon, King, Orr, Patterson, Eide, Dellwo, Rayburn, Roland and Anderson

Read first time 01/14/94. Referred to Committee on Revenue.

1 AN ACT Relating to providing open government through unedited
2 televised coverage of state government proceedings; adding new sections
3 to chapter 82.04 RCW; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.04 RCW
6 to read as follows:

7 (1) In computing tax under this chapter, a credit may be allowed
8 against the tax owed equal to the amount of monetary contributions made
9 by a person taxable under this chapter to a public news organization as
10 defined in section 2 of this act.

11 (2) The credit must be taken in the same calendar year as the
12 monetary donation, and may not exceed the amount of tax otherwise due
13 under this chapter for the calendar year during which the donation was
14 made. Unused excess credit may not be carried over to the next
15 calendar year.

16 (3) A person claiming the credit shall file an affidavit form
17 prescribed by the department. The affidavit shall be verified by both
18 the donor and the public news organization, and shall include the date

1 and amount of the donation and additional information as the department
2 may require by rule.

3 (4) The department shall keep a running total of credits granted
4 under this section during each calendar year. The department shall not
5 allow the aggregate amount of credits taken under this section by all
6 persons making cash donations to a public news organization to exceed
7 one million seven hundred fifty thousand dollars during calendar year
8 1994. The department shall adjust this aggregate allowable amount
9 annually thereafter by the rate of inflation as indicated by the
10 consumer price index for the Seattle, Washington area as compiled by
11 the bureau of labor statistics of the United States department of
12 labor, based on the prior year's increase.

13 (5) This section shall expire December 31, 2000.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.04 RCW
15 to read as follows:

16 (1) This chapter shall not apply to amounts received by a public
17 news organization as compensation for, or to support, unedited
18 television coverage of state legislative proceedings and other
19 proceedings of state-wide significance.

20 (2) "Public news organization" means a public benefit nonprofit
21 organization, in existence on the effective date of this act, that
22 exists solely to produce unedited televised coverage of state
23 legislative proceedings and other proceedings of state-wide
24 significance, that is a not-for-profit corporation under chapter 24.03
25 RCW, and that is managed by a governing board of not less than eight
26 individuals none of whom is a paid employee of the organization.
27 "Public benefit nonprofit organization" as used in this section means
28 an organization exempt from tax under section 501(c)(3) of the federal
29 internal revenue code, as in effect on January 1, 1994, or subsequent
30 date provided by the director by rule, consistent with the purposes of
31 this section. In addition, in order to be exempt under this section,
32 a corporation shall satisfy the following conditions:

33 (a) No part of its income may be paid directly or indirectly to its
34 members, stockholders, officers, directors, or trustees except in the
35 form of services rendered by the corporation in accordance with its
36 purposes and bylaws;

37 (b) Salary or compensation paid to its officers and executives must
38 be only for actual services rendered;

1 (c) Assets of the corporation must be irrevocably dedicated to the
2 activities for which the exemption is granted and, on the liquidation,
3 dissolution, or abandonment by the corporation, may not inure directly
4 or indirectly to the benefit of any member or individual except a
5 nonprofit organization, association, or corporation that also would be
6 entitled to the exemption;

7 (d) The amounts received qualifying for exemption must be used for
8 the activities for which the exemption is granted.

9 (3) "State legislative proceedings" means meetings, hearings,
10 deliberations, and other proceedings of or before the Washington state
11 senate, the Washington state house of representatives, or a committee
12 or subcommittee of either.

13 (4) "Other proceedings of state-wide significance" includes
14 meetings, hearings, deliberations, and other proceedings of or before
15 the executive or judicial branch of Washington state government or a
16 Washington state agency, department, board, or commission. The term
17 also includes press conferences and other public gatherings or events,
18 concerning issues of interest to Washington state residents.

19 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and shall take
22 effect immediately.

23 NEW SECTION. **Sec. 4.** If any provision of this act or its
24 application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

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