
SENATE BILL 5399

State of Washington

53rd Legislature

1993 Regular Session

By Senators Quigley, Haugen, A. Smith, Sutherland, Fraser, Prince, McAuliffe, Deccio, Bauer, Drew, Talmadge, Loveland, Rinehart, Gaspard, Snyder, Jesernig, von Reichbauer, Winsley, Niemi, Prentice, Vognild, Spanel, Pelz and Sheldon

Read first time 01/27/93. Referred to Committee on Law & Justice.

1 AN ACT Relating to campaign spending limits; amending RCW
2 29.80.010; adding new sections to chapter 42.17 RCW; and prescribing
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.17 RCW
6 to read as follows:

7 Within thirty days after becoming a candidate or within three
8 business days of filing for office, whichever is earlier, a candidate
9 for state office shall sign and file with the commission a statement of
10 acceptance or rejection of the voluntary expenditure limits in section
11 2 of this act. The commission shall provide the form of the statement
12 and agreement by rule. The commission shall index and make available
13 for public inspection and copying a list of the statements of
14 acceptance or rejection filed by candidates.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW
16 to read as follows:

17 (1) In accordance with section 3 of this act, the commission shall
18 revise expenditure limits applicable in an election cycle for a

1 candidate who files a statement of acceptance under section 1 of this
2 act.

3 (2) The initial expenditure limits shall be as follows for the
4 following offices and classes of offices:

5 (a) Governor: \$1,500,000;

6 (b) Attorney general: \$500,000;

7 (c) All other state executive offices: \$200,000;

8 (d) Supreme court justice: \$200,000;

9 (e) Court of appeals judge: \$80,000;

10 (f) Superior court judge: \$80,000;

11 (g) State senator: \$80,000; and

12 (h) State representative: \$60,000.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW
14 to read as follows:

15 The commission shall, by January 1, 1996, and by January 1st of
16 each even-numbered year thereafter, adopt revisions in the existing
17 limits. Revisions shall be for the purpose of recognizing (1) changes
18 in the number of registered voters state-wide, and (2) economic changes
19 as reflected by an inflationary index recommended by the office of
20 financial management. The revisions shall be guided by the change in
21 the index for the two-year period before the date the revision is to be
22 adopted.

23 **Sec. 4.** RCW 29.80.010 and 1987 c 295 s 17 are each amended to read
24 as follows:

25 (1) As soon as possible before each state general election at which
26 federal or state officials are to be elected, the secretary of state
27 shall publish and mail to each individual place of residence of the
28 state a candidates' pamphlet containing photographs and campaign
29 statements of eligible nominees who desire to participate therein,
30 together with a campaign mailing address and telephone number submitted
31 by the nominee at the nominee's option, and in even-numbered years
32 containing a description of the office of precinct committee officer
33 and its duties, in order that voters will understand that the office is
34 a state office and will be found on the ballot of the forthcoming
35 general election. In odd-numbered years no candidates' pamphlet may be
36 published unless an election is to be held to fill a vacancy in one or
37 more of the following state-wide elective offices: United States

1 senator, governor, lieutenant governor, secretary of state, state
2 treasurer, state auditor, attorney general, superintendent of public
3 instruction, commissioner of public lands, insurance commissioner, or
4 justice of the supreme court.

5 (2) For purposes of this chapter, a candidate is eligible to
6 include a picture and a campaign statement in the candidates' pamphlet
7 only if the candidate has filed a statement of acceptance of voluntary
8 expenditure limits within the time limits set forth in section 1 of
9 this act. The following information must be included in the pamphlet
10 if a candidate does not file a statement of acceptance within the time
11 limits set forth in section 1 of this act: "A statement by this
12 candidate has not been included because the candidate has not agreed to
13 comply with the voluntary campaign spending limits established by the
14 state public disclosure commission. A candidate's statement is
15 included in this pamphlet only if the candidate agrees to comply with
16 those spending limits."

17 NEW SECTION. Sec. 5. A new section is added to chapter 42.17 RCW
18 to read as follows:

19 It is a violation of this chapter to exceed an expenditure limit to
20 which a candidate has agreed by filing a statement of acceptance under
21 section 1 of this act.

22 NEW SECTION. Sec. 6. A new section is added to chapter 42.17 RCW
23 to read as follows:

24 One or more of the following civil remedies and sanctions may be
25 imposed by court order for a violation of section 5 of this act in
26 addition to other remedies provided by law:

27 (1) A candidate who violates section 5 of this act may be subject
28 to a civil penalty of not more than ten thousand dollars.

29 (2) The court shall presume that a material and substantial
30 violation of section 5 of this act has affected the outcome of the
31 election. Unless the presumption is defeated by clear, cogent, and
32 convincing evidence, the court shall declare the election void and
33 order a special election to be held within sixty days of the finding.
34 An action to void an election must be commenced within one year of the
35 date of the election in question.

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