

HOUSE BILL REPORT

SB 6243

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to eliminating provisions for filings at locations other than the public disclosure commission.

Brief Description: Eliminating provisions for filings at locations other than the public disclosure commission.

Sponsors: Senators Fairley, Oemig, Swecker and McDermott; by request of Public Disclosure Commission.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/19/10, 2/23/10 [DPA].

**Brief Summary of Bill
(As Amended by House)**

- Eliminates the requirement to file certain campaign finance reports with county election officials.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass as amended. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst, Miloscia and Taylor.

Staff: Tracey O'Brien (786-7196).

Background:

Public disclosure laws were enacted following the approval of Initiative 276 (I-276) in 1972. The stated policy of I-276 includes disclosure of campaign and lobbying contributions and expenditures.

Campaign Committees and Candidates.

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

The law requires that political committees file a statement of organization with both the Public Disclosure Commission (Commission) and the county auditor of the county in which the political committee's treasurer lives. This statement must be done within two weeks after its organization or within two weeks after the date when it first expects to receive contributions or make expenditures. The information required includes the names and addresses of the committee, any affiliated committees, its officers or responsible leaders, and its treasurer and depository. The statement of organization must also include information regarding the candidate the committee is supporting or opposing, or the ballot proposition the committee is supporting or opposing. A candidate, within two weeks after becoming a candidate, must also designate and file with the Commission and the county auditor the names and addresses of the campaign treasurer and the depository. Once the statement of organization is filed with the Commission and the county auditor, a committee must report all contributions received and expenditures made at the following times:

- on the 10th day of each month, provided that total contributions or expenditures exceed \$200 since the last report;
- on the 21st day and the seventh day immediately preceding the date of the election; and
- on the 10th day of the first month after the election.

Reports filed on the 10th day of the month must include contributions received and expenditures made from the closing date of the last report filed. Reports filed on the 21st day before the election must be current within five business days before the date of the report. The report filed seven days before the election must be current within one day before the date of the report.

A continuing political committee is required to report to the Commission and the county auditor (of the county in which the committee maintains its office or headquarters, or the county in which the committee treasurer resides) on the 10th day of every month detailing contributions and expenditures. If the continuing political committee files electronically with the Commission, then it need not report to the county auditor.

Independent Expenditures.

An "independent expenditure" is any expenditure that is made in support of or in opposition to any candidate or ballot proposition and is not otherwise required to be reported to the Commission and the county auditor. Persons making independent expenditures must file an initial report to the Commission and the county auditor of all independent expenditures made during the campaign within five days of making an independent expenditure of at least \$100. In addition, further reports are required to be filed with the Commission and the county auditor at the following times:

- on the 21st day and the seventh day preceding the date on which the election is held;
- on the 10th day of the first month after the election; and
- on the 10th day of each month in which no other reports are required to be filed and the person has made an independent expenditure since the last previous report was filed.

A person or entity (other than a party organization) making an independent expenditure by mailing 1,000 or more identical (or nearly identical) cumulative pieces of political advertising in a single calendar year must file a statement with the county auditor within two working days after the mailing date. The statement must disclose the number of pieces in the mailing and include an example of the mailed political advertising. The county auditor receiving the filing shall be the county of residence for mailings the candidate supported or opposed by the campaign expenditure. For mailings made in support of or in opposition to a ballot proposition, the statement must be filed with the county auditor of the county of residence for the person making the expenditure.

Summary of Amended Bill:

The requirement for candidates, political committees, and persons making independent campaign expenditures to file campaign finance reports with a county auditor is eliminated.

Where local governments require reports containing the same information, filing with the PDC shall be deemed sufficient to fulfill the local government requirements.

Amended Bill Compared to Original Bill:

The amended bill eliminates the duplicative filings with local governments where the local and state filings contain the same information.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill promotes government efficiencies. It will also save local governments money as the bill eliminates the staff time to process the reports and the cost to store the reports.

(In support with amendment) Some cities require the same filings deleted under this bill for counties. It is suggested that language be added that makes the filing by a political committee with the PDC sufficient to satisfy local government requirements.

(Opposed) None.

Persons Testifying: (In support) Nancy Krier, Public Disclosure Commission.

(In support with amendment) Rick Slunaker, Associated General Contractors.

Persons Signed In To Testify But Not Testifying: None.