
SUBSTITUTE HOUSE BILL 1436

State of Washington 61st Legislature 2009 Regular Session

By House State Government & Tribal Affairs (originally sponsored by Representatives Moeller and Hunt)

READ FIRST TIME 02/23/09.

1 AN ACT Relating to electronic filing of lobbying reports required
2 by chapter 42.17 RCW by lobbyists, lobbyists' employers, and agencies;
3 amending RCW 42.17.369 and 42.17.3691; and creating new sections.

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

5 **Sec. 1.** RCW 42.17.369 and 2000 c 237 s 3 are each amended to read
6 as follows:

7 (1) By July 1, 1999, the commission shall make available to
8 candidates, public officials, and political committees that are
9 required to file reports under this chapter an electronic filing
10 ((alternative)) system for submitting financial affairs reports,
11 contribution reports, and expenditure reports(~~(, including but not~~
12 ~~limited to filing by diskette, modem, satellite, or)~~) over the
13 internet.

14 (2) By January 1, ~~((2002))~~ 2012, the commission shall make
15 available to lobbyists ~~((and))~~, lobbyists' employers, and agencies
16 required to file reports under RCW 42.17.150, 42.17.170, 42.17.175,
17 ~~((or))~~ 42.17.180, or 42.17.190 an electronic filing ~~((alternative))~~
18 system for submitting these reports ~~((including but not limited to~~
19 ~~filing by diskette, modem, satellite, or)~~) over the internet.

1 (3) The commission shall make available to candidates(~~(7)~~) and
2 public officials(~~(7)~~) filing financial affairs reports and political
3 committees(~~(7-lobbyists, and lobbyists' employers)~~) an electronic
4 (~~(copy of the appropriate reporting forms)~~) filing system at no charge.

5 **Sec. 2.** RCW 42.17.3691 and 2000 c 237 s 4 are each amended to read
6 as follows:

7 (1) (~~(Beginning January 1, 2002, each candidate or political~~
8 ~~committee that expended twenty five thousand dollars or more in the~~
9 ~~preceding year or expects to expend twenty five thousand dollars or~~
10 ~~more in the current year shall file all contribution reports and~~
11 ~~expenditure reports required by this chapter by the electronic~~
12 ~~alternative provided by the commission under RCW 42.17.369. The~~
13 ~~commission may make exceptions on a case by case basis for candidates~~
14 ~~whose authorized committees lack the technological ability to file~~
15 ~~reports using the electronic alternative provided by the commission.~~

16 (2) ~~(Beginning January 1, 2004,)~~ Each candidate or political
17 committee that expended ten thousand dollars or more in the preceding
18 year or expects to expend ten thousand dollars or more in the current
19 year shall file all contribution reports and expenditure reports
20 required by this chapter ((by the electronic alternative))
21 electronically over the internet as provided by the commission under
22 RCW 42.17.369. ((The commission may make exceptions on a case by case
23 basis for candidates whose authorized committees lack the technological
24 ability to file reports using the electronic alternative provided by
25 the commission.

26 (3) (2)(a) Beginning January 1, 2012, lobbyists required to
27 register under RCW 42.17.150, or report under RCW 42.17.170, whose
28 total reportable accrued compensation for lobbying, whether from or on
29 behalf of one or more lobbyists' employers, was ten thousand dollars or
30 more for the previous calendar year, or is expected to be ten thousand
31 dollars or more for the current calendar year, must file all reports
32 required by this chapter electronically over the internet as provided
33 by the commission under RCW 42.17.369.

34 (b) Beginning January 1, 2013, lobbyists' employers required to
35 report under RCW 42.17.180 whose total reportable accrued expenses and
36 payments for lobbying, including those through or on behalf of one or
37 more lobbyists, was ten thousand dollars or more for the previous

1 calendar year, or is expected to be ten thousand dollars or more for
2 the current calendar year, must file all reports required by this
3 chapter electronically over the internet as provided by the commission
4 under RCW 42.17.369.

5 (c) Beginning January 1, 2012, all agencies required to report
6 under RCW 42.17.190 must file all lobbying reports required by this
7 chapter electronically over the internet as provided by the commission
8 under RCW 42.17.369.

9 (3) The commission may make exceptions on a case-by-case basis for
10 candidates, lobbyists, lobbyists' employers, or agencies when they lack
11 the technological ability to file reports electronically.

12 (4) Failure by a candidate ((or)), political committee, lobbyist,
13 lobbyist's employer, or agency to comply with this section is a
14 violation of this chapter.

15 NEW SECTION. Sec. 3. (1) Effective August 1, 2009, lobbyists and
16 lobbyists' employers who are registered or required to report for
17 either calendar years 2009 or 2010, or both, or who subsequently
18 register for any part of calendar years 2009 or 2010, shall pay a one-
19 time fee to the public disclosure commission for the development and
20 implementation of the electronic filing system under RCW 42.17.369.
21 Lobbyists' fees are based on total reportable accrued compensation
22 whether from or on behalf of one or more lobbyists' employers.
23 Lobbyist employers' fees are based on total reportable accrued expenses
24 and payments for lobbying, including those through or on behalf of one
25 or more lobbyists. Fees are as follows:

26 (a)(i) One hundred dollars for lobbyists whose compensation is at
27 least ten thousand dollars but less than twenty-five thousand dollars;
28 (ii) three hundred dollars for lobbyists whose compensation is at least
29 twenty-five thousand dollars but less than fifty thousand dollars;
30 (iii) six hundred dollars for lobbyists whose compensation is at least
31 fifty thousand dollars but less than one hundred thousand dollars; and
32 (iv) eight hundred dollars for lobbyists whose compensation is one
33 hundred thousand dollars or more.

34 (b)(i) One hundred dollars for lobbyist employers whose expenses
35 and payments are at least ten thousand dollars but less than twenty-
36 five thousand dollars; (ii) three hundred dollars for lobbyist
37 employers whose expenses and payments are at least twenty-five thousand

1 dollars but less than fifty thousand dollars; (iii) six hundred dollars
2 for lobbyist employers whose expenses and payments are at least fifty
3 thousand dollars but less than one hundred thousand dollars; and (iv)
4 eight hundred dollars for lobbyist employers whose expenses and
5 payments are one hundred thousand dollars or more.

6 (c) One hundred fifty dollars for each agency required to file
7 under RCW 42.17.190.

8 (2) Fees received under this section must be deposited into the
9 lobbying electronic filing account under section 4 of this act.

10 NEW SECTION. **Sec. 4.** (1) The lobbying electronic filing account
11 is created in the custody of the state treasurer. All receipts from
12 fees paid by lobbyists, lobbyists' employers, and agencies under
13 section 3 of this act must be deposited into the account. Expenditures
14 from the account may be used only for costs incurred as a result of the
15 design, development, implementation, and maintenance of:

16 (a) Software or other applications to accommodate electronic filing
17 of the reports required for lobbyists, lobbyists' employers, and public
18 agencies reporting under chapter 42.17 RCW; and

19 (b) A database and query system compatible with current
20 architecture, technology, and operating systems that results in readily
21 available data to the public for review and analysis.

22 (2) Only the executive director of the public disclosure commission
23 or the executive director's designee may authorize expenditures from
24 the account. The account is subject to allotment procedures under
25 chapter 43.88 RCW, but an appropriation is not required for
26 expenditures.

--- END ---