

# HOUSE BILL REPORT

## SB 6775

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### As Passed House - Amended:

March 2, 2000

**Title:** An act relating to filing of reports with the public disclosure commission.

**Brief Description:** Simplifying public disclosure report filing and distributions.

**Sponsors:** Senators Patterson, Horn, Haugen, Shin, Prentice, Goings, Gardner and Costa.

### Brief History:

#### Committee Activity:

State Government: 2/22/00 [DPA].

#### Floor Activity:

Passed House - Amended: 3/2/00, 98-0.

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

- Excuses the filing of reports with county auditors or elections officers when the reports have been filed with the Public Disclosure Commission electronically, or with a city agency.
- Delays the date by which the Public Disclosure Commission must offer electronic filing to lobbyists.
- Imposes electronic filing requirements on candidates and all political committees.
- Delays the date by which candidates and political committees must file electronically and revises the electronic reporting threshold for candidates and political committees.
- Revises the Public Disclosure Commission's accessibility goals with respect to reports filed electronically and non-electronically.
- Requires the Public Disclosure Commission to establish a toll free telephone number.
- Requires the books of account for a candidate to be available for two consecutive hours on the seventh day before an election when the eighth day before the election is a legal holiday.
- Changes the inspection requirements imposed on continuing political committees to be the same as those imposed on candidates.
- Clarifies that the use of internet links by state officers or employees to web sites operated by the state does not constitute the use of public facilities to assist a campaign.

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**HOUSE COMMITTEE ON STATE GOVERNMENT**

**Majority Report:** Do pass as amended. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Campbell, Republican Vice Chair; Miloscia, Democratic Vice Chair; Dunshee; Haigh; Lambert and D. Schmidt.

**Staff:** Jim Morishima (786-7191).

## **Background:**

The Public Disclosure Commission (PDC) is responsible for collecting and providing public access to reports regarding campaign financing, lobbyist expenditures, and the financial affairs of public officials and candidates.

### I. Reporting Requirements

A continuing political committee is required to file a report with the PDC and the county auditor or elections officer detailing its activities for the preceding month if the committee made expenditures or received contributions exceeding \$200 that month. Candidates, political committees, and treasurers must file a variety of reports with the PDC and the county auditor or elections officer detailing campaign expenditures, campaign contributions, bank deposits, and other election related activities.

### II. Electronic Filing

The PDC must offer every candidate, public official, political committee, and party organization the opportunity to file financial affairs reports, contribution reports, and expenditure reports electronically by diskette or via modem, satellite, or the internet. By January 1, 2001, the PDC must offer the same electronic filing option to lobbyists and lobbyists' employers.

Beginning January 1, 2001, each continuing political committee that expended \$10,000 or more in the preceding year, or expects to expend \$10,000 or more in the current year must file all contribution and expenditure reports electronically.

The PDC is required to establish certain access goals with respect to information filed electronically. For reports filed electronically, the PDC must attempt to make the reports available in the PDC office within two business days, and on the PDC web site within seven business days of receipt. For reports not filed electronically, the PDC must attempt to make the reports available in the PDC office within four business days, and on the PDC web site within 14 days of physical receipt.

On January 1, 2001, or shortly thereafter, the PDC must revise these goals. For reports filed electronically, the PDC must attempt to make the reports available in the PDC office and on the PDC web site within two business days of receipt. For reports not filed electronically, the PDC must attempt to make the reports available in the PDC office and on the PDC web site within four business days of physical receipt.

### III. Inspection of Books of Account

A candidate must keep his or her books of account open for inspection for at least two consecutive hours between 8:00 a.m. and 8:00 p.m. on the eighth day before the

election. On the seventh day through the day immediately before the election, other than weekends or holidays, the books of account must be available by appointment between 8:00 a.m. and 8:00 p.m..

A continuing political committee must keep its books of account open for at least two consecutive hours between 8:00 a.m. and 8:00 p.m. on the eighth day before the election through the day immediately before the election, other than weekends or holidays.

#### IV. Use of Public Facilities to Assist a Campaign

A state officer or employee may not make use of public facilities, directly or indirectly, for the purpose of assisting a campaign. For purposes of this prohibition, "facilities" includes stationary, postage, machines, equipment, employees, vehicles, office space, agency publications, and agency clientele lists.

The prohibition does not apply to:

- Certain actions taken at open public meetings by a legislative body;
- A statement made by an elected official at a press conference or in response to a specific inquiry;
- Normal and regular activities of the office or agency; and
- De minimis use of public facilities by elected officials incidental to the preparation or delivery of permissible communications.

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### **Summary of Amended Bill:**

#### I. Reporting Requirements

After January 1, 2002, a political committee, candidate, treasurer electronically filing a report with the PDC does not have to file the report with the county auditor or elections officer. If a city requires that candidates or committees for city offices file reports with a city agency, a candidate or treasurer so filing need not file the report with the county auditor or elections officer.

#### II. Electronic Filing

The PDC must make available an electronic filing alternative to candidates, public officials, and political committees. The electronic filing alternative must include, but is not limited to filing by diskette, modem, satellite, or the internet. The electronic filing alternative must be available to lobbyists and lobbyists' employers by January 1, 2002.

The entities to whom the electronic filing requirements apply are expanded to include candidates and all political committees. Beginning January 1, 2002, each candidate or political committee that expended \$25,000 or more in the preceding year, or expects to expend \$25,000 or more in the current year must use the electronic filing alternative. Beginning January 1, 2004, each candidate or political committee that expended \$10,000 or more in the preceding year, or expects to expend \$10,000 or more in the current year must use the electronic filing alternative. These requirements do not apply if the candidate does not have the necessary technology.

The January 1, 2001 accessibility goals are changed. For reports filed electronically, the PDC must attempt to make the reports available in the PDC office within two business days, and on the PDC web site within four business days of receipt. For reports not filed electronically, the PDC must attempt to make the reports available in the PDC office within four business days, and on the PDC web site within seven business days of physical receipt.

On January 1, 2002, or shortly thereafter, the PDC must again revise the goals. For reports filed electronically, the PDC must attempt to make the reports available in the PDC office and on the PDC web site within two business days of receipt. For reports not filed electronically, the PDC must attempt to make the reports available in the PDC office and on the PDC web site within four business days of physical receipt.

The PDC is required to establish a toll-free telephone number.

### III. Inspection of Books of Account

If the eighth day before the election is a holiday, a candidate's books of account must be available for at least two consecutive hours between 8:00 a.m. and 8:00 p.m. on the seventh day before the election. Continuing political committees must keep their books of account open for inspection in the same manner as candidates.

### IV. Use of Public Facilities to Assist a Campaign

With respect to state officers or employees, the prohibition against the use of public facilities to assist a campaign does not apply to the creation of a link from a web site operated by a state officer or employee to a web site operated by the state.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill makes the time lines for electronic filing and access more realistic and attainable. The bill also requires candidates to file electronically, which brings Washington in line with 37 other states. The higher dollar limit for when candidates need to file electronically is appropriate because campaigns spending more money will probably have access to the necessary technology.

**Testimony Against:** None.

**Testified:** Senator Patterson, prime sponsor; and Vicki Rippie, Public Disclosure Commission.