

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1770

Chapter 208, Laws of 2001

57th Legislature
2001 Regular Legislative Session

CAMPAIGN CONTRIBUTIONS--LOSING CANDIDATE

EFFECTIVE DATE: 7/22/01

Passed by the House April 13, 2001
Yeas 88 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate April 4, 2001
Yeas 33 Nays 16

BRAD OWEN
President of the Senate

Approved May 7, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1770** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 7, 2001 - 1:50 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1770

AS AMENDED BY THE SENATE

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Representatives McDermott, D. Schmidt, Haigh, Miloscia, Dunshee, McMorris, Morris, Romero, Esser, Lambert, Schindler, Dickerson and Ogden

Read first time 02/02/2001. Referred to Committee on State Government.

1 AN ACT Relating to contributions made to a candidate who loses a
2 primary; and amending RCW 42.17.640.

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

4 **Sec. 1.** RCW 42.17.640 and 1995 c 397 s 20 are each amended to read
5 as follows:

6 (1) No person, other than a bona fide political party or a caucus
7 political committee, may make contributions to a candidate for a state
8 legislative office that in the aggregate exceed five hundred dollars or
9 to a candidate for a state office other than a state legislative office
10 that in the aggregate exceed one thousand dollars for each election in
11 which the candidate is on the ballot or appears as a write-in
12 candidate. Contributions made with respect to a primary may not be
13 made after the date of the primary. However, contributions to a
14 candidate or a candidate's authorized committee may be made with
15 respect to a primary until thirty days after the primary, subject to
16 the following limitations: (a) The candidate lost the primary; (b) the
17 candidate's authorized committee has insufficient funds to pay debts
18 outstanding as of the date of the primary; and (c) the contributions
19 may only be raised and spent to satisfy the outstanding debt.

1 Contributions made with respect to a general election may not be made
2 after the final day of the applicable election cycle.

3 (2) No person, other than a bona fide political party or a caucus
4 political committee, may make contributions to a state official against
5 whom recall charges have been filed, or to a political committee having
6 the expectation of making expenditures in support of the recall of the
7 state official, during a recall campaign that in the aggregate exceed
8 five hundred dollars if for a state legislative office or one thousand
9 dollars if for a state office other than a state legislative office.

10 (3)(a) Notwithstanding subsection (1) of this section, no bona fide
11 political party or caucus political committee may make contributions to
12 a candidate during an election cycle that in the aggregate exceed (i)
13 fifty cents multiplied by the number of eligible registered voters in
14 the jurisdiction from which the candidate is elected if the contributor
15 is a caucus political committee or the governing body of a state
16 organization, or (ii) twenty-five cents multiplied by the number of
17 registered voters in the jurisdiction from which the candidate is
18 elected if the contributor is a county central committee or a
19 legislative district committee.

20 (b) No candidate may accept contributions from a county central
21 committee or a legislative district committee during an election cycle
22 that when combined with contributions from other county central
23 committees or legislative district committees would in the aggregate
24 exceed twenty-five cents times the number of registered voters in the
25 jurisdiction from which the candidate is elected.

26 (4)(a) Notwithstanding subsection (2) of this section, no bona fide
27 political party or caucus political committee may make contributions to
28 a state official against whom recall charges have been filed, or to a
29 political committee having the expectation of making expenditures in
30 support of the state official, during a recall campaign that in the
31 aggregate exceed (i) fifty cents multiplied by the number of eligible
32 registered voters in the jurisdiction entitled to recall the state
33 official if the contributor is a caucus political committee or the
34 governing body of a state organization, or (ii) twenty-five cents
35 multiplied by the number of registered voters in the jurisdiction from
36 which the candidate is elected if the contributor is a county central
37 committee or a legislative district committee.

38 (b) No state official against whom recall charges have been filed,
39 no authorized committee of the official, and no political committee

1 having the expectation of making expenditures in support of the recall
2 of a state official may accept contributions from a county central
3 committee or a legislative district committee during an election cycle
4 that when combined with contributions from other county central
5 committees or legislative district committees would in the aggregate
6 exceed twenty-five cents multiplied by the number of registered voters
7 in the jurisdiction from which the candidate is elected.

8 (5) For purposes of determining contribution limits under
9 subsections (3) and (4) of this section, the number of eligible
10 registered voters in a jurisdiction is the number at the time of the
11 most recent general election in the jurisdiction.

12 (6) Notwithstanding subsections (1) through (4) of this section, no
13 person other than an individual, bona fide political party, or caucus
14 political committee may make contributions reportable under this
15 chapter to a caucus political committee that in the aggregate exceed
16 five hundred dollars in a calendar year or to a bona fide political
17 party that in the aggregate exceed two thousand five hundred dollars in
18 a calendar year. This subsection does not apply to loans made in the
19 ordinary course of business.

20 (7) For the purposes of RCW 42.17.640 through 42.17.790, a
21 contribution to the authorized political committee of a candidate, or
22 of a state official against whom recall charges have been filed, is
23 considered to be a contribution to the candidate or state official.

24 (8) A contribution received within the twelve-month period after a
25 recall election concerning a state office is considered to be a
26 contribution during that recall campaign if the contribution is used to
27 pay a debt or obligation incurred to influence the outcome of that
28 recall campaign.

29 (9) The contributions allowed by subsection (2) of this section are
30 in addition to those allowed by subsection (1) of this section, and the
31 contributions allowed by subsection (4) of this section are in addition
32 to those allowed by subsection (3) of this section.

33 (10) RCW 42.17.640 through 42.17.790 apply to a special election
34 conducted to fill a vacancy in a state office. However, the
35 contributions made to a candidate or received by a candidate for a
36 primary or special election conducted to fill such a vacancy shall not
37 be counted toward any of the limitations that apply to the candidate or
38 to contributions made to the candidate for any other primary or
39 election.

1 (11) Notwithstanding the other subsections of this section, no
2 corporation or business entity not doing business in Washington state,
3 no labor union with fewer than ten members who reside in Washington
4 state, and no political committee that has not received contributions
5 of ten dollars or more from at least ten persons registered to vote in
6 Washington state during the preceding one hundred eighty days may make
7 contributions reportable under this chapter to a candidate, to a state
8 official against whom recall charges have been filed, or to a political
9 committee having the expectation of making expenditures in support of
10 the recall of the official. This subsection does not apply to loans
11 made in the ordinary course of business.

12 (12) Notwithstanding the other subsections of this section, no
13 county central committee or legislative district committee may make
14 contributions reportable under this chapter to a candidate, state
15 official against whom recall charges have been filed, or political
16 committee having the expectation of making expenditures in support of
17 the recall of a state official if the county central committee or
18 legislative district committee is outside of the jurisdiction entitled
19 to elect the candidate or recall the state official.

20 (13) No person may accept contributions that exceed the
21 contribution limitations provided in this section.

22 (14) The following contributions are exempt from the contribution
23 limits of this section:

24 (a) An expenditure or contribution earmarked for voter
25 registration, for absentee ballot information, for precinct caucuses,
26 for get-out-the-vote campaigns, for precinct judges or inspectors, for
27 sample ballots, or for ballot counting, all without promotion of or
28 political advertising for individual candidates; or

29 (b) An expenditure by a political committee for its own internal
30 organization or fund raising without direct association with individual
31 candidates.

Passed the House April 13, 2001.

Passed the Senate April 4, 2001.

Approved by the Governor May 7, 2001.

Filed in Office of Secretary of State May 7, 2001.