

# SENATE BILL REPORT

## SB 5140

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As Reported By Senate Committee On:  
Government Operations & Elections, February 1, 2005

**Title:** An act relating to the disposal of surplus funds of candidates or political committees.

**Brief Description:** Modifying the disposal of surplus funds of candidates or political committees.

**Sponsors:** Senators Berkey, Kastama and Kohl-Welles.

**Brief History:**

**Committee Activity:** Government Operations & Elections: 1/25/05, 2/1/05 [DPS, w/oRec].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** That Substitute Senate Bill No. 5140 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, McCaslin and Pridemore.

**Minority Report:** That it be referred without recommendation.  
Signed by Senator Mulliken.

**Staff:** Genevieve Pisarski (786-7488)

**Background:** State campaign finance law expressly limits what can be done with surplus campaign funds. Surplus funds cannot be transferred to another candidate or political committee. Surplus funds can be returned to the contributor, used to reimburse a candidate's personal account, transferred to a political party or committee, donated to a charitable organization, deposited in the state general fund, held for a future election, or used for nonreimbursed expenses of public office. Specific requirements apply to each of these uses. The general fund is the only state fund that is specifically authorized to receive surplus campaign funds.

**Summary of Substitute Bill:** A candidate or political committee may donate surplus funds to the oral history, state library, and archives account and the legislative international trade account, as well as to the general fund.

**Substitute Bill Compared to Original Bill:** The original bill was not considered.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** The two accounts in the proposal were created recently and offer candidates additional options for surplus contributions. The international trade account helps to promote economic development and creation of jobs. Uses for surplus contributions have to be specifically included in the law, in order to be allowed.

**Testimony Against:** None.

**Who Testified:** PRO: Sen. Berkey, Prime Sponsor; Brian Hatfield, Office of the Lieutenant Governor.