CERTIFICATION OF ENROLLMENT

THIRD SUBSTITUTE HOUSE BILL 1226

Chapter 348, Laws of 2006

59th Legislature
2006 Regular Session

CAMPAIGN CONTRIBUTION LIMITS

EFFECTIVE DATE: 6/7/06

Passed by the House March 4, 2006
Yeas 56  Nays 40

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 1, 2006
Yeas 36  Nays 11

BRAD OWEN
President of the Senate

Approved March 30, 2006.

RICHARD NAFZIGER
Chief Clerk

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is THIRD SUBSTITUTE HOUSE BILL 1226 as passed by the House of Representatives and the Senate on the dates hereon set forth.

CHRISTINE GREGOIRE
Governor of the State of Washington

FILED
March 30, 2006 - 3:11 p.m.

SECRETARY OF STATE
State of Washington
AN ACT Relating to campaign contribution limits; amending RCW 42.17.640, 42.17.700, 42.17.710, and 42.17.093; and adding new sections to chapter 42.17 RCW.

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

Sec. 1. RCW 42.17.640 and 2005 c 445 s 11 are each amended to read as follows:

(1) The contribution limits in this section apply to:

(a) Candidates for state legislative office;

(b) Candidates for state office other than state legislative office;

(c) Candidates for county office in a county that has over two hundred thousand registered voters;

(d) Candidates for special purpose district office if that district is authorized to provide freight and passenger transfer and terminal facilities and that district has over two hundred thousand registered voters;

(e) Persons holding an office in (a) through (d) of this subsection against whom recall charges have been filed or to a political committee
having the expectation of making expenditures in support of the recall
of a person holding the office;

(f) Caucus political committees;

(g) Bona fide political parties.

(2) No person, other than a bona fide political party or a caucus
political committee, may make contributions to a candidate for a state
legislative office or county office that in the aggregate exceed seven
hundred dollars or to a candidate for a public office in a special
purpose district or a state office other than a state legislative
office that in the aggregate exceed one thousand four hundred dollars
for each election in which the candidate is on the ballot or appears as
a write-in candidate. Contributions to candidates subject to the
limits in this section made with respect to a primary may not be made
after the date of the primary. However, contributions to a candidate
or a candidate's authorized committee may be made with respect to a
primary until thirty days after the primary, subject to the following
limitations: (a) The candidate lost the primary; (b) the candidate's
authorized committee has insufficient funds to pay debts outstanding as
of the date of the primary; and (c) the contributions may only be
raised and spent to satisfy the outstanding debt. Contributions to
candidates subject to the limits in this section made with respect to
a general election may not be made after the final day of the
applicable election cycle.

((2+) (3) No person, other than a bona fide political party or a
caucus political committee, may make contributions to a state official,
a county official, or a public official in a special purpose district
against whom recall charges have been filed, or to a political
committee having the expectation of making expenditures in support of
the recall of the state official, county official, or public official
in a special purpose district during a recall campaign that in the
aggregate exceed seven hundred dollars if for a state legislative
office or county office or one thousand four hundred dollars if for a
special purpose district office or a state office other than a state
legislative office.

((3+) (4)) (a) Notwithstanding subsection ((+1+)) (2) of this
section, no bona fide political party or caucus political committee may
make contributions to a candidate during an election cycle that in the
aggregate exceed (i) seventy cents multiplied by the number of eligible
registered voters in the jurisdiction from which the candidate is
elected if the contributor is a caucus political committee or the
governing body of a state organization, or (ii) thirty-five cents
multiplied by the number of registered voters in the jurisdiction from
which the candidate is elected if the contributor is a county central
committee or a legislative district committee.

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

((4)) (5) (a) Notwithstanding subsection ((2)) (3) of this
section, no bona fide political party or caucus political committee may
make contributions to a state official, county official, or a public
official in a special purpose district against whom recall charges have
been filed, or to a political committee having the expectation of
making expenditures in support of the state official, county official,
or a public official in a special purpose district during a recall
campaign that in the aggregate exceed (i) seventy cents multiplied by
the number of eligible registered voters in the jurisdiction entitled
to recall the state official if the contributor is a caucus political
committee or the governing body of a state organization, or (ii)
thirty-five cents multiplied by the number of registered voters in the
jurisdiction from which the candidate is elected if the contributor is
a county central committee or a legislative district committee.

(b) No state official holding an office specified in subsection
(1) of this section against whom recall charges have been filed, no
authorized committee of the official, and no political committee having
the expectation of making expenditures in support of the recall of (a
state) the official may accept contributions from a county central
committee or a legislative district committee during an election cycle
that when combined with contributions from other county central
committees or legislative district committees would in the aggregate
exceed thirty-five cents multiplied by the number of registered voters
in the jurisdiction from which the candidate is elected.

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

((6)) (7) Notwithstanding subsections ((4) and) (2) through ((4))
(5) of this section, no person other than an individual, bona fide
political party, or caucus political committee may make contributions
reportable under this chapter to a caucus political committee that in
the aggregate exceed seven hundred dollars in a calendar year or to a
bona fide political party that in the aggregate exceed three thousand
five hundred dollars in a calendar year. This subsection does not
apply to loans made in the ordinary course of business.

((7)) (8) For the purposes of RCW 42.17.640 through 42.17.790, a
contribution to the authorized political committee of a candidate((,))
or of ((a state)) an official specified in subsection (1) of this
section against whom recall charges have been filed((,)) is considered
to be a contribution to the candidate or ((state)) official.

((8)) (9) A contribution received within the twelve-month period
after a recall election concerning ((a state)) an office specified in
subsection (1) of this section is considered to be a contribution
during that recall campaign if the contribution is used to pay a debt
or obligation incurred to influence the outcome of that recall
campaign.

((9)) (10) The contributions allowed by subsection ((4)) (3) of
this section are in addition to those allowed by subsection ((4)) (2)
of this section, and the contributions allowed by subsection ((4))
(5) of this section are in addition to those allowed by subsection
((3)) (4) of this section.

((10)) (11) RCW 42.17.640 through 42.17.790 apply to a special
election conducted to fill a vacancy in ((a state)) an office specified
in subsection (1) of this section. However, the contributions made to
a candidate or received by a candidate for a primary or special
election conducted to fill such a vacancy shall not be counted toward
any of the limitations that apply to the candidate or to contributions
made to the candidate for any other primary or election.

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

(12) Notwithstanding the other subsections of this section, no county central committee or legislative district committee may make contributions reportable under this chapter to a candidate specified in subsection (1) of this section, or an official specified in subsection (1) of this section against whom recall charges have been filed, or political committee having the expectation of making expenditures in support of the recall of an official specified in subsection (1) of this section if the county central committee or legislative district committee is outside of the jurisdiction entitled to elect the candidate or recall the official.

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

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

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

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

NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW to read as follows:

(1) No person may make contributions to a candidate for judicial office that in the aggregate exceed one thousand four hundred dollars for each election in which the candidate is on the ballot or appears as a write-in candidate. Contributions made with respect to a primary may not be made after the date of the primary. However, contributions to

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a candidate or a candidate's authorized committee may be made with respect to a primary until thirty days after the primary, subject to the following limitations: (a) The candidate lost the primary; (b) the candidate's authorized committee has insufficient funds to pay debts outstanding as of the date of the primary; and (c) the contributions may only be raised and spent to satisfy the outstanding debt. Contributions made with respect to a general election may not be made after the final day of the applicable election cycle.

(2) This section through RCW 42.17.790 apply to a special election conducted to fill a vacancy in an office. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy will not be counted toward any of the limitations that apply to the candidate or to contributions made to the candidate for any other primary or election.

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

(4) The dollar limits in this section must be adjusted according to RCW 42.17.690.

NEW SECTION. Sec. 3. A new section is added to chapter 42.17 RCW to read as follows:

The commission shall adopt rules to carry out the policies of this act and is not subject to the time restrictions of RCW 42.17.370(1).

Sec. 4. RCW 42.17.700 and 1993 c 2 s 10 are each amended to read as follows:

(1) Contributions to candidates for state office made and received before December 3, 1992, are considered to be contributions under RCW 42.17.640 through 42.17.790. Monetary contributions that exceed the contribution limitations and that have not been spent by the recipient of the contribution by December 3, 1992, must be disposed of in accordance with RCW 42.17.095.

(2) Contributions to other candidates subject to the contribution limits of this chapter made and received before the effective date of this act are considered to be contributions under RCW 42.17.640 through 42.17.790. Contributions that exceed the contribution limitations and that have not been spent by the recipient of the contribution by the
effective date of this act must be disposed of in accordance with RCW 42.17.095 except for subsections (6) and (7) of that section.

Sec. 5. RCW 42.17.710 and 2003 c 164 s 3 are each amended to read as follows:

(1) During the period beginning on the thirtieth day before the date a regular legislative session convenes and continuing thirty days past the date of final adjournment, and during the period beginning on the date a special legislative session convenes and continuing through the date that session adjourns, no state official or a person employed by or acting on behalf of a state official or state legislator may solicit or accept contributions to a public office fund, to a candidate or authorized committee, or to retire a campaign debt. Contributions received through the mail after the thirtieth day before a regular legislative session may be accepted if the contribution is postmarked prior to the thirtieth day before the session.

(2) This section does not apply to activities authorized in RCW 43.07.370.

Sec. 6. RCW 42.17.093 and 2003 c 123 s 2 are each amended to read as follows:

(1) An out-of-state political committee organized for the purpose of supporting or opposing candidates or ballot propositions in another state that is not otherwise required to report under RCW 42.17.040 through 42.17.090 shall report as required in this section when it makes an expenditure supporting or opposing a Washington state candidate or political committee. The committee shall file with the commission a statement disclosing:

(a) Its name and address;
(b) The purposes of the out-of-state committee;
(c) The names, addresses, and titles of its officers or, if it has no officers, the names, addresses, and the titles of its responsible leaders;
(d) The name, office sought, and party affiliation of each candidate in the state of Washington whom the out-of-state committee is supporting or opposing and, if such committee is supporting or opposing the entire ticket of any party, the name of the party;
(e) The ballot proposition supported or opposed in the state of Washington, if any, and whether such committee is in favor of or opposed to such proposition;

(f) The name and address of each person residing in the state of Washington or corporation which has a place of business in the state of Washington who has made one or more contributions in the aggregate of more than twenty-five dollars to the out-of-state committee during the current calendar year, together with the money value and date of such contributions;

(g) The name, address, and employer of each person or corporation residing outside the state of Washington who has made one or more contributions in the aggregate of more than two thousand five hundred dollars to the out-of-state committee during the current calendar year, together with the money value and date of such contributions. Annually, the commission must modify the two thousand five hundred dollar limit in this subsection based on percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent twelve-month period by the bureau of economic analysis of the federal department of commerce;

(h) The name and address of each person in the state of Washington to whom an expenditure was made by the out-of-state committee with respect to a candidate or political committee in the aggregate amount of more than fifty dollars, the amount, date, and purpose of such expenditure, and the total sum of such expenditures; and

((h)) (i) Such other information as the commission may prescribe by rule in keeping with the policies and purposes of this chapter.

(2) Each statement shall be filed no later than the ((twentieth)) tenth day of the month following any month in which a contribution or other expenditure reportable under subsection (1) of this section is made. An out-of-state committee incurring an obligation to file additional statements in a calendar year may satisfy the obligation by timely filing reports that supplement previously filed information.

((3) A political committee required to file campaign reports with the federal election commission or its successor is exempt from reporting under this section.))
application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed by the House March 4, 2006.
Passed by the Senate March 1, 2006.
Approved by the Governor March 30, 2006.
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