

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1093

Chapter 166, Laws of 2013

63rd Legislature
2013 Regular Session

STATE AGENCIES--LOBBYING

EFFECTIVE DATE: 01/01/14

Passed by the House April 22, 2013
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 17, 2013
Yeas 40 Nays 8

BRAD OWEN

President of the Senate

Approved May 8, 2013, 2:10 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1093** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 8, 2013

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1093

AS AMENDED BY THE SENATE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By House Government Operations & Elections (originally sponsored by Representatives Shea, Overstreet, and Taylor)

READ FIRST TIME 02/11/13.

1 AN ACT Relating to state agencies' lobbying activities; amending
2 RCW 42.17A.750 and 42.17A.055; prescribing penalties; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 42.17A.750 and 2011 c 145 s 6 are each amended to read
6 as follows:

7 (1) In addition to the penalties in subsection (2) of this section,
8 and any other remedies provided by law, one or more of the following
9 civil remedies and sanctions may be imposed by court order in addition
10 to any other remedies provided by law:

11 (a) If the court finds that the violation of any provision of this
12 chapter by any candidate or political committee probably affected the
13 outcome of any election, the result of that election may be held void
14 and a special election held within sixty days of the finding. Any
15 action to void an election shall be commenced within one year of the
16 date of the election in question. It is intended that this remedy be
17 imposed freely in all appropriate cases to protect the right of the
18 electorate to an informed and knowledgeable vote.

1 (b) If any lobbyist or sponsor of any grass roots lobbying campaign
2 violates any of the provisions of this chapter, his or her registration
3 may be revoked or suspended and he or she may be enjoined from
4 receiving compensation or making expenditures for lobbying. The
5 imposition of a sanction shall not excuse the lobbyist from filing
6 statements and reports required by this chapter.

7 (c) A person who violates any of the provisions of this chapter may
8 be subject to a civil penalty of not more than ten thousand dollars for
9 each violation. However, a person or entity who violates RCW
10 42.17A.405 may be subject to a civil penalty of ten thousand dollars or
11 three times the amount of the contribution illegally made or accepted,
12 whichever is greater.

13 (d) A person who fails to file a properly completed statement or
14 report within the time required by this chapter may be subject to a
15 civil penalty of ten dollars per day for each day each delinquency
16 continues.

17 (e) Each state agency director who knowingly fails to file
18 statements required by RCW 42.17A.635 shall be subject to personal
19 liability in the form of a civil penalty in the amount of one hundred
20 dollars per statement. These penalties are in addition to any other
21 civil remedies or sanctions imposed on the agency.

22 (f) A person who fails to report a contribution or expenditure as
23 required by this chapter may be subject to a civil penalty equivalent
24 to the amount not reported as required.

25 ((+f)) (g) Any state agency official, officer, or employee who is
26 responsible for or knowingly directs or expends public funds in
27 violation of RCW 42.17A.635 (2) or (3) may be subject to personal
28 liability in the form of a civil penalty in an amount that is at least
29 equivalent to the amount of public funds expended in the violation.

30 (h) The court may enjoin any person to prevent the doing of any act
31 herein prohibited, or to compel the performance of any act required
32 herein.

33 (2) The commission may refer the following violations for criminal
34 prosecution:

35 (a) A person who, with actual malice, violates a provision of this
36 chapter is guilty of a misdemeanor under chapter 9.92 RCW;

37 (b) A person who, within a five-year period, with actual malice,

1 violates three or more provisions of this chapter is guilty of a gross
2 misdemeanor under chapter 9.92 RCW; and

3 (c) A person who, with actual malice, procures or offers any false
4 or forged document to be filed, registered, or recorded with the
5 commission under this chapter is guilty of a class C felony under
6 chapter 9.94A RCW.

7 **Sec. 2.** RCW 42.17A.055 and 2010 c 204 s 202 are each amended to
8 read as follows:

9 (1) The commission shall make available to candidates, public
10 officials, and political committees that are required to file reports
11 under this chapter an electronic filing alternative for submitting
12 financial affairs reports, contribution reports, and expenditure
13 reports.

14 (2) The commission shall make available to lobbyists and lobbyists'
15 employers required to file reports under RCW 42.17A.600, 42.17A.615,
16 42.17A.625, or 42.17A.630 an electronic filing alternative for
17 submitting these reports.

18 (3) State agencies required to report under RCW 42.17A.635 must
19 file all reports electronically.

20 (4) The commission shall make available to candidates, public
21 officials, political committees, lobbyists, and lobbyists' employers an
22 electronic copy of the appropriate reporting forms at no charge.

23 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2014.

Passed by the House April 22, 2013.

Passed by the Senate April 17, 2013.

Approved by the Governor May 8, 2013.

Filed in Office of Secretary of State May 8, 2013.