
HOUSE BILL 2138

State of Washington

56th Legislature

1999 Regular Session

By Representative D. Schmidt

Read first time 02/16/1999. Referred to Committee on State Government.

1 AN ACT Relating to duties of the public disclosure commission; and
2 amending RCW 42.17.090 and 42.17.105.

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

4 **Sec. 1.** RCW 42.17.090 and 1993 c 256 s 6 are each amended to read
5 as follows:

6 (1) Each report required under RCW 42.17.080 (1) and (2) shall
7 disclose the following:

8 (a) The funds on hand at the beginning of the period;

9 (b) The name and address of each person who has made one or more
10 contributions during the period, together with the money value and date
11 of such contributions and the aggregate value of all contributions
12 received from each such person during the campaign or in the case of a
13 continuing political committee, the current calendar year: PROVIDED,
14 That pledges in the aggregate of (~~less~~) more than one hundred dollars
15 from any one person need not be reported: PROVIDED FURTHER, That the
16 income which results from a fund-raising activity conducted in
17 accordance with RCW 42.17.067 may be reported as one lump sum, with the
18 exception of that portion of such income which was received from
19 persons whose names and addresses are required to be included in the

1 report required by RCW 42.17.067: PROVIDED FURTHER, That contributions
2 of no more than twenty-five dollars in the aggregate from any one
3 person during the election campaign may be reported as one lump sum so
4 long as the campaign treasurer maintains a separate and private list of
5 the name, address, and amount of each such contributor: PROVIDED
6 FURTHER, That the money value of contributions of postage shall be the
7 face value of such postage;

8 (c) Each loan, promissory note, or security instrument to be used
9 by or for the benefit of the candidate or political committee made by
10 any person, together with the names and addresses of the lender and
11 each person liable directly, indirectly or contingently and the date
12 and amount of each such loan, promissory note, or security instrument;

13 (d) All other contributions not otherwise listed or exempted;

14 (e) The name and address of each candidate or political committee
15 to which any transfer of funds was made, together with the amounts and
16 dates of such transfers;

17 (f) The name and address of each person to whom an expenditure was
18 made in the aggregate amount of more than fifty dollars during the
19 period covered by this report, and the amount, date, and purpose of
20 each such expenditure. A candidate for state executive or state
21 legislative office or the political committee of such a candidate shall
22 report this information for an expenditure under one of the following
23 categories, whichever is appropriate: (i) Expenditures for the
24 election of the candidate; (ii) expenditures for nonreimbursed public
25 office-related expenses; (iii) expenditures required to be reported
26 under (e) of this subsection; or (iv) expenditures of surplus funds and
27 other expenditures. The report of such a candidate or committee shall
28 contain a separate total of expenditures for each category and a total
29 sum of all expenditures. Other candidates and political committees
30 need not report information regarding expenditures under the categories
31 listed in (i) through (iv) of this subsection or under similar such
32 categories unless required to do so by the commission by rule. The
33 report of such an other candidate or committee shall also contain the
34 total sum of all expenditures;

35 (g) The name and address of each person to whom any expenditure was
36 made directly or indirectly to compensate the person for soliciting or
37 procuring signatures on an initiative or referendum petition, the
38 amount of such compensation to each such person, and the total of the
39 expenditures made for this purpose. Such expenditures shall be

1 reported under this subsection (1)(g) whether the expenditures are or
2 are not also required to be reported under (f) of this subsection;

3 (h) The name and address of any person and the amount owed for any
4 debt, obligation, note, unpaid loan, or other liability in the amount
5 of more than two hundred fifty dollars or in the amount of more than
6 fifty dollars that has been outstanding for over thirty days;

7 (i) The surplus or deficit of contributions over expenditures;

8 (j) The disposition made in accordance with RCW 42.17.095 of any
9 surplus funds;

10 (k) Such other information as shall be required by the commission
11 by rule in conformance with the policies and purposes of this chapter;
12 and

13 (l) Funds received from a political committee not otherwise
14 required to report under this chapter (a "nonreporting committee").
15 Such funds shall be forfeited to the state of Washington unless the
16 nonreporting committee has filed or within ten days following such
17 receipt files with the commission a statement disclosing: (i) Its name
18 and address; (ii) the purposes of the nonreporting committee; (iii) the
19 names, addresses, and titles of its officers or if it has no officers,
20 the names, addresses, and titles of its responsible leaders; (iv) the
21 name, office sought, and party affiliation of each candidate in the
22 state of Washington whom the nonreporting committee is supporting, and,
23 if such committee is supporting the entire ticket of any party, the
24 name of the party; (v) the ballot proposition supported or opposed in
25 the state of Washington, if any, and whether such committee is in favor
26 of or opposed to such proposition; (vi) the name and address of each
27 person residing in the state of Washington or corporation which has a
28 place of business in the state of Washington who has made one or more
29 contributions in the aggregate of more than twenty-five dollars to the
30 nonreporting committee during the current calendar year, together with
31 the money value and date of such contributions; (vii) the name and
32 address of each person in the state of Washington to whom an
33 expenditure was made by the nonreporting committee on behalf of a
34 candidate or political committee in the aggregate amount of more than
35 fifty dollars, the amount, date, and purpose of such expenditure, and
36 the total sum of such expenditures; (viii) such other information as
37 the commission may prescribe by rule, in keeping with the policies and
38 purposes of this chapter. A nonreporting committee incurring an
39 obligation to file additional reports in a calendar year may satisfy

1 the obligation by filing with the commission a letter providing
2 updating or amending information.

3 (2) The treasurer and the candidate shall certify the correctness
4 of each report.

5 **Sec. 2.** RCW 42.17.105 and 1995 c 397 s 4 are each amended to read
6 as follows:

7 (1) Campaign treasurers shall prepare and deliver to the commission
8 a special report regarding any contribution or aggregate of
9 contributions which: Exceeds five hundred dollars; is from a single
10 person or entity; and is received during a special reporting period.

11 Any political committee making a contribution or an aggregate of
12 contributions to a single entity which exceeds (~~five hundred dollars~~)
13 the maximum aggregate amount provided under RCW 42.17.690 that a
14 person, other than a bona fide political party or a caucus political
15 committee may contribute to a legislative candidate, as adjusted under
16 RCW 42.17.690, shall also prepare and deliver to the commission the
17 special report if the contribution or aggregate of contributions is
18 made during a special reporting period. This aggregate amount is the
19 threshold amount for reporting.

20 For the purposes of subsections (1) through (7) of this section:

21 (a) Each of the following intervals is a special reporting period:
22 (i) The interval beginning after the period covered by the last report
23 required by RCW 42.17.080 and 42.17.090 to be filed before a primary
24 and concluding on the end of the day before that primary; and (ii) the
25 interval composed of the twenty-one days preceding a general election;
26 and

27 (b) An aggregate of contributions includes only those contributions
28 received from a single entity during any one special reporting period
29 or made by the contributing political committee to a single entity
30 during any one special reporting period.

31 (2) If a campaign treasurer files a special report under this
32 section for one or more contributions received from a single entity
33 during a special reporting period, the treasurer shall also file a
34 special report under this section for each subsequent contribution of
35 any size which is received from that entity during the special
36 reporting period. If a political committee files a special report
37 under this section for a contribution or contributions made to a single
38 entity during a special reporting period, the political committee shall

1 also file a special report for each subsequent contribution of any size
2 which is made to that entity during the special reporting period.

3 (3) Except as provided in subsection (4) of this section, the
4 special report required by this section shall be delivered
5 electronically or in written form, including but not limited to
6 mailgram, telegram, or nightletter. The special report required of a
7 contribution recipient by subsection (1) of this section shall be
8 delivered to the commission within forty-eight hours of the time, or on
9 the first working day after: The contribution exceeding (~~five hundred~~
10 ~~dollars~~) the threshold amount for reporting under subsection (1) of
11 this section is received by the candidate or treasurer; the aggregate
12 received by the candidate or treasurer first exceeds (~~five hundred~~
13 ~~dollars~~) the threshold amount for reporting under subsection (1) of
14 this section; or the subsequent contribution that must be reported
15 under subsection (2) of this section is received by the candidate or
16 treasurer. The special report required of a contributor by subsection
17 (1) of this section or RCW 42.17.175 shall be delivered to the
18 commission, and the candidate or political committee to whom the
19 contribution or contributions are made, within twenty-four hours of the
20 time, or on the first working day after: The contribution is made; the
21 aggregate of contributions made first exceeds (~~five hundred dollars~~)
22 the threshold amount for reporting under subsection (1) of this
23 section; or the subsequent contribution that must be reported under
24 subsection (2) of this section is made.

25 (4) The special report may be transmitted orally by telephone to
26 the commission to satisfy the delivery period required by subsection
27 (3) of this section if the written form of the report is also mailed to
28 the commission and postmarked within the delivery period established in
29 subsection (3) of this section or the file transfer date of the
30 electronic filing is within the delivery period established in
31 subsection (3) of this section.

32 (5) The special report shall include at least:

33 (a) The amount of the contribution or contributions;

34 (b) The date or dates of receipt;

35 (c) The name and address of the donor;

36 (d) The name and address of the recipient; and

37 (e) Any other information the commission may by rule require.

38 (6) Contributions reported under this section shall also be
39 reported as required by other provisions of this chapter.

1 (7) The commission shall prepare daily a summary of the special
2 reports made under this section and RCW 42.17.175.

3 (8) It is a violation of this chapter for any person to make, or
4 for any candidate or political committee to accept from any one person,
5 contributions reportable under RCW 42.17.090 in the aggregate exceeding
6 fifty thousand dollars for any campaign for state-wide office or
7 exceeding (~~five thousand dollars~~) the threshold amount for reporting
8 under subsection (1) of this section for any other campaign subject to
9 the provisions of this chapter within twenty-one days of a general
10 election. This subsection does not apply to contributions made by, or
11 accepted from, a bona fide political party as defined in this chapter,
12 excluding the county central committee or legislative district
13 committee.

14 (9) Contributions governed by this section include, but are not
15 limited to, contributions made or received indirectly through a third
16 party or entity whether the contributions are or are not reported to
17 the commission as earmarked contributions under RCW 42.17.135.

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