

HOUSE BILL REPORT

HB 1832

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to limitation on actions.

Brief Description: Shortening the statute of limitations on claims under chapter 42.17 RCW.

Sponsors: Representatives Hunt, Chandler, Williams, Ormsby and Condotta.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/21/07, 2/23/07 [DPS].

Brief Summary of Substitute Bill

- Decreases to two years the statute of limitations for citizen actions brought for violations under chapter 42.17 RCW.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

Staff: Alison Hellberg (786-7152).

Background:

Chapter 42.17 RCW governs campaign financing, lobbyist reporting, political advertising and electioneering communications, reporting of public officials' financial affairs, and campaign contribution limits. Among other duties, the Public Disclosure Commission (PDC) is responsible for enforcing the provisions of this chapter.

Several civil remedies and sanctions may be imposed by a court order for violations of the requirements of this chapter, including:

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- If a candidate or political committee violates any provision of this chapter, the outcome of the election may be held void.
- If a lobbyist or sponsor of any grassroots lobbying campaign violates any provision of this chapter, his or her registration may be revoked or suspended and he or she may be enjoined from receiving compensation or making expenditures for lobbying.
- A person who violates this chapter may be liable for a civil penalty.
- A person who fails to report under this chapter may be liable for \$10 each day the delinquency continues.

Any action brought under the provisions of this act must be commenced within five years of the violation.

Summary of Substitute Bill:

Any citizen's action brought under chapter 42.17 RCW must be commenced within two years of the violation.

Substitute Bill Compared to Original Bill:

The statute of limitations for a citizen's action is decreased to two years. The statute of limitations for other actions under chapter 42.17 RCW remains at five years.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) There will be a proposed substitute to address the concerns of the Public Disclosure Commission (PDC). The two year statute of limitations will be for citizen actions. The five year limitation will remain the same for other kinds of actions.

(Information only) Some of the more prominent cases that the PDC has handled have taken more than two years. About 80 percent finish in about two years, but cases that include concealment or substantial amounts of money take much longer.

(Opposed) None.

Persons Testifying: (In support) Representative Hunt, prime sponsor.

(Information only) Vicki Rippie, Public Disclosure Commission.

Persons Signed In To Testify But Not Testifying: None.