

SHB 2772 - S AMD TO SGTE COMM AMD (S-7224.1/20) **1328**
By Senator Hunt

1 On page 25, after line 32, insert the following:

2 "Sec. 8. RCW 42.17A.235 and 2019 c 428 s 20 are each amended to
3 read as follows:

4 (1)(a) In addition to the information required under RCW
5 42.17A.205 and 42.17A.210, each candidate or political committee must
6 file with the commission a report of all contributions received and
7 expenditures made as a political committee on the next reporting date
8 pursuant to the timeline established in this section.

9 (b) In addition to the information required under RCW 42.17A.207
10 and 42.17A.210, on the day an incidental committee files a statement
11 of organization with the commission, each incidental committee must
12 file with the commission a report of any election campaign
13 expenditures under RCW 42.17A.240(6), as well as the source of the
14 ten largest cumulative payments of ten thousand dollars or greater it
15 received in the current calendar year from a single person, including
16 any persons tied as the tenth largest source of payments it received,
17 if any.

18 (2) Each treasurer of a candidate or political committee, or an
19 incidental committee, required to file a statement of organization
20 under this chapter, shall file with the commission a report, for each
21 election in which a candidate, political committee, or incidental
22 committee is participating, containing the information required by
23 RCW 42.17A.240 at the following intervals:

24 (a) On the twenty-first day and the seventh day immediately
25 preceding the date on which the election is held; and

26 (b) On the tenth day of the first full month after the election.

27 (3)(a) Each treasurer of a candidate or political committee shall
28 file with the commission a report on the tenth day of each month
29 during which the candidate or political committee is not
30 participating in an election campaign, only if the committee has
31 received a contribution or made an expenditure in the preceding
32 calendar month and either the total contributions received or total

1 expenditures made since the last such report exceed two hundred
2 dollars.

3 (b) Each incidental committee shall file with the commission a
4 report on the tenth day of each month during which the incidental
5 committee is not otherwise required to report under this section only
6 if the committee has:

7 (i) Received a payment that would change the information required
8 under RCW 42.17A.240(2)(d) as included in its last report; or

9 (ii) Made any election campaign expenditure reportable under RCW
10 42.17A.240(6) since its last report, and the total election campaign
11 expenditures made since the last report exceed two hundred dollars.

12 (4) (a) The report filed twenty-one days before the election shall
13 report all contributions received, whether or not deposited into an
14 account, and all expenditures made as of the end of one business day
15 before the date of the report. The report filed seven days before the
16 election shall report all contributions received, whether or not
17 deposited into an account, and all expenditures made as of the end of
18 one business day before the date of the report.

19 (b) Reports filed on the tenth day of the month shall report all
20 contributions received and expenditures made from the closing date of
21 the last report filed through the last day of the month preceding the
22 date of the current report.

23 (5) For the period beginning the first day of the fourth month
24 preceding the date of the special election, or for the period
25 beginning the first day of the fifth month before the date of the
26 general election, and ending on the date of that special or general
27 election, each Monday the treasurer for a candidate or a political
28 committee shall file with the commission a report of each bank
29 deposit made during the previous seven calendar days. The report
30 shall contain the name of each person contributing the funds and the
31 amount contributed by each person. However, persons who contribute no
32 more than twenty-five dollars in the aggregate are not required to be
33 identified in the report. A copy of the report shall be retained by
34 the treasurer for the treasurer's records. In the event of deposits
35 made by candidates, political committee members, or paid staff other
36 than the treasurer, the copy shall be immediately provided to the
37 treasurer for the treasurer's records. Each report shall be certified
38 as correct by the treasurer.

39 (6) (a) The treasurer for a candidate or a political committee
40 shall maintain books of account accurately reflecting all

1 contributions and expenditures on a current basis within five
2 business days of receipt or expenditure. During the ten calendar days
3 immediately preceding the date of the election the books of account
4 shall be kept current within one business day. As specified in the
5 political committee's statement of organization filed under RCW
6 42.17A.205, the books of account must be open for public inspection
7 by appointment at a place agreed upon by both the treasurer and the
8 requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day
9 from the tenth calendar day immediately before the election through
10 the day immediately before the election, other than Saturday, Sunday,
11 or a legal holiday. It is a violation of this chapter for a candidate
12 or political committee to refuse to allow and keep an appointment for
13 an inspection to be conducted during these authorized times and days.
14 The appointment must be allowed at an authorized time and day for
15 such inspections that is within forty-eight hours of the time and day
16 that is requested for the inspection. The treasurer may provide
17 digital access or copies of the books of account in lieu of
18 scheduling an appointment at a designated place for inspection. If
19 the treasurer and requestor are unable to agree on a location and the
20 treasurer has not provided digital access to the books of account,
21 the default location for an appointment shall be a place of public
22 accommodation selected by the treasurer within a reasonable distance
23 from the treasurer's office.

24 (b) At the time of making the appointment, a person wishing to
25 inspect the books of account must provide the treasurer the name and
26 telephone number of the person wishing to inspect the books of
27 account. The person inspecting the books of account must show photo
28 identification before the inspection begins.

29 (c) A treasurer may refuse to show the books of account to any
30 person who does not make an appointment or provide the required
31 identification. The commission may issue limited rules to modify the
32 requirements set forth in this section in consideration of other
33 technology and best practices.

34 (7) Copies of all reports filed pursuant to this section shall be
35 readily available for public inspection by appointment, pursuant to
36 subsection (6) of this section.

37 (8) The treasurer or candidate shall preserve books of account,
38 bills, receipts, and all other financial records of the campaign or
39 political committee for not less than five calendar years following

1 the year during which the transaction occurred or for any longer
2 period as otherwise required by law.

3 (9) All reports filed pursuant to subsection (1) or (2) of this
4 section shall be certified as correct by the candidate and the
5 treasurer.

6 (10) Where there is not a pending complaint concerning a report,
7 it is not evidence of a violation of this section to submit an
8 amended report within twenty-one days of filing an initial report if:

9 (a) The report is accurately amended;

10 (b) The amended report is filed more than thirty days before an
11 election;

12 (c) The total aggregate dollar amount of the adjustment for the
13 amended report is within three times the contribution limit per
14 election or two hundred dollars, whichever is greater; and

15 (d) The committee reported all information that was available to
16 it at the time of filing, or made a good faith effort to do so, or if
17 a refund of a contribution or expenditure is being reported.

18 (11)(a) When there is no outstanding debt or obligation, the
19 campaign fund is closed, the campaign is concluded in all respects,
20 and the political committee has ceased to function and intends to
21 dissolve, the treasurer shall file a final report. Upon submitting a
22 final report, the political committee so intending to dissolve must
23 file notice of intent to dissolve with the commission and the
24 commission must post the notice on its web site.

25 (b) Any political committee may dissolve sixty days after it
26 files its notice to dissolve, only if:

27 (i) The political committee does not make any expenditures other
28 than those related to the dissolution process or engage in any
29 political activity or any other activities that generate additional
30 reporting requirements under this chapter after filing such notice;

31 (ii) No complaint or court action under this chapter is pending
32 against the political committee; and

33 (iii) All penalties assessed by the commission or court order
34 have been paid by the political committee.

35 (c) The political committee must continue to report regularly as
36 required under this chapter until all the conditions under (b) of
37 this subsection are resolved.

38 (d) Upon dissolution, the commission must issue an acknowledgment
39 of dissolution, the duties of the treasurer shall cease, and there
40 shall be no further obligations under this chapter. Dissolution does

1 not absolve the candidate or board of the committee from
2 responsibility for any future obligations resulting from the finding
3 after dissolution of a violation committed prior to dissolution.

4 (12) The commission must adopt rules for the dissolution of
5 incidental committees."

6 Renumber the remaining section consecutively and correct any
7 internal references accordingly.

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8 On page 26, line 3, after "42.17A.710," strike "and 42.17A.765"
9 and insert "42.17A.765, and 42.17A.235"

EFFECT: Clarifies that campaign finance reports filed 21 days
before the election date must include all contributions received,
whether or not the contributions were deposited into an account.

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