

**RCW 29B.40.090 Disposal of surplus funds. (Effective January 1, 2026.)** The surplus funds of a candidate or a candidate's authorized committee may only be disposed of in any one or more of the following ways:

- (1) Return the surplus to a contributor in an amount not to exceed that contributor's original contribution;
- (2) Using surplus, reimburse the candidate for lost earnings incurred as a result of that candidate's election campaign. Lost earnings shall be verifiable as unpaid salary or, when the candidate is not salaried, as an amount not to exceed income received by the candidate for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the candidate or the candidate's authorized committee. The committee shall maintain a copy of this record in accordance with RCW 29B.25.090(6);
- (3) Transfer the surplus without limit to a political party or to a caucus political committee;
- (4) Donate the surplus to a charitable organization registered in accordance with chapter 19.09 RCW;
- (5) Transmit the surplus to the state treasurer for deposit in the general fund, the Washington state legacy project, state library, and archives account under RCW 43.07.380, or the legislative international trade account under RCW 43.15.050, as specified by the candidate or political committee; or
- (6) Hold the surplus in the depository or depositories designated in accordance with RCW 29B.25.050 for possible use in a future election campaign for the same office last sought by the candidate and report any such disposition in accordance with RCW 29B.25.100. If the candidate subsequently announces or publicly files for office, the appropriate information must be reported to the commission in accordance with RCW 29B.25.020 through 29B.25.100. If a subsequent office is not sought the surplus held shall be disposed of in accordance with the requirements of this section.
- (7) Hold the surplus campaign funds in a separate account for nonreimbursed public office-related expenses or as provided in this section, and report any such disposition in accordance with RCW 29B.25.100. The separate account required under this subsection shall not be used for deposits of campaign funds that are not surplus.
- (8) No candidate or authorized committee may transfer funds to any other candidate or other political committee.

The disposal of surplus funds under this section shall not be considered a contribution for purposes of this title. [2024 c 164 s 451; 2010 c 204 s 606; 2005 c 467 s 1; 1995 c 397 s 31; 1993 c 2 s 20 (Initiative Measure No. 134, approved November 3, 1992); 1982 c 147 s 8; 1977 ex.s. c 336 s 3. Formerly RCW 42.17A.430, 42.17.095.]

**Intent—Construction—Rules remain valid—Effective date—2024 c 164:** See notes following RCW 29B.10.010.

**Effective date—2010 c 204 ss 101-504, 506-601, 603-702, and 801-1103:** See note following RCW 29B.15.010.

**Effective date—2005 c 467:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 13, 2005]." [2005 c 467 s 2.]

**Effective date—1995 c 397:** See note following RCW 29B.40.020.

**Short title—1993 c 2:** See note following RCW 29B.40.010.

**Severability—1977 ex.s. c 336:** See note following RCW 29B.25.020.