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HOUSE BILL 1445

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representative Fuhrman.

Read first time January 29, 1991. Referred to Committee on State Government.

1            AN ACT Relating to campaign reporting; amending RCW 42.17.080 and  
2 42.17.105; adding a new section to chapter 42.17 RCW; and prescribing  
3 penalties.

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

5            **Sec. 1.** RCW 42.17.080 and 1989 c 280 s 8 are each amended to read  
6 as follows:

7            (1) On the day the treasurer is designated, each candidate or  
8 political committee shall file with the commission and the county  
9 auditor or elections officer of the county in which the candidate  
10 resides, or in the case of a political committee, the county in which  
11 the treasurer resides, in addition to any statement of organization  
12 required under RCW 42.17.040 or 42.17.050, a report of all  
13 contributions received and expenditures made prior to that date, if  
14 any.

1 (2) At the following intervals each treasurer shall file with the  
2 commission and the county auditor or elections officer of the county in  
3 which the candidate resides, or in the case of a political committee,  
4 the county in which the committee maintains its office or headquarters,  
5 and if there is no office or headquarters then in the county in which  
6 the treasurer resides, a report containing the information required by  
7 RCW 42.17.090:

8 (a) On the forty-fifth day, the twenty-first day, and the seventh  
9 day immediately preceding the date on which the election is held; and

10 (b) On the tenth day of the first month after the election:  
11 PROVIDED, That this report shall not be required following a primary  
12 election from:

13 (i) A candidate whose name will appear on the subsequent general  
14 election ballot; or

15 (ii) Any continuing political committee; and

16 (c) On the tenth day of each month in which no other reports are  
17 required to be filed under this section: PROVIDED, That such report  
18 shall only be filed if the committee has received a contribution or  
19 made an expenditure in the preceding calendar month and either the  
20 total contributions received or total expenditures made since the last  
21 such report exceed two hundred dollars.

22 When there is no outstanding debt or obligation, and the campaign  
23 fund is closed, and the campaign is concluded in all respects, and in  
24 the case of a political committee, the committee has ceased to function  
25 and has dissolved, the treasurer shall file a final report. Upon  
26 submitting a final report, the duties of the treasurer shall cease and  
27 there shall be no obligation to make any further reports.

28 The report filed (~~(twenty-one)~~) forty-five days before the election  
29 shall report all contributions received and expenditures made as of the  
30 end of the fifth business day before the date of the report. The

1 report filed seven days before the election shall report all  
2 contributions received and expenditures made as of the end of the one  
3 business day before the date of the report. Reports filed on the tenth  
4 day of the month shall report all contributions received and  
5 expenditures made from the closing date of the last report filed  
6 through the last day of the month preceding the date of the current  
7 report.

8 (3) For the period beginning the first day of the fourth month  
9 preceding the date on which the special or general election is held and  
10 ending on the date of that election, the treasurer shall file with the  
11 commission and the appropriate county elections officer a report of  
12 each contribution received during that period at the time that  
13 contribution is deposited pursuant to RCW 42.17.060(1). The report  
14 shall contain the name of each person contributing the funds so  
15 deposited and the amount contributed by each person. However,  
16 contributions of no more than twenty-five dollars from any one person  
17 may be deposited without identifying the contributor. A copy of the  
18 report shall be retained by the treasurer for his records. In the  
19 event of deposits made by a deputy treasurer, the copy shall be  
20 forwarded to the treasurer to be retained by him for his records. Each  
21 report shall be certified as correct by the treasurer or deputy  
22 treasurer making the deposit.

23 (4) The treasurer or candidate shall maintain books of account  
24 accurately reflecting all contributions and expenditures on a current  
25 basis within five business days of receipt or expenditure. During the  
26 eight days immediately preceding the date of the election the books of  
27 account shall be kept current within one business day and shall be open  
28 for public inspection for at least two consecutive hours Monday through  
29 Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as  
30 specified in the committee's statement of organization filed pursuant

1 to RCW 42.17.040, at the principal headquarters or, if there is no  
2 headquarters, at the address of the treasurer or such other place as  
3 may be authorized by the commission. The treasurer or candidate shall  
4 preserve books of account, bills, receipts, and all other financial  
5 records of the campaign or political committee for not less than five  
6 calendar years following the year during which the transaction  
7 occurred.

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

11 (6) Copies of all reports filed pursuant to this section shall be  
12 readily available for public inspection for at least two consecutive  
13 hours Monday through Friday, excluding legal holidays, between 8:00  
14 a.m. and 8:00 p.m., as specified in the committee's statement of  
15 organization filed pursuant to RCW 42.17.040, at the principal  
16 headquarters or, if there is no headquarters, at the address of the  
17 treasurer or such other place as may be authorized by the commission.

18 **Sec. 2.** RCW 42.17.105 and 1989 c 280 s 11 are each amended to read  
19 as follows:

20 (1) Campaign treasurers shall prepare and deliver to the commission  
21 a special report regarding any contribution which:

22 (a) Exceeds (~~(five)~~) one hundred dollars;

23 (b) Is from a single person or entity;

24 (c) Is received before a primary or general election; and

25 (d) Is received: (i) After the period covered by the last report  
26 required by RCW 42.17.080 and 42.17.090 to be filed forty-five days  
27 before that primary; or (ii) within (~~(twenty-one)~~) forty-five days  
28 preceding that general election.

1           (2) Any political committee making a contribution which exceeds  
2   (~~five~~) one hundred dollars shall also prepare and deliver to the  
3   commission the special report if the contribution is made before a  
4   primary or general election and: (a) After the period covered by the  
5   last report required by RCW 42.17.080 and 42.17.090 to be filed forty-  
6   five days before that primary; or (b) within (~~twenty-one~~) forty-five  
7   days preceding that general election.

8           (3) Except as provided in subsection (4) of this section, the  
9   special report required by this section shall be delivered in written  
10   form, including but not limited to mailgram, telegram, or nightletter.  
11   The special report required by subsection (1) of this section shall be  
12   delivered to the commission within forty-eight hours of the time, or on  
13   the first working day after, the contribution is received by the  
14   candidate or (~~campaign~~) treasurer. The special report required by  
15   subsection (2) of this section and RCW 42.17.175 shall be delivered to  
16   the commission, and the candidate or political committee to whom the  
17   contribution is made, within twenty-four hours of the time, or on the  
18   first working day after, the contribution is made.

19           (4) The special report may be transmitted orally by telephone to  
20   the commission to satisfy the delivery period required by subsection  
21   (3) of this section if the written form of the report is also mailed to  
22   the commission and postmarked within the delivery period established in  
23   subsection (3) of this section.

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

25           (a) The amount of the contribution;

26           (b) The date of receipt;

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

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

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

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

3 (7) The commission shall publish daily a summary of the special  
4 reports made under this section and RCW 42.17.175.

5 ~~((8) It is a violation of this chapter for any person to make, or  
6 for any candidate or political committee to accept from any one person,  
7 contributions reportable under RCW 42.17.090 in the aggregate exceeding  
8 fifty thousand dollars for any campaign for state wide office or  
9 exceeding five thousand dollars for any other campaign subject to the  
10 provisions of this chapter within twenty one days of a general  
11 election. This subsection does not apply to contributions made by, or  
12 accepted from, a major Washington state political party as defined in  
13 RCW 29.01.090.))~~

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW  
15 to read as follows:

16 It is a violation of this chapter for any person to make, or for  
17 any candidate or political committee to accept from any one person,  
18 contributions reportable under RCW 42.17.090 in the aggregate exceeding  
19 twenty-five thousand dollars for any campaign for state-wide office or  
20 exceeding two thousand five hundred dollars for any other campaign  
21 subject to the provisions of this chapter within forty-five days of a  
22 general election. It is a violation of this chapter for any person to  
23 make, or for any candidate or political committee to accept from any  
24 one person, contributions reportable under RCW 42.17.090 in the  
25 aggregate exceeding twelve thousand five hundred dollars for any  
26 campaign for state-wide office or exceeding one thousand two hundred  
27 fifty dollars for any other campaign subject to the provisions of this  
28 chapter within forty-five days of a primary election. This section  
29 does not apply to contributions made by, or accepted from, a major

1 Washington state political party as defined in RCW 29.01.090.