

2 **ESSB 5684** - H AMD

3 By Representatives Horn and Appelwick

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 42.17.020 and 1992 c 139 s 1 are each amended to read
8 as follows:

9 (1) "Agency" includes all state agencies and all local agencies.
10 "State agency" includes every state office, department, division,
11 bureau, board, commission, or other state agency. "Local agency"
12 includes every county, city, town, municipal corporation, quasi-
13 municipal corporation, or special purpose district, or any office,
14 department, division, bureau, board, commission, or agency thereof, or
15 other local public agency.

16 (2) "Authorized committee" means the political committee authorized
17 by a candidate, or by the public official against whom recall charges
18 have been filed, to accept contributions or make expenditures on behalf
19 of the candidate or public official.

20 (3) "Ballot proposition" means any "measure" as defined by RCW
21 29.01.110, or any initiative, recall, or referendum proposition
22 proposed to be submitted to the voters of the state or any municipal
23 corporation, political subdivision, or other voting constituency from
24 and after the time when the proposition has been initially filed with
25 the appropriate election officer of that constituency prior to its
26 circulation for signatures.

27 ~~((+3+))~~ (4) "Benefit" means a commercial, proprietary, financial,
28 economic, or monetary advantage, or the avoidance of a commercial,
29 proprietary, financial, economic, or monetary disadvantage.

30 (5) "Bona fide political party" means:

31 (a) An organization that has filed a valid certificate of
32 nomination with the secretary of state under chapter 29.24 RCW;

33 (b) The governing body of the state organization of a major
34 political party, as defined in RCW 29.01.090, that is the body
35 authorized by the charter or bylaws of the party to exercise authority
36 on behalf of the state party; or

1 (c) The county central committee or legislative district committee
2 of a major political party. There may be only one legislative district
3 committee for each party in each legislative district.

4 (6) "Depository" means a bank designated by a candidate or
5 political committee pursuant to RCW 42.17.050.

6 ~~((+4))~~ (7) "Treasurer" and "deputy treasurer" mean the individuals
7 appointed by a candidate or political committee, pursuant to RCW
8 42.17.050, to perform the duties specified in that section.

9 ~~((+5))~~ (8) "Candidate" means any individual who seeks nomination
10 for election or election to public office. An individual (~~shall be~~
11 deemed to seek)) seeks nomination or election when he or she first:

12 (a) Receives contributions or makes expenditures or reserves space
13 or facilities with intent to promote his or her candidacy for office;
14 (~~or~~)

15 (b) Announces publicly or files for office;

16 (c) Purchases commercial advertising space or broadcast time to
17 promote his or her candidacy; or

18 (d) Gives his or her consent to another person to take on behalf of
19 the individual any of the actions in (a) or (c) of this subsection.

20 (9) "Caucus political committee" means a political committee
21 organized and maintained by the members of a major political party in
22 the state senate or state house of representatives.

23 ~~((+6))~~ (10) "Commercial advertiser" means any person who sells the
24 service of communicating messages or producing printed material for
25 broadcast or distribution to the general public or segments of the
26 general public whether through the use of newspapers, magazines,
27 television and radio stations, billboard companies, direct mail
28 advertising companies, printing companies, or otherwise.

29 ~~((+7))~~ (11) "Commission" means the agency established under RCW
30 42.17.350.

31 ~~((+8))~~ (12) "Compensation" unless the context requires a narrower
32 meaning, includes payment in any form for real or personal property or
33 services of any kind: PROVIDED, That for the purpose of compliance
34 with RCW 42.17.241, the term "compensation" shall not include per diem
35 allowances or other payments made by a governmental entity to reimburse
36 a public official for expenses incurred while the official is engaged
37 in the official business of the governmental entity.

1 (~~(9)~~) (13) "Continuing political committee" means a political
2 committee that is an organization of continuing existence not
3 established in anticipation of any particular election campaign.

4 (~~(10)~~) (14)(a) "Contribution" includes:

5 (i) A loan, gift, deposit, subscription, forgiveness of
6 indebtedness, donation, advance, pledge, payment, transfer of funds
7 between political committees, or (~~transfer of~~) anything of value,
8 including personal and professional services for less than full
9 consideration(~~, but does not include interest on moneys deposited in~~
10 ~~a political committee's account, ordinary home hospitality and the~~
11 ~~rendering of personal services of the sort commonly performed by~~
12 ~~volunteer campaign workers, or incidental expenses personally incurred~~
13 ~~by volunteer campaign workers not in excess of fifty dollars personally~~
14 ~~paid for by the worker. Volunteer services, for the purposes of this~~
15 ~~chapter, means services or labor for which the individual is not~~
16 ~~compensated by any person. For the purposes of this chapter,~~
17 ~~contributions other than money or its equivalents shall be deemed to~~
18 ~~have a money value equivalent to the fair market value of the~~
19 ~~contribution. Sums paid for tickets to fund-raising events such as~~
20 ~~dinner and parties are contributions; however, the amount of any such~~
21 ~~contribution may be reduced for the purpose of complying with the~~
22 ~~reporting requirements of this chapter, by the actual cost of~~
23 ~~consumables furnished in connection with the purchase of the tickets,~~
24 ~~and only the excess over the actual cost of the consumables shall be~~
25 ~~deemed a contribution));~~

26 (ii) An expenditure made by a person in cooperation, consultation,
27 or concert with, or at the request or suggestion of, a candidate, a
28 political committee, or their agents;

29 (iii) The financing by a person of the dissemination, distribution,
30 or republication, in whole or in part, of broadcast, written, graphic,
31 or other form of political advertising prepared by a candidate, a
32 political committee, or its authorized agent;

33 (iv) Sums paid for tickets to fund-raising events such as dinners
34 and parties, except for the actual cost of the consumables furnished at
35 the event.

36 (b) "Contribution" does not include:

37 (i) Standard interest on money deposited in a political committee's
38 account;

39 (ii) Ordinary home hospitality;

1 (iii) A contribution received by a candidate or political committee
2 that is returned to the contributor within five business days of the
3 date on which it is received by the candidate or political committee;

4 (iv) A news item, feature, commentary, or editorial in a regularly
5 scheduled news medium that is of primary interest to the general
6 public, that is in a news medium controlled by a person whose business
7 is that news medium, and that is not controlled by a candidate or a
8 political committee;

9 (v) An internal political communication primarily limited to the
10 members of or contributors to a political party organization or
11 political committee, or to the officers, management staff, or
12 stockholders of a corporation or similar enterprise, or to the members
13 of a labor organization or other membership organization;

14 (vi) The rendering of personal services of the sort commonly
15 performed by volunteer campaign workers, or incidental expenses
16 personally incurred by volunteer campaign workers not in excess of
17 fifty dollars personally paid for by the worker. "Volunteer services,"
18 for the purposes of this section, means services or labor for which the
19 individual is not compensated by any person;

20 (vii) Messages in the form of reader boards, banners, or yard or
21 window signs displayed on a person's own property or property occupied
22 by a person. However, a facility used for such political advertising
23 for which a rental charge is normally made must be reported as an in-
24 kind contribution and counts towards any applicable contribution limit
25 of the person providing the facility;

26 (viii) Legal or accounting services rendered to or on behalf of:

27 (A) A political party or caucus political committee if the person
28 paying for the services is the regular employer of the person rendering
29 such services; or

30 (B) A candidate or an authorized committee if the person paying for
31 the services is the regular employer of the individual rendering the
32 services and if the services are solely for the purpose of ensuring
33 compliance with state election or public disclosure laws.

34 (c) Contributions other than money or its equivalent are deemed to
35 have a monetary value equivalent to the fair market value of the
36 contribution. Services or property or rights furnished at less than
37 their fair market value for the purpose of assisting any candidate or
38 political committee are deemed a contribution. Such a contribution

1 must be reported as an in-kind contribution at its fair market value
2 and counts towards any applicable contribution limit of the provider.

3 ~~((11))~~ (15) "Elected official" means any person elected at a
4 general or special election to any public office, and any person
5 appointed to fill a vacancy in any such office.

6 ~~((12))~~ (16) "Election" includes any primary, general, or special
7 election for public office and any election in which a ballot
8 proposition is submitted to the voters: PROVIDED, That an election in
9 which the qualifications for voting include other than those
10 requirements set forth in Article VI, section 1 (Amendment 63) of the
11 Constitution of the state of Washington shall not be considered an
12 election for purposes of this chapter.

13 ~~((13))~~ (17) "Election campaign" means any campaign in support of
14 or in opposition to a candidate for election to public office and any
15 campaign in support of, or in opposition to, a ballot proposition.

16 ~~((14))~~ (18) "Election cycle" means the period beginning on the
17 first day of December after the date of the last previous general
18 election for the office that the candidate seeks and ending on November
19 30th after the next election for the office. In the case of a special
20 election to fill a vacancy in an office, "election cycle" means the
21 period beginning on the day the vacancy occurs and ending on November
22 30th after the special election.

23 (19) "Expenditure" includes a payment, contribution, subscription,
24 distribution, loan, advance, deposit, or gift of money or anything of
25 value, and includes a contract, promise, or agreement, whether or not
26 legally enforceable, to make an expenditure. The term "expenditure"
27 also includes a promise to pay, a payment, or a transfer of anything of
28 value in exchange for goods, services, property, facilities, or
29 anything of value for the purpose of assisting, benefiting, or honoring
30 any public official or candidate, or assisting in furthering or
31 opposing any election campaign. For the purposes of this chapter,
32 agreements to make expenditures, contracts, and promises to pay may be
33 reported as estimated obligations until actual payment is made. The
34 term "expenditure" shall not include the partial or complete repayment
35 by a candidate or political committee of the principal of a loan, the
36 receipt of which loan has been properly reported.

37 ~~((15))~~ (20) "Final report" means the report described as a final
38 report in RCW 42.17.080(2).

1 ~~((16))~~ (21) "General election" means the election that results in
2 the election of a person to a state office. It does not include a
3 primary.

4 (22) "Gift," ~~((for the purposes of RCW 42.17.170 and 42.17.2415,~~
5 ~~means a rendering of anything of value in return for which reasonable~~
6 ~~consideration is not given and received and includes a rendering of~~
7 ~~money, property, services, discount, loan forgiveness, payment of~~
8 ~~indebtedness, or reimbursements from or payments by persons (other than~~
9 ~~the federal government, or the state of Washington or any agency or~~
10 ~~political subdivision thereof) for travel or anything else of value.~~
11 ~~The term "reasonable consideration" refers to the approximate range of~~
12 ~~consideration that exists in transactions not involving donative~~
13 ~~intent. However, the value of the gift of partaking in a single hosted~~
14 ~~reception shall be determined by dividing the total amount of the cost~~
15 ~~of conducting the reception by the total number of persons partaking in~~
16 ~~the reception. "Gift" for the purposes of RCW 42.17.170 and 42.17.2415~~
17 ~~does not include:~~

18 ~~(a) A gift, other than a gift of partaking in a hosted reception,~~
19 ~~with a value of fifty dollars or less;~~

20 ~~(b) The gift of partaking in a hosted reception if the value of the~~
21 ~~gift is one hundred dollars or less;~~

22 ~~(c) A contribution that is required to be reported under RCW~~
23 ~~42.17.090 or 42.17.243;~~

24 ~~(d) Informational material that is transferred for the purpose of~~
25 ~~informing the recipient about matters pertaining to official business~~
26 ~~of the governmental entity of which the recipient is an official or~~
27 ~~officer, and that is not intended to confer on that recipient any~~
28 ~~commercial, proprietary, financial, economic, or monetary advantage, or~~
29 ~~the avoidance of any commercial, proprietary, financial, economic, or~~
30 ~~monetary disadvantage;~~

31 ~~(e) A gift that is not used and that, within thirty days after~~
32 ~~receipt, is returned to the donor or delivered to a charitable~~
33 ~~organization. However, this exclusion from the definition does not~~
34 ~~apply if the recipient of the gift delivers the gift to a charitable~~
35 ~~organization and claims the delivery as a charitable contribution for~~
36 ~~tax purposes;~~

37 ~~(f) A gift given under circumstances where it is clear beyond any~~
38 ~~doubt that the gift was not made as part of any design to gain or~~
39 ~~maintain influence in the governmental entity of which the recipient is~~

1 ~~an officer or official or with respect to any legislative matter or~~
2 ~~matters of that governmental entity; or~~

3 ~~(g) A gift given prior to September 29, 1991)) is as defined in RCW~~
4 ~~42.52.010.~~

5 ~~((17)) (23) "Immediate family" includes the spouse, dependent~~
6 ~~children, and other dependent relatives, if living in the household.~~
7 ~~For the purposes of RCW 42.17.640 through 42.17.790, "immediate family"~~
8 ~~means an individual's spouse, and child, stepchild, grandchild, parent,~~
9 ~~stepparent, grandparent, brother, half brother, sister, or half sister~~
10 ~~of the individual and the spouse of any such person and a child,~~
11 ~~stepchild, grandchild, parent, stepparent, grandparent, brother, half~~
12 ~~brother, sister, or half sister of the individual's spouse and the~~
13 ~~spouse of any such person.~~

14 ~~(24) "Independent expenditure" means an expenditure that has each~~
15 ~~of the following elements:~~

16 ~~(a) It is made in support of or in opposition to a candidate for~~
17 ~~office by a person who is not (i) a candidate for that office, (ii) an~~
18 ~~authorized committee of that candidate for that office, (iii) a person~~
19 ~~who has received the candidate's encouragement or approval to make the~~
20 ~~expenditure, if the expenditure pays in whole or in part for political~~
21 ~~advertising supporting that candidate or promoting the defeat of any~~
22 ~~other candidate or candidates for that office, or (iv) a person with~~
23 ~~whom the candidate has collaborated for the purpose of making the~~
24 ~~expenditure, if the expenditure pays in whole or in part for political~~
25 ~~advertising supporting that candidate or promoting the defeat of any~~
26 ~~other candidate or candidates for that office;~~

27 ~~(b) The expenditure pays in whole or in part for political~~
28 ~~advertising that either specifically names the candidate supported or~~
29 ~~opposed, or clearly and beyond any doubt identifies the candidate~~
30 ~~without using the candidate's name; and~~

31 ~~(c) The expenditure, alone or in conjunction with another~~
32 ~~expenditure or other expenditures of the same person in support of or~~
33 ~~opposition to that candidate, has a value of five hundred dollars or~~
34 ~~more. A series of expenditures, each of which is under five hundred~~
35 ~~dollars, constitutes one independent expenditure if their cumulative~~
36 ~~value is five hundred dollars or more.~~

37 ~~(25)(a) "Intermediary" means an individual who transmits a~~
38 ~~contribution to a candidate or committee from another person unless the~~
39 ~~contribution is from the individual's employer, immediate family as~~

1 defined for purposes of RCW 42.17.640 through 42.17.790, or an
2 association to which the individual belongs.

3 (b) A treasurer or a candidate is not an intermediary for purposes
4 of the committee that the treasurer or candidate serves.

5 (c) A professional fund-raiser is not an intermediary if the fund-
6 raiser is compensated for fund-raising services at the usual and
7 customary rate.

8 (d) A volunteer hosting a fund-raising event at the individual's
9 home is not an intermediary for purposes of that event.

10 ~~((18))~~ (26) "Legislation" means bills, resolutions, motions,
11 amendments, nominations, and other matters pending or proposed in
12 either house of the state legislature, and includes any other matter
13 that may be the subject of action by either house or any committee of
14 the legislature and all bills and resolutions that, having passed both
15 houses, are pending approval by the governor.

16 ~~((19))~~ (27) "Lobby" and "lobbying" each mean attempting to
17 influence the passage or defeat of any legislation by the legislature
18 of the state of Washington, or the adoption or rejection of any rule,
19 standard, rate, or other legislative enactment of any state agency
20 under the state Administrative Procedure Act, chapter 34.05 RCW.
21 Neither "lobby" nor "lobbying" includes an association's or other
22 organization's act of communicating with the members of that
23 association or organization.

24 ~~((20))~~ (28) "Lobbyist" includes any person who lobbies either in
25 his or her own or another's behalf.

26 ~~((21))~~ (29) "Lobbyist's employer" means the person or persons by
27 whom a lobbyist is employed and all persons by whom he or she is
28 compensated for acting as a lobbyist.

29 ~~((22))~~ (30) "Person" includes an individual, partnership, joint
30 venture, public or private corporation, association, federal, state, or
31 local governmental entity or agency however constituted, candidate,
32 committee, political committee, political party, executive committee
33 thereof, or any other organization or group of persons, however
34 organized.

35 ~~((23))~~ (31) "Person in interest" means the person who is the
36 subject of a record or any representative designated by that person,
37 except that if that person is under a legal disability, the term
38 "person in interest" means and includes the parent or duly appointed
39 legal representative.

1 (~~(24)~~) (32) "Political advertising" includes any advertising
2 displays, newspaper ads, billboards, signs, brochures, articles,
3 tabloids, flyers, letters, radio or television presentations, or other
4 means of mass communication, used for the purpose of appealing,
5 directly or indirectly, for votes or for financial or other support in
6 any election campaign.

7 (~~(25)~~) (33) "Political committee" means any person (except a
8 candidate or an individual dealing with his or her own funds or
9 property) having the expectation of receiving contributions or making
10 expenditures in support of, or opposition to, any candidate or any
11 ballot proposition.

12 (~~(26)~~) (34) "Primary" means the procedure for nominating a
13 candidate to state office under chapter 29.18 or 29.21 RCW or any other
14 primary for an election that uses, in large measure, the procedures
15 established in chapter 29.18 or 29.21 RCW.

16 (35) "Public office" means any federal, state, county, city, town,
17 school district, port district, special district, or other state
18 political subdivision elective office.

19 (~~(27)~~) (36) "Public record" includes any writing containing
20 information relating to the conduct of government or the performance of
21 any governmental or proprietary function prepared, owned, used, or
22 retained by any state or local agency regardless of physical form or
23 characteristics. For the office of the secretary of the senate and the
24 office of the chief clerk of the house of representatives, public
25 records means legislative records as defined in RCW 40.14.100 and also
26 means the following: All budget and financial records; personnel
27 leave, travel, and payroll records; records of legislative sessions;
28 reports submitted to the legislature; and any other record designated
29 a public record by any official action of the senate or the house of
30 representatives.

31 (~~(28)~~) (37) "Recall campaign" means the period of time beginning
32 on the date of the filing of recall charges under RCW 29.82.015 and
33 ending thirty days after the recall election.

34 (38) "State legislative office" means the office of a member of the
35 state house of representatives or the office of a member of the state
36 senate.

37 (39) "State office" means state legislative office or the office of
38 governor, lieutenant governor, secretary of state, attorney general,

1 commissioner of public lands, insurance commissioner, superintendent of
2 public instruction, state auditor, or state treasurer.

3 (40) "State official" means a person who holds a state office.

4 (41) "Surplus funds" mean, in the case of a political committee or
5 candidate, the balance of contributions that remain in the possession
6 or control of that committee or candidate subsequent to the election
7 for which the contributions were received, and that are in excess of
8 the amount necessary to pay remaining debts incurred by the committee
9 or candidate prior to that election. In the case of a continuing
10 political committee, "surplus funds" mean those contributions remaining
11 in the possession or control of the committee that are in excess of the
12 amount necessary to pay all remaining debts when it makes its final
13 report under RCW 42.17.065.

14 ~~((+29+))~~ (42) "Writing" means handwriting, typewriting, printing,
15 photostating, photographing, and every other means of recording any
16 form of communication or representation, including, but not limited to,
17 letters, words, pictures, sounds, or symbols, or combination thereof,
18 and all papers, maps, magnetic or paper tapes, photographic films and
19 prints, motion picture, film and video recordings, magnetic or punched
20 cards, discs, drums, diskettes, sound recordings, and other documents
21 including existing data compilations from which information may be
22 obtained or translated.

23 As used in this chapter, the singular shall take the plural and any
24 gender, the other, as the context requires.

25 **Sec. 2.** RCW 42.17.080 and 1989 c 280 s 8 are each amended to read
26 as follows:

27 (1) On the day the treasurer is designated, each candidate or
28 political committee shall file with the commission and the county
29 auditor or elections officer of the county in which the candidate
30 resides, or in the case of a political committee, the county in which
31 the treasurer resides, in addition to any statement of organization
32 required under RCW 42.17.040 or 42.17.050, a report of all
33 contributions received and expenditures made prior to that date, if
34 any.

35 (2) At the following intervals each treasurer shall file with the
36 commission and the county auditor or elections officer of the county in
37 which the candidate resides, or in the case of a political committee,
38 the county in which the committee maintains its office or headquarters,

1 and if there is no office or headquarters then in the county in which
2 the treasurer resides, a report containing the information required by
3 RCW 42.17.090:

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

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

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

11 (ii) Any continuing political committee; and

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

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

24 The report filed twenty-one days before the election shall report
25 all contributions received and expenditures made as of the end of the
26 fifth business day before the date of the report. The report filed
27 seven days before the election shall report all contributions received
28 and expenditures made as of the end of the one business day before the
29 date of the report. Reports filed on the tenth day of the month shall
30 report all contributions received and expenditures made from the
31 closing date of the last report filed through the last day of the month
32 preceding the date of the current report.

33 (3) For the period beginning the first day of the fourth month
34 preceding the date on which the special or general election is held and
35 ending on the date of that election, each Friday the treasurer shall
36 file with the commission and the appropriate county elections officer
37 a report of each ~~((contribution received))~~ bank deposit made during
38 ~~((that period at the time that contribution is deposited pursuant to~~
39 ~~RCW 42.17.060(1)))~~ the previous seven calendar days. The report shall

1 contain the name of each person contributing the funds so deposited and
2 the amount contributed by each person. However, contributions of no
3 more than twenty-five dollars in the aggregate from any one person may
4 be deposited without identifying the contributor. A copy of the report
5 shall be retained by the treasurer for his or her records. In the
6 event of deposits made by a deputy treasurer, the copy shall be
7 forwarded to the treasurer (~~(to be retained by him)~~) for his or her
8 records. Each report shall be certified as correct by the treasurer or
9 deputy treasurer making the deposit.

10 (4) The treasurer or candidate shall maintain books of account
11 accurately reflecting all contributions and expenditures on a current
12 basis within five business days of receipt or expenditure. During the
13 eight days immediately preceding the date of the election the books of
14 account shall be kept current within one business day and shall be open
15 for public inspection for at least two consecutive hours Monday through
16 Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as
17 specified in the committee's statement of organization filed pursuant
18 to RCW 42.17.040, at the principal headquarters or, if there is no
19 headquarters, at the address of the treasurer or such other place as
20 may be authorized by the commission. The treasurer or candidate shall
21 preserve books of account, bills, receipts, and all other financial
22 records of the campaign or political committee for not less than five
23 calendar years following the year during which the transaction
24 occurred.

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

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

35 (7) The commission shall adopt administrative rules establishing
36 requirements for filer participation in any system designed and
37 implemented by the commission for the electronic filing of reports.

1 **Sec. 3.** RCW 42.17.090 and 1993 c 256 s 6 are each amended to read
2 as follows:

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

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

6 (b) Only the name and address of each person who has made one or
7 more contributions during the period, together with the money value and
8 date of such contributions and the aggregate value of all contributions
9 received from each such person during the campaign or in the case of a
10 continuing political committee, the current calendar year: PROVIDED,
11 That pledges in the aggregate of less than one hundred dollars from any
12 one person need not be reported: PROVIDED FURTHER, That the income
13 which results from a fund-raising activity conducted in accordance with
14 RCW 42.17.067 may be reported as one lump sum, with the exception of
15 that portion of such income which was received from persons whose names
16 and addresses are required to be included in the report required by RCW
17 42.17.067: PROVIDED FURTHER, That contributions of no more than
18 twenty-five dollars in the aggregate from any one person during the
19 election campaign may be reported as one lump sum so long as the
20 campaign treasurer maintains a separate and private list of the name,
21 address, and amount of each such contributor: PROVIDED FURTHER, That
22 the money value of contributions of postage shall be the face value of
23 such postage;

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

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

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

33 ~~(f))~~) The name and address of each person to whom an expenditure
34 was made in the aggregate amount of more than fifty dollars during the
35 period covered by this report, and the amount, date, and purpose of
36 each such expenditure. ~~((A candidate for state executive or state
37 legislative office or the political committee of such a candidate shall
38 report this information for an expenditure under one of the following
39 categories, whichever is appropriate: (i) Expenditures for the~~

1 election of the candidate; ~~(ii) expenditures for nonreimbursed public~~
2 ~~office-related expenses; (iii) expenditures required to be reported~~
3 ~~under (e) of this subsection; or (iv) expenditures of surplus funds and~~
4 ~~other expenditures. The report of such a candidate or committee shall~~
5 ~~contain a separate total of expenditures for each category and a total~~
6 ~~sum of all expenditures. Other candidates and political committees~~
7 ~~need not report information regarding expenditures under the categories~~
8 ~~listed in (i) through (iv) of this subsection or under similar such~~
9 ~~categories unless required to do so by the commission by rule.)) The~~
10 ~~report ((of such an other candidate or committee shall)) must also~~
11 contain the total sum of all expenditures;

12 ~~((g))~~ (f) The name and address of each person to whom any
13 expenditure was made directly or indirectly to compensate the person
14 for soliciting or procuring signatures on an initiative or referendum
15 petition, the amount of such compensation to each such person, and the
16 total of the expenditures made for this purpose. Such expenditures
17 shall be reported under this subsection ~~(1)((g))~~ (f) whether the
18 expenditures are or are not also required to be reported under ~~((f))~~
19 (e) of this subsection;

20 ~~((h))~~ (g) The name and address of any person and the amount owed
21 for any debt, obligation, note, unpaid loan, or other liability in the
22 amount of more than two hundred fifty dollars or in the amount of more
23 than fifty dollars that has been outstanding for over thirty days;

24 ~~((i))~~ (h) The surplus or deficit of contributions over
25 expenditures;

26 ~~((j))~~ (i) The disposition made in accordance with RCW 42.17.095
27 of any surplus funds;

28 ~~((k))~~ (j) Such other information as shall be required by the
29 commission by rule in conformance with the policies and purposes of
30 this chapter; and

31 ~~((l))~~ (k) Funds received from a political committee not otherwise
32 required to report under this chapter (a "nonreporting committee").
33 Such funds shall be forfeited to the state of Washington unless the
34 nonreporting committee has filed or within ten days following such
35 receipt files with the commission a statement disclosing: (i) Its name
36 and address; (ii) the purposes of the nonreporting committee; (iii) the
37 names, addresses, and titles of its officers or if it has no officers,
38 the names, addresses, and titles of its responsible leaders; (iv) the
39 name, office sought, and party affiliation of each candidate in the

1 state of Washington whom the nonreporting committee is supporting, and,
2 if such committee is supporting the entire ticket of any party, the
3 name of the party; (v) the ballot proposition supported or opposed in
4 the state of Washington, if any, and whether such committee is in favor
5 of or opposed to such proposition; (vi) the name and address of each
6 person residing in the state of Washington or corporation which has a
7 place of business in the state of Washington who has made one or more
8 contributions in the aggregate of more than twenty-five dollars to the
9 nonreporting committee during the current calendar year, together with
10 the money value and date of such contributions; (vii) the name and
11 address of each person in the state of Washington to whom an
12 expenditure was made by the nonreporting committee on behalf of a
13 candidate or political committee in the aggregate amount of more than
14 fifty dollars, the amount, date, and purpose of such expenditure, and
15 the total sum of such expenditures; (viii) such other information as
16 the commission may prescribe by rule, in keeping with the policies and
17 purposes of this chapter. A nonreporting committee incurring an
18 obligation to file additional reports in a calendar year may satisfy
19 the obligation by filing with the commission a letter providing
20 updating or amending information.

21 (2) The treasurer and the candidate shall certify the correctness
22 of each report.

23 **Sec. 4.** RCW 42.17.105 and 1991 c 157 s 1 are each amended to read
24 as follows:

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

29 Any political committee making a contribution or an aggregate of
30 contributions to a single entity which exceeds five hundred dollars
31 shall also prepare and deliver to the commission the special report if
32 the contribution or aggregate of contributions is made during a special
33 reporting period.

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

35 (a) Each of the following intervals is a special reporting period:
36 (i) The interval beginning after the period covered by the last report
37 required by RCW 42.17.080 and 42.17.090 to be filed before a primary
38 and concluding on the end of the day before that primary; and (ii) the

1 interval composed of the twenty-one days preceding a general election;
2 and

3 (b) An aggregate of contributions includes only those contributions
4 received from a single entity during any one special reporting period
5 or made by the contributing political committee to a single entity
6 during any one special reporting period.

7 (2) If a campaign treasurer files a special report under this
8 section for one or more contributions received from a single entity
9 during a special reporting period, the treasurer shall also file a
10 special report under this section for each subsequent contribution of
11 any size which is received from that entity during the special
12 reporting period. If a political committee files a special report
13 under this section for a contribution or contributions made to a single
14 entity during a special reporting period, the political committee shall
15 also file a special report for each subsequent contribution of any size
16 which is made to that entity during the special reporting period.

17 (3) Except as provided in subsection (4) of this section, the
18 special report required by this section shall be delivered
19 electronically or in written form, including but not limited to
20 mailgram, telegram, or nightletter. The special report required of a
21 contribution recipient by subsection (1) of this section shall be
22 delivered to the commission within forty-eight hours of the time, or on
23 the first working day after: The contribution exceeding five hundred
24 dollars is received by the candidate or treasurer; the aggregate
25 received by the candidate or treasurer first exceeds five hundred
26 dollars; or the subsequent contribution that must be reported under
27 subsection (2) of this section is received by the candidate or
28 treasurer. The special report required of a contributor by subsection
29 (1) of this section or RCW 42.17.175 shall be delivered to the
30 commission, and the candidate or political committee to whom the
31 contribution or contributions are made, within twenty-four hours of the
32 time, or on the first working day after: The contribution is made; the
33 aggregate of contributions made first exceeds five hundred dollars; or
34 the subsequent contribution that must be reported under subsection (2)
35 of this section is made.

36 (4) The special report may be transmitted orally by telephone to
37 the commission to satisfy the delivery period required by subsection
38 (3) of this section if the written form of the report is also mailed to
39 the commission and postmarked within the delivery period established in

1 subsection (3) of this section or the file transfer date of the
2 electronic filing is within the delivery period established in
3 subsection (3) of this section.

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

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

6 (b) The date or dates of receipt;

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

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

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

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

12 (7) The commission shall (~~(publish)~~) prepare daily a summary of the
13 special reports made under this section and RCW 42.17.175.

14 (8) It is a violation of this chapter for any person to make, or
15 for any candidate or political committee to accept from any one person,
16 contributions reportable under RCW 42.17.090 in the aggregate exceeding
17 fifty thousand dollars for any campaign for state-wide office or
18 exceeding five thousand dollars for any other campaign subject to the
19 provisions of this chapter within twenty-one days of a general
20 election. This subsection does not apply to contributions made by, or
21 accepted from, a (~~(major Washington state)~~) bona fide political party
22 as defined in (~~(RCW 29.01.090)~~) this chapter, excluding the county
23 central committee or legislative district committee.

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

28 **Sec. 5.** RCW 42.17.132 and 1993 c 2 s 25 are each amended to read
29 as follows:

30 (~~(During the twelve month period preceding the expiration of a~~
31 ~~state legislator's term in office, no incumbent to that office may mail~~
32 ~~to a constituent at public expense a letter, newsletter, brochure, or~~
33 ~~other piece of literature that is not in direct response to that~~
34 ~~constituent's request for a response or for information. However,))~~

35 During the twelve-month period preceding the last day for
36 certification of the election results for a state legislator's election
37 to office, the legislator may not mail to a constituent at public

1 expense a letter, newsletter, brochure, or other piece of literature
2 except as provided in this section.

3 The legislator may mail one mailing ((mailed within)) no later than
4 thirty days after the start of a regular legislative session and one
5 mailing ((mailed within)) no later than sixty days after the end of a
6 regular legislative session of identical newsletters to constituents
7 ((are permitted)).

8 The legislator may mail an individual letter to an individual
9 constituent who (1) has contacted the legislator regarding the subject
10 matter of the letter during the legislator's current term of office; or
11 (2) holds a governmental office with jurisdiction over the subject
12 matter of the letter.

13 A violation of this section constitutes use of the facilities of a
14 public office for the purpose of assisting a campaign under RCW
15 ((42.17.130)) 42.52.180.

16 The house of representatives and senate shall specifically limit
17 expenditures per member for the total cost of mailings, including but
18 not limited to production costs, printing costs, and postage.

19 **Sec. 6.** RCW 42.17.155 and 1985 c 367 s 8 are each amended to read
20 as follows:

21 Each lobbyist shall at the time he or she registers submit to the
22 commission a recent photograph of himself or herself of a size and
23 format as determined by rule of the commission, together with the name
24 of the lobbyist's employer, the length of his or her employment as a
25 lobbyist before the legislature, a brief biographical description, and
26 any other information he or she may wish to submit not to exceed fifty
27 words in length. Such photograph and information shall be published at
28 least ((annually)) biennially in a booklet form by the commission for
29 distribution to legislators and the public.

30 **Sec. 7.** RCW 42.17.190 and 1986 c 239 s 1 are each amended to read
31 as follows:

32 (1) ((Every legislator and every committee of the legislature shall
33 file with the commission quarterly reports listing the names,
34 addresses, and salaries of all persons employed by the person or
35 committee making the filing for the purpose of aiding in the
36 preparation or enactment of legislation or the performance of
37 legislative duties of such legislator or committee during the preceding

1 quarter. ~~The reports shall be made in the form and the manner~~
2 ~~prescribed by the commission and shall be filed between the first and~~
3 ~~tenth days of each calendar quarter: PROVIDED, That the information~~
4 ~~required by this subsection may be supplied, insofar as it is~~
5 ~~available, by the chief clerk of the house of representatives or by the~~
6 ~~secretary of the senate on a form prepared by the commission.)) The
7 house of representatives and the senate shall report annually: The
8 total budget; the portion of the total attributed to staff; and the
9 number of full-time and part-time staff positions by assignment, with
10 dollar figures as well as number of positions.~~

11 (2) Unless authorized by subsection (3) of this section or
12 otherwise expressly authorized by law, no public funds may be used
13 directly or indirectly for lobbying: PROVIDED, This does not prevent
14 officers or employees of an agency from communicating with a member of
15 the legislature on the request of that member; or communicating to the
16 legislature, through the proper official channels, requests for
17 legislative action or appropriations which are deemed necessary for the
18 efficient conduct of the public business or actually made in the proper
19 performance of their official duties: PROVIDED FURTHER, That this
20 subsection does not apply to the legislative branch.

21 (3) Any agency, not otherwise expressly authorized by law, may
22 expend public funds for lobbying, but such lobbying activity shall be
23 limited to (a) providing information or communicating on matters
24 pertaining to official agency business to any elected official or
25 officer or employee of any agency or (b) advocating the official
26 position or interests of the agency to any elected official or officer
27 or employee of any agency: PROVIDED, That public funds may not be
28 expended as a direct or indirect gift or campaign contribution to any
29 elected official or officer or employee of any agency. For the
30 purposes of this subsection, the term "gift" means a voluntary transfer
31 of any thing of value without consideration of equal or greater value,
32 but does not include informational material transferred for the sole
33 purpose of informing the recipient about matters pertaining to official
34 agency business(~~(: PROVIDED FURTHER, That)~~). This section does not
35 permit the printing of a state publication which has been otherwise
36 prohibited by law.

37 (4) No elective official or any employee of his or her office or
38 any person appointed to or employed by any public office or agency may
39 use or authorize the use of any of the facilities of a public office or

1 agency, directly or indirectly, in any effort to support or oppose an
2 initiative to the legislature. "Facilities of a public office or
3 agency" has the same meaning as in RCW 42.17.130 and 42.52.180. The
4 provisions of this subsection shall not apply to the following
5 activities:

6 (a) Action taken at an open public meeting by members of an elected
7 legislative body to express a collective decision, or to actually vote
8 upon a motion, proposal, resolution, order, or ordinance, or to support
9 or oppose an initiative to the legislature so long as (i) any required
10 notice of the meeting includes the title and number of the initiative
11 to the legislature, and (ii) members of the legislative body or members
12 of the public are afforded an approximately equal opportunity for the
13 expression of an opposing view;

14 (b) A statement by an elected official in support of or in
15 opposition to any initiative to the legislature at an open press
16 conference or in response to a specific inquiry;

17 (c) Activities which are part of the normal and regular conduct of
18 the office or agency;

19 (d) Activities conducted regarding an initiative to the legislature
20 that would be permitted under RCW 42.17.130 and 42.52.180 if conducted
21 regarding other ballot measures.

22 (5) Each state agency, county, city, town, municipal corporation,
23 quasi-municipal corporation, or special purpose district which expends
24 public funds for lobbying shall file with the commission, except as
25 exempted by (d) of this subsection, quarterly statements providing the
26 following information for the quarter just completed:

27 (a) The name of the agency filing the statement;

28 (b) The name, title, and job description and salary of each elected
29 official, officer, or employee who lobbied, a general description of
30 the nature of the lobbying, and the proportionate amount of time spent
31 on the lobbying;

32 (c) A listing of expenditures incurred by the agency for lobbying
33 including but not limited to travel, consultant or other special
34 contractual services, and brochures and other publications, the
35 principal purpose of which is to influence legislation;

36 (d) For purposes of this subsection the term "lobbying" does not
37 include:

38 (i) Requests for appropriations by a state agency to the office of
39 financial management pursuant to chapter 43.88 RCW nor requests by the

1 office of financial management to the legislature for appropriations
2 other than its own agency budget requests;

3 (ii) Recommendations or reports to the legislature in response to
4 a legislative request expressly requesting or directing a specific
5 study, recommendation, or report by an agency on a particular subject;

6 (iii) Official reports including recommendations submitted to the
7 legislature on an annual or biennial basis by a state agency as
8 required by law;

9 (iv) Requests, recommendations, or other communication between or
10 within state agencies or between or within local agencies;

11 (v) Any other lobbying to the extent that it includes:

12 (A) Telephone conversations or preparation of written
13 correspondence;

14 (B) In-person lobbying on behalf of an agency of no more than four
15 days or parts thereof during any three-month period by officers or
16 employees of that agency and in-person lobbying by any elected official
17 of such agency on behalf of such agency or in connection with the
18 powers, duties, or compensation of such official: PROVIDED, That the
19 total expenditures of nonpublic funds made in connection with such
20 lobbying for or on behalf of any one or more members of the legislature
21 or state elected officials or public officers or employees of the state
22 of Washington do not exceed fifteen dollars for any three-month period:
23 PROVIDED FURTHER, That the exemption under this subsection is in
24 addition to the exemption provided in (A) of this subsection;

25 (C) Preparation or adoption of policy positions.

26 The statements shall be in the form and the manner prescribed by
27 the commission and shall be filed within one month after the end of the
28 quarter covered by the report.

29 (6) In lieu of reporting under subsection (5) of this section any
30 county, city, town, municipal corporation, quasi municipal corporation,
31 or special purpose district may determine and so notify the public
32 disclosure commission, that elected officials, officers, or employees
33 who on behalf of any such local agency engage in lobbying reportable
34 under subsection (5) of this section shall register and report such
35 reportable lobbying in the same manner as a lobbyist who is required to
36 register and report under RCW 42.17.150 and 42.17.170. Each such local
37 agency shall report as a lobbyist employer pursuant to RCW 42.17.180.

38 (7) The provisions of this section do not relieve any elected
39 official or officer or employee of an agency from complying with other

1 provisions of this chapter, if such elected official, officer, or
2 employee is not otherwise exempted.

3 (8) The purpose of this section is to require each state agency and
4 certain local agencies to report the identities of those persons who
5 lobby on behalf of the agency for compensation, together with certain
6 separately identifiable and measurable expenditures of an agency's
7 funds for that purpose. This section shall be reasonably construed to
8 accomplish that purpose and not to require any agency to report any of
9 its general overhead cost or any other costs which relate only
10 indirectly or incidentally to lobbying or which are equally
11 attributable to or inseparable from nonlobbying activities of the
12 agency.

13 The public disclosure commission may adopt rules clarifying and
14 implementing this legislative interpretation and policy.

15 **Sec. 8.** RCW 42.17.240 and 1993 c 2 s 31 are each amended to read
16 as follows:

17 (1) Every elected official and every executive state officer shall
18 after January 1st and before April 15th of each year file with the
19 commission a statement of financial affairs for the preceding calendar
20 year. However, any local elected official whose term of office expires
21 immediately after December 31st shall file the statement required to be
22 filed by this section for the year that ended on that December 31st.
23 (~~In addition to and in conjunction with the statement of financial~~
24 ~~affairs, every official and officer shall file a statement describing~~
25 ~~any gifts received during the preceding calendar year.))~~

26 (2) Every candidate shall within two weeks of becoming a candidate
27 file with the commission a statement of financial affairs for the
28 preceding twelve months.

29 (3) Every person appointed to a vacancy in an elective office or
30 executive state officer position shall within two weeks of being so
31 appointed file with the commission a statement of financial affairs for
32 the preceding twelve months.

33 (4) A statement of a candidate or appointee filed during the period
34 from January 1st to April 15th shall cover the period from January 1st
35 of the preceding calendar year to the time of candidacy or appointment
36 if the filing of the statement would relieve the individual of a prior
37 obligation to file a statement covering the entire preceding calendar
38 year.

1 (5) No individual may be required to file more than once in any
2 calendar year.

3 (6) Each statement of financial affairs filed under this section
4 shall be sworn as to its truth and accuracy.

5 (7) Every elected official and every executive state officer shall
6 file with their statement of financial affairs a statement certifying
7 that they have read and are familiar with RCW 42.17.130 or 42.52.180,
8 whichever is applicable.

9 (8) For the purposes of this section, the term "executive state
10 officer" includes those listed in RCW 42.17.2401.

11 ~~((+8+))~~ (9) This section does not apply to incumbents or candidates
12 for a federal office or the office of precinct committee officer.

13 **Sec. 9.** RCW 42.17.241 and 1984 c 34 s 3 are each amended to read
14 as follows:

15 FINANCIAL AFFAIRS REPORT--GIFTS. (1) The statement of financial
16 affairs required by RCW 42.17.240 shall disclose for the reporting
17 individual and each member of his or her immediate family:

18 (a) Occupation, name of employer, and business address; and

19 (b) Each bank or savings account or insurance policy in which any
20 such person or persons owned a direct financial interest that exceeded
21 five thousand dollars at any time during the reporting period; each
22 other item of intangible personal property in which any such person or
23 persons owned a direct financial interest, the value of which exceeded
24 five hundred dollars during the reporting period; the name, address,
25 and nature of the entity; and the nature and highest value of each such
26 direct financial interest during the reporting period; and

27 (c) The name and address of each creditor to whom the value of five
28 hundred dollars or more was owed; the original amount of each debt to
29 each such creditor; the amount of each debt owed to each creditor as of
30 the date of filing; the terms of repayment of each such debt; and the
31 security given, if any, for each such debt: PROVIDED, That debts
32 arising out of a "retail installment transaction" as defined in chapter
33 63.14 RCW (Retail Installment Sales Act) need not be reported; and

34 (d) Every public or private office, directorship, and position held
35 as trustee; and

36 (e) All persons for whom any legislation, rule, rate, or standard
37 has been prepared, promoted, or opposed for current or deferred
38 compensation: PROVIDED, That for the purposes of this subsection,

1 "compensation" does not include payments made to the person reporting
2 by the governmental entity for which such person serves as an elected
3 official or state executive officer or professional staff member for
4 his service in office; the description of such actual or proposed
5 legislation, rules, rates, or standards; and the amount of current or
6 deferred compensation paid or promised to be paid; and

7 (f) The name and address of each governmental entity, corporation,
8 partnership, joint venture, sole proprietorship, association, union, or
9 other business or commercial entity from whom compensation has been
10 received in any form of a total value of five hundred dollars or more;
11 the value of the compensation; and the consideration given or performed
12 in exchange for the compensation; and

13 (g) The name of any corporation, partnership, joint venture,
14 association, union, or other entity in which is held any office,
15 directorship, or any general partnership interest, or an ownership
16 interest of ten percent or more; the name or title of that office,
17 directorship, or partnership; the nature of ownership interest; and
18 with respect to each such entity: (i) With respect to a governmental
19 unit in which the official seeks or holds any office or position, if
20 the entity has received compensation in any form during the preceding
21 twelve months from the governmental unit, the value of the compensation
22 and the consideration given or performed in exchange for the
23 compensation; (ii) the name of each governmental unit, corporation,
24 partnership, joint venture, sole proprietorship, association, union, or
25 other business or commercial entity from which the entity has received
26 compensation in any form in the amount of two thousand five hundred
27 dollars or more during the preceding twelve months and the
28 consideration given or performed in exchange for the compensation:
29 PROVIDED, That the term "compensation" for purposes of this subsection
30 (1)(g)(ii) does not include payment for water and other utility
31 services at rates approved by the Washington state utilities and
32 transportation commission or the legislative authority of the public
33 entity providing the service: PROVIDED, FURTHER, That with respect to
34 any bank or commercial lending institution in which is held any office,
35 directorship, partnership interest, or ownership interest, it shall
36 only be necessary to report either the name, address, and occupation of
37 every director and officer of the bank or commercial lending
38 institution and the average monthly balance of each account held during
39 the preceding twelve months by the bank or commercial lending

1 institution from the governmental entity for which the individual is an
2 official or candidate or professional staff member, or all interest
3 paid by a borrower on loans from and all interest paid to a depositor
4 by the bank or commercial lending institution if the interest exceeds
5 six hundred dollars; and

6 (h) A list, including legal or other sufficient descriptions as
7 prescribed by the commission, of all real property in the state of
8 Washington, the assessed valuation of which exceeds two thousand five
9 hundred dollars in which any direct financial interest was acquired
10 during the preceding calendar year, and a statement of the amount and
11 nature of the financial interest and of the consideration given in
12 exchange for that interest; and

13 (i) A list, including legal or other sufficient descriptions as
14 prescribed by the commission, of all real property in the state of
15 Washington, the assessed valuation of which exceeds two thousand five
16 hundred dollars in which any direct financial interest was divested
17 during the preceding calendar year, and a statement of the amount and
18 nature of the consideration received in exchange for that interest, and
19 the name and address of the person furnishing the consideration; and

20 (j) A list, including legal or other sufficient descriptions as
21 prescribed by the commission, of all real property in the state of
22 Washington, the assessed valuation of which exceeds two thousand five
23 hundred dollars in which a direct financial interest was held:
24 PROVIDED, That if a description of the property has been included in a
25 report previously filed, the property may be listed, for purposes of
26 this provision, by reference to the previously filed report; and

27 (k) A list, including legal or other sufficient descriptions as
28 prescribed by the commission, of all real property in the state of
29 Washington, the assessed valuation of which exceeds five thousand
30 dollars, in which a corporation, partnership, firm, enterprise, or
31 other entity had a direct financial interest, in which corporation,
32 partnership, firm, or enterprise a ten percent or greater ownership
33 interest was held; and

34 (l) A list of each occasion, specifying date, donor, and amount,
35 at which food and beverage in excess of fifty dollars was accepted
36 under RCW 42.52.150(5);

37 (m) A list of each occasion, specifying date, donor, and amount, at
38 which items specified in RCW 42.52.010(9) (d) and (f) were accepted;

1 (n) Such other information as the commission may deem necessary in
2 order to properly carry out the purposes and policies of this chapter,
3 as the commission shall prescribe by rule.

4 (2) Where an amount is required to be reported under subsection
5 (1)(~~(, paragraphs)~~) (a) through (~~(k)~~) (m) of this section, it shall
6 be sufficient to comply with the requirement to report whether the
7 amount is less than one thousand dollars, at least one thousand dollars
8 but less than five thousand dollars, at least five thousand dollars but
9 less than ten thousand dollars, at least ten thousand dollars but less
10 than twenty-five thousand dollars, or twenty-five thousand dollars or
11 more. An amount of stock may be reported by number of shares instead
12 of by market value. No provision of this subsection may be interpreted
13 to prevent any person from filing more information or more detailed
14 information than required.

15 (3) Items of value given to an official's or employee's spouse or
16 family member are attributable to the official or employee, except the
17 item is not attributable if an independent business, family, or social
18 relationship exists between the donor and the spouse or family member.

19 **Sec. 10.** RCW 42.17.2401 and 1993 sp.s. c 2 s 18, 1993 c 492 s 488,
20 and 1993 c 281 s 43 are each reenacted and amended to read as follows:

21 For the purposes of RCW 42.17.240, the term "executive state
22 officer" includes:

23 (1) The chief administrative law judge, the director of
24 agriculture, the administrator of the office of marine safety, the
25 administrator of the Washington basic health plan, the director of the
26 department of services for the blind, the director of the state system
27 of community and technical colleges, the director of community, trade,
28 and economic development, the secretary of corrections, the director of
29 ecology, the commissioner of employment security, the chairman of the
30 energy facility site evaluation council, the director of the energy
31 office, the secretary of the state finance committee, the director of
32 financial management, the director of fish and wildlife, the executive
33 secretary of the forest practices appeals board, the director of the
34 gambling commission, the director of general administration, the
35 secretary of health, the administrator of the Washington state health
36 care authority, the executive secretary of the health care facilities
37 authority, the executive secretary of the higher education facilities
38 authority, the executive secretary of the horse racing commission, the

1 executive secretary of the human rights commission, the executive
2 secretary of the indeterminate sentence review board, the director of
3 the department of information services, the director of the interagency
4 committee for outdoor recreation, the executive director of the state
5 investment board, the director of labor and industries, the director of
6 licensing, the director of the lottery commission, the director of the
7 office of minority and women's business enterprises, the director of
8 parks and recreation, the director of personnel, the executive director
9 of the public disclosure commission, the director of retirement
10 systems, the director of revenue, the secretary of social and health
11 services, the chief of the Washington state patrol, the executive
12 secretary of the board of tax appeals, (~~the director of trade and~~
13 ~~economic development,~~) the secretary of transportation, the secretary
14 of the utilities and transportation commission, the director of
15 veterans affairs, the president of each of the regional and state
16 universities and the president of The Evergreen State College, each
17 district and each campus president of each state community college;

18 (2) Each professional staff member of the office of the governor;

19 (3) Each professional staff member of the legislature; and

20 (4) Central Washington University board of trustees, board of
21 trustees of each community college, each member of the state board for
22 community and technical colleges, state convention and trade center
23 board of directors, committee for deferred compensation, Eastern
24 Washington University board of trustees, Washington economic
25 development finance authority, The Evergreen State College board of
26 trustees, executive ethics board, forest practices appeals board,
27 forest practices board, gambling commission, Washington health care
28 facilities authority, each member of the Washington health services
29 commission, higher education coordinating board, higher education
30 facilities authority, horse racing commission, state housing finance
31 commission, human rights commission, indeterminate sentence review
32 board, board of industrial insurance appeals, information services
33 board, interagency committee for outdoor recreation, state investment
34 board, commission on judicial conduct, legislative ethics board, liquor
35 control board, lottery commission, marine oversight board, (~~oil and~~
36 ~~gas conservation committee,~~) Pacific Northwest electric power and
37 conservation planning council, parks and recreation commission,
38 personnel appeals board, board of pilotage commissioners, pollution
39 control hearings board, public disclosure commission, public pension

1 commission, shorelines hearing board, public employees' benefits board,
2 board of tax appeals, transportation commission, University of
3 Washington board of regents, utilities and transportation commission,
4 Washington state maritime commission, Washington personnel resources
5 board, Washington public power supply system executive board,
6 Washington State University board of regents, Western Washington
7 University board of trustees, and fish and wildlife commission.

8 **Sec. 11.** RCW 42.17.260 and 1992 c 139 s 3 are each amended to read
9 as follows:

10 (1) Each agency, in accordance with published rules, shall make
11 available for public inspection and copying all public records, unless
12 the record falls within the specific exemptions of subsection (6) of
13 this section, RCW 42.17.310, 42.17.315, or other statute which exempts
14 or prohibits disclosure of specific information or records. To the
15 extent required to prevent an unreasonable invasion of personal privacy
16 interests protected by RCW 42.17.310 and 42.17.315, an agency shall
17 delete identifying details in a manner consistent with RCW 42.17.310
18 and 42.17.315 when it makes available or publishes any public record;
19 however, in each case, the justification for the deletion shall be
20 explained fully in writing.

21 (2) For informational purposes, each agency shall publish and
22 maintain a current list containing every law, other than those listed
23 in this chapter, that the agency believes exempts or prohibits
24 disclosure of specific information or records of the agency. An
25 agency's failure to list an exemption shall not affect the efficacy of
26 any exemption.

27 (3) Each local agency shall maintain and make available for public
28 inspection and copying a current index providing identifying
29 information as to the following records issued, adopted, or promulgated
30 after January 1, 1973:

31 (a) Final opinions, including concurring and dissenting opinions,
32 as well as orders, made in the adjudication of cases;

33 (b) Those statements of policy and interpretations of policy,
34 statute, and the Constitution which have been adopted by the agency;

35 (c) Administrative staff manuals and instructions to staff that
36 affect a member of the public;

37 (d) Planning policies and goals, and interim and final planning
38 decisions;

1 (e) Factual staff reports and studies, factual consultant's reports
2 and studies, scientific reports and studies, and any other factual
3 information derived from tests, studies, reports, or surveys, whether
4 conducted by public employees or others; and

5 (f) Correspondence, and materials referred to therein, by and with
6 the agency relating to any regulatory, supervisory, or enforcement
7 responsibilities of the agency, whereby the agency determines, or
8 opines upon, or is asked to determine or opine upon, the rights of the
9 state, the public, a subdivision of state government, or of any private
10 party.

11 (4) A local agency need not maintain such an index, if to do so
12 would be unduly burdensome, but it shall in that event:

13 (a) Issue and publish a formal order specifying the reasons why and
14 the extent to which compliance would unduly burden or interfere with
15 agency operations; and

16 (b) Make available for public inspection and copying all indexes
17 maintained for agency use.

18 (5) Each state agency shall, by rule, establish and implement a
19 system of indexing for the identification and location of the following
20 records:

21 (a) All records issued before July 1, 1990, for which the agency
22 has maintained an index;

23 (b) Final orders entered after June 30, 1990, that are issued in
24 adjudicative proceedings as defined in RCW 34.05.010(1) and that
25 contain an analysis or decision of substantial importance to the agency
26 in carrying out its duties;

27 (c) Declaratory orders entered after June 30, 1990, that are issued
28 pursuant to RCW 34.05.240 and that contain an analysis or decision of
29 substantial importance to the agency in carrying out its duties;

30 (d) Interpretive statements as defined in RCW 34.05.010(8) that
31 were entered after June 30, 1990; and

32 (e) Policy statements as defined in RCW 34.05.010(14) that were
33 entered after June 30, 1990.

34 Rules establishing systems of indexing shall include, but not be
35 limited to, requirements for the form and content of the index, its
36 location and availability to the public, and the schedule for revising
37 or updating the index. State agencies that have maintained indexes for
38 records issued before July 1, 1990, shall continue to make such indexes
39 available for public inspection and copying. Information in such

1 indexes may be incorporated into indexes prepared pursuant to this
2 subsection. State agencies may satisfy the requirements of this
3 subsection by making available to the public indexes prepared by other
4 parties but actually used by the agency in its operations. State
5 agencies shall make indexes available for public inspection and
6 copying. State agencies may charge a fee to cover the actual costs of
7 providing individual mailed copies of indexes.

8 (6) A public record may be relied on, used, or cited as precedent
9 by an agency against a party other than an agency and it may be invoked
10 by the agency for any other purpose only if«

11 (a) It has been indexed in an index available to the public; or

12 (b) Parties affected have timely notice (actual or constructive) of
13 the terms thereof.

14 (7) This chapter shall not be construed as giving authority to any
15 agency, the office of the secretary of the senate, or the office of the
16 chief clerk of the house of representatives to give, sell or provide
17 access to lists of individuals requested for commercial purposes, and
18 agencies, the office of the secretary of the senate, and the office of
19 the chief clerk of the house of representatives shall not do so unless
20 specifically authorized or directed by law: PROVIDED, HOWEVER, That
21 lists of applicants for professional licenses and of professional
22 licensees shall be made available to those professional associations or
23 educational organizations recognized by their professional licensing or
24 examination board, upon payment of a reasonable charge therefor:
25 PROVIDED FURTHER, That such recognition may be refused only for a good
26 cause pursuant to a hearing under the provisions of chapter 34.05 RCW,
27 the Administrative Procedure Act.

28 **Sec. 12.** RCW 42.17.280 and 1973 c 1 s 28 are each amended to read
29 as follows:

30 Public records shall be available for inspection and copying during
31 the customary office hours of the agency, the office of the secretary
32 of the senate, and the office of the chief clerk of the house of
33 representatives: PROVIDED, That if the ((agency)) entity does not have
34 customary office hours of at least thirty hours per week, the public
35 records shall be available from nine o'clock a.m. to noon and from one
36 o'clock p.m. to four o'clock p.m. Monday through Friday, excluding
37 legal holidays, unless the person making the request and the agency,
38 the office of the secretary of the senate, or the office of the chief

1 clerk of the house of representatives or its representative agree on a
2 different time.

3 **Sec. 13.** RCW 42.17.290 and 1992 c 139 s 4 are each amended to read
4 as follows:

5 Agencies shall adopt and enforce reasonable rules and regulations,
6 and the office of the secretary of the senate and the office of the
7 chief clerk of the house of representatives shall adopt reasonable
8 procedures allowing for the time, resource, and personnel constraints
9 associated with legislative sessions, consonant with the intent of this
10 chapter to provide full public access to public records, to protect
11 public records from damage or disorganization, and to prevent excessive
12 interference with other essential functions of the agency, the office
13 of the secretary of the senate, or the office of the chief clerk of the
14 house of representatives. Such rules and regulations shall provide for
15 the fullest assistance to inquirers and the most timely possible action
16 on requests for information. Nothing in this section shall relieve
17 agencies, the office of the secretary of the senate, and the office of
18 the chief clerk of the house of representatives from honoring requests
19 received by mail for copies of identifiable public records.

20 If a public record request is made at a time when such record
21 exists but is scheduled for destruction in the near future, the agency,
22 the office of the secretary of the senate, or the office of the chief
23 clerk of the house of representatives shall retain possession of the
24 record, and may not destroy or erase the record until the request is
25 resolved.

26 **Sec. 14.** RCW 42.17.300 and 1973 c 1 s 30 are each amended to read
27 as follows:

28 No fee shall be charged for the inspection of public records.
29 (~~Agencies may impose~~) A reasonable charge may be imposed for
30 providing copies of public records and for the use by any person of
31 agency equipment or equipment of the office of the secretary of the
32 senate or the office of the chief clerk of the house of representatives
33 to copy public records, which charges shall not exceed the amount
34 necessary to reimburse the agency, the office of the secretary of the
35 senate, or the office of the chief clerk of the house of
36 representatives for its actual costs incident to such copying.

1 **Sec. 15.** RCW 42.17.320 and 1992 c 139 s 6 are each amended to read
2 as follows:

3 Responses to requests for public records shall be made promptly by
4 agencies, the office of the secretary of the senate, and the office of
5 the chief clerk of the house of representatives. Within five business
6 days of receiving a public record request, an agency, the office of the
7 secretary of the senate, or the office of the chief clerk of the house
8 of representatives must respond by either (1) providing the record; (2)
9 acknowledging that the agency, the office of the secretary of the
10 senate, or the office of the chief clerk of the house of
11 representatives has received the request and providing a reasonable
12 estimate of the time the agency, the office of the secretary of the
13 senate, or the office of the chief clerk of the house of
14 representatives will require to respond to the request; or (3) denying
15 the public record request. Additional time required to respond to a
16 request may be based upon the need to clarify the intent of the
17 request, to locate and assemble the information requested, to notify
18 third persons or agencies affected by the request, or to determine
19 whether any of the information requested is exempt and that a denial
20 should be made as to all or part of the request. In acknowledging
21 receipt of a public record request that is unclear, an agency, the
22 office of the secretary of the senate, or the office of the chief clerk
23 of the house of representatives may ask the requestor to clarify what
24 information the requestor is seeking. If the requestor fails to
25 clarify the request, the agency, the office of the secretary of the
26 senate, or the office of the chief clerk of the house of
27 representatives need not respond to it. Denials of requests must be
28 accompanied by a written statement of the specific reasons therefor.
29 Agencies, the office of the secretary of the senate, and the office of
30 the chief clerk of the house of representatives shall establish
31 mechanisms for the most prompt possible review of decisions denying
32 inspection, and such review shall be deemed completed at the end of the
33 second business day following the denial of inspection and shall
34 constitute final agency action or final action by the office of the
35 secretary of the senate or the office of the chief clerk of the house
36 of representatives for the purposes of judicial review.

37 NEW SECTION. **Sec. 16.** A new section is added to chapter 42.17
38 RCW, to be codified after RCW 42.17.340, to read as follows:

1 The procedures in RCW 42.17.340 govern denials of an opportunity to
2 inspect or copy a public record by the office of the secretary of the
3 senate or the office of the chief clerk of the house of
4 representatives.

5 **Sec. 17.** RCW 42.17.370 and 1994 c 40 s 3 are each amended to read
6 as follows:

7 The commission is empowered to:

8 (1) Adopt, promulgate, amend, and rescind suitable administrative
9 rules to carry out the policies and purposes of this chapter, which
10 rules shall be adopted under chapter 34.05 RCW. Any rule relating to
11 campaign finance, political advertising, or related forms that would
12 otherwise take effect after June 30th of a general election year shall
13 take effect no earlier than the day following the general election in
14 that year;

15 (2) Appoint and set, within the limits established by the committee
16 on agency officials' salaries under RCW 43.03.028, the compensation of
17 an executive director who shall perform such duties and have such
18 powers as the commission may prescribe and delegate to implement and
19 enforce this chapter efficiently and effectively. The commission shall
20 not delegate its authority to adopt, amend, or rescind rules nor shall
21 it delegate authority to determine whether an actual violation of this
22 chapter has occurred or to assess penalties for such violations;

23 (3) Prepare and publish such reports and technical studies as in
24 its judgment will tend to promote the purposes of this chapter,
25 including reports and statistics concerning campaign financing,
26 lobbying, financial interests of elected officials, and enforcement of
27 this chapter;

28 (4) Make from time to time, on its own motion, audits and field
29 investigations;

30 (5) Make public the time and date of any formal hearing set to
31 determine whether a violation has occurred, the question or questions
32 to be considered, and the results thereof;

33 (6) Administer oaths and affirmations, issue subpoenas, and compel
34 attendance, take evidence and require the production of any books,
35 papers, correspondence, memorandums, or other records relevant or
36 material for the purpose of any investigation authorized under this
37 chapter, or any other proceeding under this chapter;

38 (7) Adopt and promulgate a code of fair campaign practices;

1 (8) Relieve, by rule, candidates or political committees of
2 obligations to comply with the provisions of this chapter relating to
3 election campaigns, if they have not received contributions nor made
4 expenditures in connection with any election campaign of more than one
5 thousand dollars;

6 (9) Adopt rules prescribing reasonable requirements for keeping
7 accounts of and reporting on a quarterly basis costs incurred by state
8 agencies, counties, cities, and other municipalities and political
9 subdivisions in preparing, publishing, and distributing legislative
10 information. The term "legislative information," for the purposes of
11 this subsection, means books, pamphlets, reports, and other materials
12 prepared, published, or distributed at substantial cost, a substantial
13 purpose of which is to influence the passage or defeat of any
14 legislation. The state auditor in his or her regular examination of
15 each agency under chapter 43.09 RCW shall review the rules, accounts,
16 and reports and make appropriate findings, comments, and
17 recommendations in his or her examination reports concerning those
18 agencies;

19 (10) After hearing, by order approved and ratified by a majority of
20 the membership of the commission, suspend or modify any of the
21 reporting requirements of this chapter in a particular case if it finds
22 that literal application of this chapter works a manifestly
23 unreasonable hardship and if it also finds that the suspension or
24 modification will not frustrate the purposes of the chapter. The
25 commission shall find that a manifestly unreasonable hardship exists if
26 reporting the name of an entity required to be reported under RCW
27 42.17.241(1)(g)(ii) would be likely to adversely affect the competitive
28 position of any entity in which the person filing the report or any
29 member of his or her immediate family holds any office, directorship,
30 general partnership interest, or an ownership interest of ten percent
31 or more. Any suspension or modification shall be only to the extent
32 necessary to substantially relieve the hardship. The commission shall
33 act to suspend or modify any reporting requirements only if it
34 determines that facts exist that are clear and convincing proof of the
35 findings required under this section. Requests for renewals of
36 reporting modifications may be heard in a brief adjudicative proceeding
37 as set forth in RCW 34.05.482 through 34.05.494 and in accordance with
38 the standards established in this section. No initial request may be
39 heard in a brief adjudicative proceeding and no request for renewal may

1 be heard in a brief adjudicative proceeding if the initial request was
2 granted more than three years previously or if the applicant is holding
3 an office or position of employment different from the office or
4 position held when the initial request was granted. The commission
5 shall adopt administrative rules governing the proceedings. Any
6 citizen has standing to bring an action in Thurston county superior
7 court to contest the propriety of any order entered under this section
8 within one year from the date of the entry of the order; and

9 (11) Revise, at least once every five years but no more often than
10 every two years, the monetary reporting thresholds and reporting code
11 values of this chapter. The revisions shall be only for the purpose of
12 recognizing economic changes as reflected by an inflationary index
13 recommended by the office of financial management. The revisions shall
14 be guided by the change in the index for the period commencing with the
15 month of December preceding the last revision and concluding with the
16 month of December preceding the month the revision is adopted. As to
17 each of the three general categories of this chapter (reports of
18 campaign finance, reports of lobbyist activity, and reports of the
19 financial affairs of elected and appointed officials), the revisions
20 shall equally affect all thresholds within each category. Revisions
21 shall be adopted as rules under chapter 34.05 RCW. The first revision
22 authorized by this subsection shall reflect economic changes from the
23 time of the last legislative enactment affecting the respective code or
24 threshold through December 1985;

25 (12) Develop and provide to filers a system for certification of
26 reports required under this chapter which are transmitted by facsimile
27 or electronically to the commission. Implementation of the program is
28 contingent on the availability of funds.

29 **Sec. 18.** RCW 42.17.420 and 1983 c 176 s 2 are each amended to read
30 as follows:

31 (1) Except as provided in subsection (2) of this section, when any
32 application, report, statement, notice, or payment required to be made
33 under the provisions of this chapter has been deposited postpaid in the
34 United States mail properly addressed, it shall be deemed to have been
35 received on the date of mailing. It shall be presumed that the date
36 shown by the post office cancellation mark on the envelope is the date
37 of mailing. The provisions of this section do not apply to reports
38 required to be delivered under RCW 42.17.105 and 42.17.175.

1 (2) When a report is filed electronically with the commission, it
2 is deemed to have been received on the file transfer date. Electronic
3 filing may be used for purposes of filing the special reports required
4 to be delivered under RCW 42.17.105 and 42.17.175.

5 **Sec. 19.** RCW 42.17.510 and 1993 c 2 s 22 are each amended to read
6 as follows:

7 (1) All written political advertising, whether relating to
8 candidates or ballot propositions, shall include the sponsor's name and
9 address. All radio and television political advertising, whether
10 relating to candidates or ballot propositions, shall include the
11 sponsor's name. The use of an assumed name shall be unlawful. The
12 party with which a candidate files shall be clearly identified in
13 political advertising for partisan office.

14 (2) In addition to the materials required by subsection (1) of this
15 section, all political advertising undertaken as an independent
16 expenditure by a person or entity other than a party organization must
17 include the following statement on the communication "NOTICE TO VOTERS
18 (Required by law): This advertisement is not authorized or approved by
19 any candidate. It is paid for by (name, address, city, state)." If
20 the advertisement undertaken as an independent expenditure is
21 undertaken by a nonindividual other than a party organization, then the
22 following notation must also be included: "Top Five Contributors,"
23 followed by a listing of the names of the five persons or entities
24 making the largest contributions reportable under this chapter during
25 the twelve-month period before the date of the advertisement.

26 (3) The statements and listings of contributors required by
27 subsections (1) and (2) of this section shall:

28 (a) Appear on ~~((each))~~ the first page or fold of the written
29 communication in at least ten-point type, or in type at least ten
30 percent of the largest size type used in a written communication
31 directed at more than one voter, such as a billboard or poster,
32 whichever is larger;

33 (b) Not be subject to the half-tone or screening process;

34 (c) Be ~~((in a printed or drawn box))~~ set apart from any other
35 printed matter; and

36 (d) Be clearly spoken on any broadcast advertisement.

37 (4) Political yard signs are exempt from the requirement of
38 subsections (1) and (2) of this section that the name and address of

1 the sponsor of political advertising be listed on the advertising. In
2 addition, the public disclosure commission shall, by rule, exempt from
3 the identification requirements of subsections (1) and (2) of this
4 section forms of political advertising such as campaign buttons,
5 balloons, pens, pencils, sky-writing, inscriptions, and other forms of
6 advertising where identification is impractical.

7 (5) For the purposes of this section, "yard sign" means any outdoor
8 sign with dimensions no greater than eight feet by four feet.

9 **Sec. 20.** RCW 42.17.640 and 1993 c 2 s 4 are each amended to read
10 as follows:

11 (1) No person, other than a bona fide political party or a caucus
12 (~~((of the state legislature))~~) political committee, may make
13 contributions to a candidate for a state legislative office that in the
14 aggregate exceed five hundred dollars or to a candidate for a state
15 office other than a state legislative office that in the aggregate
16 exceed one thousand dollars for each election in which the candidate is
17 on the ballot or appears as a write-in candidate. Contributions made
18 with respect to a primary may not be made after the date of the
19 primary. Contributions made with respect to a general election may not
20 be made after the final day of the applicable election cycle.

21 (2) No person, other than a bona fide political party or a caucus
22 (~~((of the state legislature))~~) political committee, may make
23 contributions to a state official against whom recall charges have been
24 filed, or to a political committee having the expectation of making
25 expenditures in support of the recall of the state official, during a
26 recall campaign that in the aggregate exceed five hundred dollars if
27 for a state legislative office or one thousand dollars if for a state
28 office other than a state legislative office.

29 (3)(a) Notwithstanding subsection (1) of this section, no bona fide
30 political party or caucus (~~((of the state legislature))~~) political
31 committee may make contributions to a candidate during an election
32 cycle that in the aggregate exceed (i) fifty cents multiplied by the
33 number of eligible registered voters in the jurisdiction from which the
34 candidate is elected if the contributor is a caucus (~~((of the state~~
35 ~~legislature))~~) political committee or the governing body of a state
36 organization, or (ii) twenty-five cents multiplied by the number of
37 registered voters in the jurisdiction from which the candidate is

1 elected if the contributor is a county central committee or a
2 legislative district committee.

3 (b) No candidate may accept contributions from a county central
4 committee or a legislative district committee during an election cycle
5 that when combined with contributions from other county central
6 committees or legislative district committees would in the aggregate
7 exceed twenty-five cents times the number of registered voters in the
8 jurisdiction from which the candidate is elected.

9 (4)(a) Notwithstanding subsection (2) of this section, no bona fide
10 political party or caucus (~~(of the state legislature)~~) political
11 committee may make contributions to a state official against whom
12 recall charges have been filed, or to a political committee having the
13 expectation of making expenditures in support of the state official,
14 during a recall campaign that in the aggregate exceed (i) fifty cents
15 multiplied by the number of eligible registered voters in the
16 jurisdiction entitled to recall the state official if the contributor
17 is a caucus (~~(of the state legislature of {or})~~) political committee or
18 the governing body of a state organization, or (ii) twenty-five cents
19 multiplied by the number of registered voters in the jurisdiction from
20 which the candidate is elected if the contributor is a county central
21 committee or a legislative district committee.

22 (b) No state official against whom recall charges have been filed,
23 no authorized committee of the official, and no political committee
24 having the expectation of making expenditures in support of the recall
25 of a state official may accept contributions from a county central
26 committee or a legislative district committee during an election cycle
27 that when combined with contributions from other county central
28 committees or legislative district committees would in the aggregate
29 exceed twenty-five cents multiplied by the number of registered voters
30 in the jurisdiction from which the candidate is elected.

31 (5) For purposes of determining contribution limits under
32 subsections (3) and (4) of this section, the number of eligible
33 registered voters in a jurisdiction is the number at the time of the
34 most recent general election in the jurisdiction.

35 (6) Notwithstanding subsections (1) through (4) of this section, no
36 person other than an individual, bona fide political party, or caucus
37 (~~(of the state legislature)~~) political committee may make contributions
38 reportable under this chapter to a caucus (~~(of the state legislature)~~)
39 political committee that in the aggregate exceed five hundred dollars

1 in a calendar year or to a bona fide political party that in the
2 aggregate exceed two thousand five hundred dollars in a calendar year.
3 This subsection does not apply to loans made in the ordinary course of
4 business.

5 ~~((+6))~~ (7) For the purposes of RCW 42.17.640 through 42.17.790, a
6 contribution to the authorized political committee of a candidate, or
7 of a state official against whom recall charges have been filed, is
8 considered to be a contribution to the candidate or state official.

9 ~~((+7))~~ (8) A contribution received within the twelve-month period
10 after a recall election concerning a state office is considered to be
11 a contribution during that recall campaign if the contribution is used
12 to pay a debt or obligation incurred to influence the outcome of that
13 recall campaign.

14 ~~((+8))~~ (9) The contributions allowed by subsection (2) of this
15 section are in addition to those allowed by subsection (1) of this
16 section, and the contributions allowed by subsection (4) of this
17 section are in addition to those allowed by subsection (3) of this
18 section.

19 ~~((+9))~~ (10) RCW 42.17.640 through 42.17.790 apply to a special
20 election conducted to fill a vacancy in a state office. However, the
21 contributions made to a candidate or received by a candidate for a
22 primary or special election conducted to fill such a vacancy shall not
23 be counted toward any of the limitations that apply to the candidate or
24 to contributions made to the candidate for any other primary or
25 election.

26 ~~((+10))~~ (11) Notwithstanding the other subsections of this
27 section, no corporation or business entity not doing business in
28 Washington state, no labor union with fewer than ten members who reside
29 in Washington state, and no political committee that has not received
30 contributions of ten dollars or more from at least ten persons
31 registered to vote in Washington state during the preceding one hundred
32 eighty days may make contributions reportable under this chapter to a
33 candidate, to a state official against whom recall charges have been
34 filed, or to a political committee having the expectation of making
35 expenditures in support of the recall of the official. This subsection
36 does not apply to loans made in the ordinary course of business.

37 ~~((+11))~~ (12) Notwithstanding the other subsections of this
38 section, no county central committee or legislative district committee
39 may make contributions reportable under this chapter to a candidate,

1 state official against whom recall charges have been filed, or
2 political committee having the expectation of making expenditures in
3 support of the recall of a state official if the county central
4 committee or legislative district committee is outside of the
5 jurisdiction entitled to elect the candidate or recall the state
6 official.

7 ~~((12))~~ (13) No person may accept contributions that exceed the
8 contribution limitations provided in this section.

9 (14) The following contributions are exempt from the contribution
10 limits of this section:

11 (a) An expenditure or contribution earmarked for voter
12 registration, for absentee ballot information, for precinct caucuses,
13 for get-out-the-vote campaigns, for precinct judges or inspectors, for
14 sample ballots, or for ballot counting, all without promotion of or
15 political advertising for individual candidates; or

16 (b) An expenditure by a political committee for its own internal
17 organization or fund raising without direct association with individual
18 candidates.

19 **Sec. 21.** RCW 42.17.680 and 1993 c 2 s 8 are each amended to read
20 as follows:

21 (1) No employer or labor organization may increase the salary of an
22 officer or employee, or give an emolument to an officer, employee, or
23 other person or entity, with the intention that the increase in salary,
24 or the emolument, or a part of it, be contributed or spent to support
25 or oppose a candidate, state official against whom recall charges have
26 been filed, political party, or political committee.

27 (2) No employer or labor organization may discriminate against an
28 officer or employee in the terms or conditions of employment for
29 ~~((a))~~ the failure to contribute to ~~((, (b))~~ or the failure in any way
30 to support or oppose ~~((, or (c) in any way supporting or opposing))~~ a
31 candidate, ballot proposition, political party, or political committee.

32 (3) No employer or other person or entity responsible for the
33 disbursement of funds in payment of wages or salaries may withhold or
34 divert a portion of an employee's wages or salaries for contributions
35 to political committees or for use as political contributions except
36 upon the written request of the employee. The request must be made on
37 a form prescribed by the commission informing the employee of the
38 prohibition against employer and labor organization discrimination

1 described in subsection (2) of this section. The request is valid for
2 no more than twelve months from the date it is made by the employee.

3 (4) Each person or entity who withholds contributions under
4 subsection (3) of this section shall maintain open for public
5 inspection for a period of no less than three years, during normal
6 business hours, documents and books of accounts that shall include a
7 copy of each employee's request, the amounts and dates funds were
8 actually withheld, and the amounts and dates funds were transferred to
9 a political committee. Copies of such information shall be delivered
10 to the commission upon request.

11 **Sec. 22.** RCW 42.17.720 and 1993 c 2 s 12 are each amended to read
12 as follows:

13 (1) A loan is considered to be a contribution from the (~~maker~~)
14 lender and (~~the~~) any guarantor of the loan and is subject to the
15 contribution limitations of this chapter. The full amount of the loan
16 shall be attributed to the lender and to each guarantor.

17 (2) A loan to a candidate for public office or the candidate's
18 political committee must be by written agreement.

19 (3) The proceeds of a loan made to a candidate for public office:

20 (a) By a commercial lending institution;

21 (b) Made in the regular course of business; and

22 (c) On the same terms ordinarily available to members of the
23 public(~~;~~ ~~and~~

24 ~~(d) That is secured or guaranteed)),~~

25 are not subject to the contribution limits of this chapter.

26 **Sec. 23.** RCW 42.17.740 and 1993 c 2 s 14 are each amended to read
27 as follows:

28 TECHNICAL CORRECTIONS. (1) (~~An individual~~) A person may not make
29 a contribution of more than fifty dollars, other than an in-kind
30 contribution, except by a written instrument containing the name of the
31 donor and the name of the payee.

32 (2) A political committee may not make a contribution, other than
33 in-kind, except by a written instrument containing the name of the
34 donor and the name of the payee.

35 **Sec. 24.** RCW 42.17.750 and 1993 c 2 s 15 are each amended to read
36 as follows:

1 (1) No state or local official or state or local official's agent
2 may knowingly solicit, directly or indirectly, a contribution to a
3 candidate for public office, political party, or political committee
4 from an employee in the state or local official's agency.

5 (2) No state or local official or ((state)) public employee may
6 provide an advantage or disadvantage to an employee or applicant for
7 employment in the classified civil service concerning the applicant's
8 or employee's:

9 (a) Employment;

10 (b) Conditions of employment; or

11 (c) Application for employment,

12 based on the employee's or applicant's contribution or promise to
13 contribute or failure to make a contribution or contribute to a
14 political party or political committee.

15 **Sec. 25.** RCW 42.17.770 and 1993 c 2 s 17 are each amended to read
16 as follows:

17 A person ((~~or entity~~)) may not solicit from a candidate for public
18 office, political committee, political party, or other person ((~~or~~
19 ~~entity~~)) money or other property as a condition or consideration for an
20 endorsement, article, or other communication in the news media
21 promoting or opposing a candidate for public office, political
22 committee, or political party.

23 **Sec. 26.** RCW 42.17.780 and 1993 c 2 s 18 are each amended to read
24 as follows:

25 A person ((~~or entity~~)) may not, directly or indirectly, reimburse
26 another person ((~~or entity~~)) for a contribution to a candidate for
27 public office, political committee, or political party.

28 **Sec. 27.** RCW 42.17.790 and 1993 c 2 s 19 are each amended to read
29 as follows:

30 (1) Except as provided in subsection (2) of this section, a
31 candidate for public office or the candidate's political committee may
32 not use or permit the use of contributions, whether or not surplus,
33 solicited for or received by the candidate for public office or the
34 candidate's political committee to further the candidacy of the
35 individual for an office other than the office designated on the
36 statement of organization. A contribution solicited for or received on

1 behalf of the candidate for public office is considered solicited or
2 received for the candidacy for which the individual is then a candidate
3 if the contribution is solicited or received before the general
4 elections for which the candidate for public office is a nominee or is
5 unopposed.

6 (2) With the written approval of the contributor, a candidate for
7 public office or the candidate's political committee may use or permit
8 the use of contributions, whether or not surplus, solicited for or
9 received by the candidate for public office or the candidate's
10 political committee from that contributor to further the candidacy of
11 the individual for an office other than the office designated on the
12 statement of organization. If the contributor does not approve the use
13 of his or her contribution to further the candidacy of the individual
14 for an office other than the office designated on the statement of
15 organization at the time of the contribution, the contribution must be
16 considered surplus funds and disposed of in accordance with RCW
17 42.17.095.

18 **Sec. 28.** RCW 42.17.100 and 1989 c 280 s 10 are each amended to
19 read as follows:

20 INTERNAL POLITICAL COMMUNICATIONS--INDEPENDENT EXPENDITURE. (1)
21 For the purposes of this section and RCW 42.17.550 the term
22 "independent ((campaign)) expenditure" means any expenditure that is
23 made in support of or in opposition to any candidate or ballot
24 proposition and is not otherwise required to be reported pursuant to
25 RCW 42.17.060, 42.17.080, or 42.17.090. "Independent expenditure" does
26 not include: An internal political communication primarily limited to
27 the contributors to a political party organization or political action
28 committee, or the officers, management staff, and stockholders of a
29 corporation or similar enterprise, or the members of a labor
30 organization or other membership organization; or the rendering of
31 personal services of the sort commonly performed by volunteer campaign
32 workers, or incidental expenses personally incurred by volunteer
33 campaign workers not in excess of fifty dollars personally paid for by
34 the worker. "Volunteer services," for the purposes of this section,
35 means services or labor for which the individual is not compensated by
36 any person.

37 (2) Within five days after the date of making an independent
38 ((campaign)) expenditure that by itself or when added to all other such

1 independent ((campaign)) expenditures made during the same election
2 campaign by the same person equals one hundred dollars or more, or
3 within five days after the date of making an independent ((campaign))
4 expenditure for which no reasonable estimate of monetary value is
5 practicable, whichever occurs first, the person who made the
6 independent ((campaign)) expenditure shall file with the commission and
7 the county elections officer of the county of residence for the
8 candidate supported or opposed by the independent ((campaign))
9 expenditure (or in the case of an expenditure made in support of or in
10 opposition to a local ballot proposition, the county of residence for
11 the person making the expenditure) an initial report of all independent
12 ((campaign)) expenditures made during the campaign prior to and
13 including such date.

14 (3) At the following intervals each person who is required to file
15 an initial report pursuant to subsection (2) of this section shall file
16 with the commission and the county elections officer of the county of
17 residence for the candidate supported or opposed by the independent
18 ((campaign)) expenditure (or in the case of an expenditure made in
19 support of or in opposition to a ballot proposition, the county of
20 residence for the person making the expenditure) a further report of
21 the independent ((campaign)) expenditures made since the date of the
22 last report:

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

25 (b) On the tenth day of the first month after the election; and

26 (c) On the tenth day of each month in which no other reports are
27 required to be filed pursuant to this section. However, the further
28 reports required by this subsection (3) shall only be filed if the
29 reporting person has made an independent ((campaign)) expenditure since
30 the date of the last previous report filed.

31 The report filed pursuant to paragraph (a) of this subsection (3)
32 shall be the final report, and upon submitting such final report the
33 duties of the reporting person shall cease, and there shall be no
34 obligation to make any further reports.

35 (4) All reports filed pursuant to this section shall be certified
36 as correct by the reporting person.

37 (5) Each report required by subsections (2) and (3) of this section
38 shall disclose for the period beginning at the end of the period for
39 the last previous report filed or, in the case of an initial report,

1 beginning at the time of the first independent ((campaign))
2 expenditure, and ending not more than one business day before the date
3 the report is due:

4 (a) The name and address of the person filing the report;

5 (b) The name and address of each person to whom an independent
6 ((campaign)) expenditure was made in the aggregate amount of more than
7 fifty dollars, and the amount, date, and purpose of each such
8 expenditure. If no reasonable estimate of the monetary value of a
9 particular independent ((campaign)) expenditure is practicable, it is
10 sufficient to report instead a precise description of services,
11 property, or rights furnished through the expenditure and where
12 appropriate to attach a copy of the item produced or distributed by the
13 expenditure;

14 (c) The total sum of all independent ((campaign)) expenditures made
15 during the campaign to date; and

16 (d) Such other information as shall be required by the commission
17 by rule in conformance with the policies and purposes of this chapter.

18 **Sec. 29.** RCW 42.17.125 and 1993 c 2 s 21 are each amended to read
19 as follows:

20 TECHNICAL CORRECTIONS. Contributions received and reported in
21 accordance with RCW 42.17.060 through 42.17.090 may only be transferred
22 to the personal account of a candidate, or of a treasurer or other
23 individual or expended for such individual's personal use under the
24 following circumstances:

25 (1) Reimbursement for or loans to cover lost earnings incurred as
26 a result of campaigning or services performed for the political
27 committee. Such lost earnings shall be verifiable as unpaid salary, or
28 when the individual is not salaried, as an amount not to exceed income
29 received by the individual for services rendered during an appropriate,
30 corresponding time period. All lost earnings incurred shall be
31 documented and a record thereof shall be maintained by the individual
32 or the individual's political committee. The political committee shall
33 include a copy of such record when its expenditure for such
34 reimbursement is reported pursuant to RCW 42.17.090.

35 (2) Reimbursement for direct out-of-pocket election campaign and
36 postelection campaign related expenses made by the individual. To
37 receive reimbursement from the political committee, the individual
38 shall provide the political committee with written documentation as to

1 the amount, date, and description of each expense, and the political
2 committee shall include a copy of such information when its expenditure
3 for such reimbursement is reported pursuant to RCW 42.17.090.

4 (3) Repayment of loans made by the individual to political
5 committees, which repayment shall be reported pursuant to RCW
6 42.17.090. However, contributions may not be used to reimburse a
7 candidate for loans totaling more than three thousand dollars made by
8 the candidate to the candidate's own (~~authorized~~) political committee
9 or campaign.

10 **Sec. 30.** RCW 42.52.180 and 1994 c 154 s 118 are each amended to
11 read as follows:

12 (1) No state officer or state employee may use or authorize the use
13 of facilities of an agency, directly or indirectly, for the purpose of
14 assisting a campaign for election of a person to an office or for the
15 promotion of or opposition to a ballot proposition. Knowing
16 acquiescence by a person with authority to direct, control, or
17 influence the actions of the state officer or state employee using
18 public resources in violation of this section constitutes a violation
19 of this section. Facilities of an agency include, but are not limited
20 to, use of stationery, postage, machines, and equipment, use of state
21 employees of the agency during working hours, vehicles, office space,
22 publications of the agency, and clientele lists of persons served by
23 the agency.

24 (2) This section shall not apply to the following activities:

25 (a) Action taken at an open public meeting by members of an elected
26 legislative body to express a collective decision, or to actually vote
27 upon a motion, proposal, resolution, order, or ordinance, or to support
28 or oppose a ballot proposition as long as (i) required notice of the
29 meeting includes the title and number of the ballot proposition, and
30 (ii) members of the legislative body or members of the public are
31 afforded an approximately equal opportunity for the expression of an
32 opposing view;

33 (b) A statement by an elected official in support of or in
34 opposition to any ballot proposition at an open press conference or in
35 response to a specific inquiry. For the purposes of this subsection,
36 it is not a violation of this section for an elected official to
37 respond to an inquiry regarding a ballot proposition, to make
38 incidental remarks concerning a ballot proposition in an official

1 communication, or otherwise comment on a ballot proposition without an
2 actual, measurable expenditure of public funds. The ((public
3 disclosure commission shall, after consultation with the)) ethics
4 boards((7)) shall adopt by rule a definition of measurable expenditure;

5 (c) Activities that are part of the normal and regular conduct of
6 the office or agency; and

7 (d) De minimis use of public facilities by state-wide elected
8 officials and legislators incidental to the preparation or delivery of
9 permissible communications, including written and verbal communications
10 initiated by them of their views on ballot propositions that
11 foreseeably may affect a matter that falls within their constitutional
12 or statutory responsibilities.

13 (3) As to state officers and employees, this section operates to
14 the exclusion of RCW 42.17.130.

15 **Sec. 31.** RCW 42.17.095 and 1993 c 2 s 20 are each amended to read
16 as follows:

17 The surplus funds of a candidate, or of a political committee
18 supporting or opposing a candidate, may only be disposed of in any one
19 or more of the following ways:

20 (1) Return the surplus to a contributor in an amount not to exceed
21 that contributor's original contribution;

22 (2) Transfer the surplus to the candidate's personal account as
23 reimbursement for lost earnings incurred as a result of that
24 candidate's election campaign. Such lost earnings shall be verifiable
25 as unpaid salary or, when the candidate is not salaried, as an amount
26 not to exceed income received by the candidate for services rendered
27 during an appropriate, corresponding time period. All lost earnings
28 incurred shall be documented and a record thereof shall be maintained
29 by the candidate or the candidate's political committee. The committee
30 shall include a copy of such record when its expenditure for such
31 reimbursement is reported pursuant to RCW 42.17.090;

32 (3) Transfer the surplus without limit to a political party or to
33 a caucus ((of the state legislature)) political committee;

34 (4) Donate the surplus to a charitable organization registered in
35 accordance with chapter 19.09 RCW;

36 (5) Transmit the surplus to the state treasurer for deposit in the
37 general fund; or

1 (6) Hold the surplus in the campaign depository or depositories
2 designated in accordance with RCW 42.17.050 for possible use in a
3 future election campaign for the same office last sought by the
4 candidate and report any such disposition in accordance with RCW
5 42.17.090: PROVIDED, That if the candidate subsequently announces or
6 publicly files for office, information as appropriate is reported to
7 the commission in accordance with RCW 42.17.040 through 42.17.090. If
8 a subsequent office is not sought the surplus held shall be disposed of
9 in accordance with the requirements of this section.

10 (7) Hold the surplus campaign funds in a separate account for
11 nonreimbursed public office-related expenses or as provided in this
12 section, and report any such disposition in accordance with RCW
13 42.17.090. The separate account required under this subsection shall
14 not be used for deposits of campaign funds that are not surplus.

15 (8) No candidate or authorized committee may transfer funds to any
16 other candidate or other political committee.

17 The disposal of surplus funds under this section shall not be
18 considered a contribution for purposes of this chapter.

19 **Sec. 32.** RCW 42.17.160 and 1982 c 147 s 12 are each amended to
20 read as follows:

21 The following persons and activities shall be exempt from
22 registration and reporting under RCW 42.17.150, 42.17.170, and
23 42.17.200:

24 (1) Persons who limit their lobbying activities to appearing before
25 public sessions of committees of the legislature, or public hearings of
26 state agencies;

27 (2) Activities by lobbyists or other persons whose participation
28 has been solicited by an agency under RCW 34.05.310(2);

29 (3) News or feature reporting activities and editorial comment by
30 working members of the press, radio, or television and the publication
31 or dissemination thereof by a newspaper, book publisher, regularly
32 published periodical, radio station, or television station;

33 ~~((+3+))~~ (4) Persons who lobby without compensation or other
34 consideration for acting as a lobbyist: PROVIDED, Such person makes no
35 expenditure for or on behalf of any member of the legislature or
36 elected official or public officer or employee of the state of
37 Washington in connection with such lobbying. The exemption contained
38 in this subsection is intended to permit and encourage citizens of this

1 state to lobby any legislator, public official, or state agency without
2 incurring any registration or reporting obligation provided they do not
3 exceed the limits stated above. Any person exempt under this
4 subsection ~~((+3))~~ (4) may at his or her option register and report
5 under this chapter;

6 ~~((+4))~~ (5) Persons who restrict their lobbying activities to no
7 more than four days or parts thereof during any three-month period and
8 whose total expenditures during such three-month period for or on
9 behalf of any one or more members of the legislature or state elected
10 officials or public officers or employees of the state of Washington in
11 connection with such lobbying do not exceed twenty-five ~~((dollars))~~
12 dollars: PROVIDED, That the commission shall promulgate regulations to
13 require disclosure by persons exempt under this subsection or their
14 employers or entities which sponsor or coordinate the lobbying
15 activities of such persons if it determines that such regulations are
16 necessary to prevent frustration of the purposes of this chapter. Any
17 person exempt under this subsection ~~((+4))~~ (5) may at his or her
18 option register and report under this chapter;

19 ~~((+5))~~ (6) The governor;

20 ~~((+6))~~ (7) The lieutenant governor;

21 ~~((+7))~~ (8) Except as provided by RCW 42.17.190(1), members of the
22 legislature;

23 ~~((+8))~~ (9) Except as provided by RCW 42.17.190(1), persons
24 employed by the legislature for the purpose of aiding in the
25 preparation or enactment of legislation or the performance of
26 legislative duties;

27 ~~((+9))~~ (10) Elected officials, and officers and employees of any
28 agency reporting under RCW 42.17.190(4) as now or hereafter amended.

29 **Sec. 33.** RCW 42.17.170 and 1991 sp.s. c 18 s 2 are each amended to
30 read as follows:

31 (1) Any lobbyist registered under RCW 42.17.150 and any person who
32 lobbies shall file with the commission periodic reports of his or her
33 activities signed by the lobbyist. The reports shall be made in the
34 form and manner prescribed by the commission. They shall be due
35 monthly and shall be filed within fifteen days after the last day of
36 the calendar month covered by the report.

37 (2) Each such monthly periodic report shall contain:

1 (a) The totals of all expenditures for lobbying activities made or
2 incurred by such lobbyist or on behalf of such lobbyist by the
3 lobbyist's employer during the period covered by the report. Such
4 totals for lobbying activities shall be segregated according to
5 financial category, including compensation; food and refreshments;
6 living accommodations; advertising; travel; contributions; and other
7 expenses or services. Each individual expenditure of more than twenty-
8 five dollars for entertainment shall be identified by date, place,
9 amount, and the names of all persons in the group partaking in or of
10 such entertainment including any portion thereof attributable to the
11 lobbyist's participation therein, ~~((without))~~ and shall include amounts
12 actually expended on each person where calculable, or allocating any
13 portion of ((such)) the expenditure to individual participants.
14 ~~((However, if the expenditure for a single hosted reception is more~~
15 ~~than one hundred dollars per person partaking therein, the report shall~~
16 ~~specify the per person amount, which shall be determined by dividing~~
17 ~~the total amount of the expenditure by the total number of persons~~
18 ~~partaking in the reception.))~~

19 Notwithstanding the foregoing, lobbyists are not required to report
20 the following:

21 (i) Unreimbursed personal living and travel expenses not incurred
22 directly for lobbying;

23 (ii) Any expenses incurred for his or her own living
24 accommodations;

25 (iii) Any expenses incurred for his or her own travel to and from
26 hearings of the legislature;

27 (iv) Any expenses incurred for telephone, and any office expenses,
28 including rent and salaries and wages paid for staff and secretarial
29 assistance.

30 (b) In the case of a lobbyist employed by more than one employer,
31 the proportionate amount of such expenditures in each category incurred
32 on behalf of each of his employers.

33 (c) An itemized listing of each such expenditure, whether
34 contributed by the lobbyist personally or delivered or transmitted by
35 the lobbyist, in the nature of a contribution of money or of tangible
36 or intangible personal property to any candidate, elected official, or
37 officer or employee of any agency, or any political committee
38 supporting or opposing any ballot proposition, or for or on behalf of
39 any candidate, elected official, or officer or employee of any agency,

1 or any political committee supporting or opposing any ballot
2 proposition. All contributions made to, or for the benefit of, any
3 candidate, elected official, or officer or employee of any agency, or
4 any political committee supporting or opposing any ballot proposition
5 shall be identified by date, amount, and the name of the candidate,
6 elected official, or officer or employee of any agency, or any
7 political committee supporting or opposing any ballot proposition
8 receiving, or to be benefited by each such contribution.

9 (d) The subject matter of proposed legislation or other legislative
10 activity or rule-making under chapter 34.05 RCW, the state
11 Administrative Procedure Act, and the state agency considering the
12 same, which the lobbyist has been engaged in supporting or opposing
13 during the reporting period, unless exempt under RCW 42.17.160(2).

14 (e) Such other information relevant to lobbying activities as the
15 commission shall by rule prescribe. Information supporting such
16 activities as are required to be reported is subject to audit by the
17 commission.

18 (f) ~~((A listing of each gift, as defined in RCW 42.17.020, made to
19 a state elected official or executive state officer or to a member of
20 the immediate family of such an official or officer. Such a gift shall
21 be separately identified by the date it was given, the approximate
22 value of the gift, and the name of the recipient. However, for a
23 hosted reception where the average per person amount is reported under
24 (a) of this subsection, the approximate value for the gift of partaking
25 in the event is such average per person amount. The commission shall
26 adopt forms to be used for reporting the giving of gifts under this
27 subsection (2)(f). The forms shall be designed to permit a lobbyist to
28 report on a separate form for each recipient the reportable gifts given
29 to that recipient during the reporting period or, alternatively, to
30 report on one form all reportable gifts given by the lobbyist during
31 the reporting period))~~ A listing of each payment for an item specified
32 in RCW 42.52.150(5) in excess of fifty dollars and each item specified
33 in RCW 42.52.010(9) (d) and (f) made to a state elected official, state
34 officer, or state employee. Each item shall be identified by
35 recipient, date, and approximate value of the item.

36 (g) The total expenditures made during the reporting period by the
37 lobbyist for lobbying purposes, whether through or on behalf of a
38 lobbyist or otherwise. As used in this subsection, "expenditures"
39 includes amounts paid or incurred during the reporting period for (i)

1 political advertising as defined in RCW 42.17.020; and (ii) public
2 relations, telemarketing, polling, or similar activities if such
3 activities, directly or indirectly, are intended, designed, or
4 calculated to influence legislation or the adoption or rejection of a
5 rule, standard, or rate by an agency under the administrative procedure
6 act. The report shall specify the amount, the person to whom the
7 amount was paid, and a brief description of the activity.

8 (3) If a state elected official or a member of such an official's
9 immediate family is identified by a lobbyist in such a report as having
10 received from the lobbyist (~~(a gift, as defined in RCW 42.17.020)~~) an
11 item specified in RCW 42.52.150(5) or 42.52.010(9) (d) or (f), the
12 lobbyist shall transmit to the official a copy of the completed form
13 used to identify the (~~(gift)~~) item in the report at the same time the
14 report is filed with the commission.

15 (4) The commission may adopt rules to vary the content of lobbyist
16 reports to address specific circumstances, consistent with this
17 section.

18 NEW SECTION. Sec. 34. The following acts or parts of acts are
19 each repealed:

- 20 (1) RCW 42.17.021 and 1993 c 2 s 30;
- 21 (2) RCW 42.17.630 and 1993 c 2 s 3;
- 22 (3) RCW 42.17.2415 and 1991 sp.s. c 18 s 3; and
- 23 (4) RCW 42.52.210 and 1959 c 320 s 5.

24 NEW SECTION. Sec. 35. Sections 1 through 32, 34, and 37 of this
25 act are necessary for the immediate preservation of the public peace,
26 health, or safety, or support of the state government and its existing
27 public institutions, and shall take effect July 1, 1995.

28 NEW SECTION. Sec. 36. Section 33 of this act takes effect
29 September 1, 1995.

30 NEW SECTION. Sec. 37. Captions as used in this act constitute no
31 part of the law.

32 NEW SECTION. Sec. 38. If any provision of this act or its
33 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected."

3 **ESSB 5684** - H AMD
4 By Representative

5

6 On page 1, line 1 of the title, after "disclosure;" strike the
7 remainder of the title and insert "amending RCW 42.17.020, 42.17.080,
8 42.17.090, 42.17.105, 42.17.132, 42.17.155, 42.17.190, 42.17.240,
9 42.17.241, 42.17.260, 42.17.280, 42.17.290, 42.17.300, 42.17.320,
10 42.17.370, 42.17.420, 42.17.510, 42.17.640, 42.17.680, 42.17.720,
11 42.17.740, 42.17.750, 42.17.770, 42.17.780, 42.17.790, 42.17.100,
12 42.17.125, 42.52.180, 42.17.095, 42.17.160, and 42.17.170; reenacting
13 and amending RCW 42.17.2401; adding a new section to chapter 42.17 RCW;
14 creating a new section; repealing RCW 42.17.021, 42.17.630, 42.17.2415,
15 and 42.52.210; providing effective dates; and declaring an emergency."

--- END ---