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HOUSE BILL 1294

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State of Washington

58th Legislature

2003 Regular Session

By Representatives McDermott, Haigh, Armstrong, Nixon, Miloscia, Dickerson and Mielke; by request of Public Disclosure Commission

Read first time 01/22/2003. Referred to Committee on State Government.

1 AN ACT Relating to campaign finance reporting by out-of-state  
2 political committees; amending RCW 42.17.090; and adding a new section  
3 to chapter 42.17 RCW.

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

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

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

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

10 (b) The name and address of each person who has made one or more  
11 contributions during the period, together with the money value and date  
12 of such contributions and the aggregate value of all contributions  
13 received from each such person during the campaign or in the case of a  
14 continuing political committee, the current calendar year: PROVIDED,  
15 That pledges in the aggregate of less than one hundred dollars from any  
16 one person need not be reported: PROVIDED FURTHER, That the income  
17 which results from a fund-raising activity conducted in accordance with  
18 RCW 42.17.067 may be reported as one lump sum, with the exception of  
19 that portion of such income which was received from persons whose names

1 and addresses are required to be included in the report required by RCW  
2 42.17.067: PROVIDED FURTHER, That contributions of no more than  
3 twenty-five dollars in the aggregate from any one person during the  
4 election campaign may be reported as one lump sum so long as the  
5 campaign treasurer maintains a separate and private list of the name,  
6 address, and amount of each such contributor: PROVIDED FURTHER, That  
7 the money value of contributions of postage shall be the face value of  
8 such postage;

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

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

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

18 (f) The name and address of each person to whom an expenditure was  
19 made in the aggregate amount of more than fifty dollars during the  
20 period covered by this report, and the amount, date, and purpose of  
21 each such expenditure. A candidate for state executive or state  
22 legislative office or the political committee of such a candidate shall  
23 report this information for an expenditure under one of the following  
24 categories, whichever is appropriate: (i) Expenditures for the  
25 election of the candidate; (ii) expenditures for nonreimbursed public  
26 office-related expenses; (iii) expenditures required to be reported  
27 under (e) of this subsection; or (iv) expenditures of surplus funds and  
28 other expenditures. The report of such a candidate or committee shall  
29 contain a separate total of expenditures for each category and a total  
30 sum of all expenditures. Other candidates and political committees  
31 need not report information regarding expenditures under the categories  
32 listed in (i) through (iv) of this subsection or under similar such  
33 categories unless required to do so by the commission by rule. The  
34 report of such an other candidate or committee shall also contain the  
35 total sum of all expenditures;

36 (g) The name and address of each person to whom any expenditure was  
37 made directly or indirectly to compensate the person for soliciting or  
38 procuring signatures on an initiative or referendum petition, the

1 amount of such compensation to each such person, and the total of the  
2 expenditures made for this purpose. Such expenditures shall be  
3 reported under this subsection (1)(g) whether the expenditures are or  
4 are not also required to be reported under (f) of this subsection;

5 (h) The name and address of any person and the amount owed for any  
6 debt, obligation, note, unpaid loan, or other liability in the amount  
7 of more than two hundred fifty dollars or in the amount of more than  
8 fifty dollars that has been outstanding for over thirty days;

9 (i) The surplus or deficit of contributions over expenditures;

10 (j) The disposition made in accordance with RCW 42.17.095 of any  
11 surplus funds; and

12 (k) Such other information as shall be required by the commission  
13 by rule in conformance with the policies and purposes of this  
14 chapter(; ~~and~~

15 ~~(l) Funds received from a political committee not otherwise~~  
16 ~~required to report under this chapter (a "nonreporting committee").~~  
17 ~~Such funds shall be forfeited to the state of Washington unless the~~  
18 ~~nonreporting committee has filed or within ten days following such~~  
19 ~~receipt files with the commission a statement disclosing: (i) Its name~~  
20 ~~and address; (ii) the purposes of the nonreporting committee; (iii) the~~  
21 ~~names, addresses, and titles of its officers or if it has no officers,~~  
22 ~~the names, addresses, and titles of its responsible leaders; (iv) the~~  
23 ~~name, office sought, and party affiliation of each candidate in the~~  
24 ~~state of Washington whom the nonreporting committee is supporting, and,~~  
25 ~~if such committee is supporting the entire ticket of any party, the~~  
26 ~~name of the party; (v) the ballot proposition supported or opposed in~~  
27 ~~the state of Washington, if any, and whether such committee is in favor~~  
28 ~~of or opposed to such proposition; (vi) the name and address of each~~  
29 ~~person residing in the state of Washington or corporation which has a~~  
30 ~~place of business in the state of Washington who has made one or more~~  
31 ~~contributions in the aggregate of more than twenty five dollars to the~~  
32 ~~nonreporting committee during the current calendar year, together with~~  
33 ~~the money value and date of such contributions; (vii) the name and~~  
34 ~~address of each person in the state of Washington to whom an~~  
35 ~~expenditure was made by the nonreporting committee on behalf of a~~  
36 ~~candidate or political committee in the aggregate amount of more than~~  
37 ~~fifty dollars, the amount, date, and purpose of such expenditure, and~~  
38 ~~the total sum of such expenditures; (viii) such other information as~~

1 ~~the commission may prescribe by rule, in keeping with the policies and~~  
2 ~~purposes of this chapter. A nonreporting committee incurring an~~  
3 ~~obligation to file additional reports in a calendar year may satisfy~~  
4 ~~the obligation by filing with the commission a letter providing~~  
5 ~~updating or amending information)).~~

6 (2) The treasurer and the candidate shall certify the correctness  
7 of each report.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17 RCW  
9 to read as follows:

10 (1) An out-of-state political committee organized for the purpose  
11 of supporting or opposing candidates or ballot propositions in another  
12 state that is not otherwise required to report under RCW 42.17.040  
13 through 42.17.090 shall report as required in this section when it  
14 makes an expenditure supporting or opposing a Washington state  
15 candidate or political committee. The committee shall file with the  
16 commission a statement disclosing:

17 (a) Its name and address;

18 (b) The purposes of the out-of-state committee;

19 (c) The names, addresses, and titles of its officers or, if it has  
20 no officers, the names, addresses, and the titles of its responsible  
21 leaders;

22 (d) The name, office sought, and party affiliation of each  
23 candidate in the state of Washington whom the out-of-state committee is  
24 supporting or opposing and, if such committee is supporting or opposing  
25 the entire ticket of any party, the name of the party;

26 (e) The ballot proposition supported or opposed in the state of  
27 Washington, if any, and whether such committee is in favor of or  
28 opposed to such proposition;

29 (f) The name and address of each person residing in the state of  
30 Washington or corporation which has a place of business in the state of  
31 Washington who has made one or more contributions in the aggregate of  
32 more than twenty-five dollars to the out-of-state committee during the  
33 current calendar year, together with the money value and date of such  
34 contributions;

35 (g) The name and address of each person in the state of Washington  
36 to whom an expenditure was made by the out-of-state committee with

1 respect to a candidate or political committee in the aggregate amount  
2 of more than fifty dollars, the amount, date, and purpose of such  
3 expenditure, and the total sum of such expenditures; and

4 (h) Such other information as the commission may prescribe by rule  
5 in keeping with the policies and purposes of this chapter.

6 (2) Each statement shall be filed no later than the twentieth day  
7 of the month following any month in which a contribution or other  
8 expenditure reportable under subsection (1) of this section is made.  
9 An out-of-state committee incurring an obligation to file additional  
10 statements in a calendar year may satisfy the obligation by timely  
11 filing reports that supplement previously filed information.

12 (3) A political committee required to file campaign reports with  
13 the federal election commission or its successor is exempt from  
14 reporting under this section.

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