
HOUSE BILL 1823

State of Washington

58th Legislature

2003 Regular Session

By Representatives Upthegrove, Schual-Berke and Miloscia

Read first time 02/11/2003. Referred to Committee on State Government.

1 AN ACT Relating to voiding an election; and amending RCW 42.17.390.

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

3 **Sec. 1.** RCW 42.17.390 and 1993 c 2 s 28 are each amended to read
4 as follows:

5 One or more of the following civil remedies and sanctions may be
6 imposed by court order in addition to any other remedies provided by
7 law:

8 (1) If the court finds that the violation of any provision of this
9 chapter by any candidate or political committee probably affected the
10 outcome of any election, the result of said election may be held void
11 and a special election held within sixty days of such finding. (~~Any~~
12 ~~action to void an election shall be commenced within one year of the~~
13 ~~date of the election in question.)) In order for an election to be
14 voided, the complaint that initiated an investigation conducted by or
15 on behalf of the commission that formed the basis of the commission's
16 findings must have been filed with the commission no more than six
17 months after the date of the election in question. If the
18 investigation conducted by or on behalf of the commission that formed
19 the basis for the commission's findings was based upon the commission's~~

1 own motion, rather than a complaint, the investigation must have been
2 initiated no more than six months after the date of the election in
3 question. It is intended that this remedy be imposed freely in all
4 appropriate cases to protect the right of the electorate to an informed
5 and knowledgeable vote.

6 (2) If any lobbyist or sponsor of any grass roots lobbying campaign
7 violates any of the provisions of this chapter, his registration may be
8 revoked or suspended and he may be enjoined from receiving compensation
9 or making expenditures for lobbying: PROVIDED, HOWEVER, That
10 imposition of such sanction shall not excuse said lobbyist from filing
11 statements and reports required by this chapter.

12 (3) Any person who violates any of the provisions of this chapter
13 may be subject to a civil penalty of not more than ten thousand dollars
14 for each such violation. However, a person or entity who violates RCW
15 42.17.640 may be subject to a civil penalty of ten thousand dollars or
16 three times the amount of the contribution illegally made or accepted,
17 whichever is greater.

18 (4) Any person who fails to file a properly completed statement or
19 report within the time required by this chapter may be subject to a
20 civil penalty of ten dollars per day for each day each such delinquency
21 continues.

22 (5) Any person who fails to report a contribution or expenditure
23 may be subject to a civil penalty equivalent to the amount he failed to
24 report.

25 (6) The court may enjoin any person to prevent the doing of any act
26 herein prohibited, or to compel the performance of any act required
27 herein.

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