

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1294

Chapter 123, Laws of 2003

58th Legislature
2003 Regular Session

CAMPAIGN FINANCE REPORTING--OUT-OF-STATE POLITICAL COMMITTEES

EFFECTIVE DATE: 7/27/03

Passed by the House March 10, 2003
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 14, 2003
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved May 7, 2003.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1294** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

May 7, 2003 - 2:55 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1294

Passed Legislature - 2003 Regular Session

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.

Passed by the House March 10, 2003.

Passed by the Senate April 14, 2003.

Approved by the Governor May 7, 2003.

Filed in Office of Secretary of State May 7, 2003.