
HOUSE BILL 2253

State of Washington 59th Legislature 2005 Regular Session

By Representatives McDermott, Hunt, Green, Kenney and Ormsby

Read first time 03/01/2005. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to changing the date of the primary to June;
2 amending RCW 29A.24.040, 29A.24.050, 42.17.080, and 42.17.710;
3 reenacting and amending RCW 29A.04.310; repealing RCW 29A.04.158,
4 29A.04.311, and 29A.52.011; and providing an effective date.

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

6 **Sec. 1.** RCW 29A.04.310 and 2005 c 2 s 8 (Initiative Measure No.
7 872) are each reenacted and amended to read as follows:

8 Nominating primaries for general elections to be held in November,
9 and the election of precinct committee officers, must be held on(~~(+~~
10 ~~(1))~~) the ((third)) second Tuesday of the preceding (~~(September; or~~
11 ~~(2) The seventh Tuesday immediately preceding that general~~
12 ~~election, whichever occurs first)) June.~~

13 **Sec. 2.** RCW 29A.24.040 and 2003 c 111 s 604 are each amended to
14 read as follows:

15 A candidate may file his or her declaration of candidacy for an
16 office by electronic means on a system specifically designed and
17 authorized by a filing officer to accept filings.

1 (1) Filings that are received electronically must capture all
2 information specified in RCW (~~29A.24.030~~) 29A.24.031 (1) through (4).

3 (2) Electronic filing may begin at 9:00 a.m. the (~~fourth~~) third
4 Monday in (~~July~~) April and continue through 4:00 p.m. the following
5 Friday.

6 (3) In case of special filing periods established in this chapter,
7 electronic filings may be accepted beginning at 9:00 a.m. on the first
8 day of the special filing period through 4:00 p.m. the last day of the
9 special filing period.

10 **Sec. 3.** RCW 29A.24.050 and 2003 c 111 s 605 are each amended to
11 read as follows:

12 Except where otherwise provided by this title, declarations of
13 candidacy for the following offices shall be filed during regular
14 business hours with the filing officer no earlier than the (~~fourth~~)
15 third Monday in (~~July~~) April and no later than the following Friday
16 in the year in which the office is scheduled to be voted upon:

17 (1) Offices that are scheduled to be voted upon for full terms or
18 both full terms and short terms at, or in conjunction with, a state
19 general election; and

20 (2) Offices where a vacancy, other than a short term, exists that
21 has not been filled by election and for which an election to fill the
22 vacancy is required in conjunction with the next state general
23 election.

24 This section supersedes all other statutes that provide for a
25 different filing period for these offices.

26 **Sec. 4.** RCW 42.17.080 and 2002 c 75 s 2 are each amended to read
27 as follows:

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

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

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

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

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

15 ~~(ii) Any continuing political committee)); and~~

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

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

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

37 (3) For the period beginning the first day of the (~~fourth~~)
38 seventh month preceding the date on which the special or general

1 election is held and ending on the date of that special or general
2 election, each Monday the treasurer shall file with the commission and
3 the appropriate county elections officer a report of each bank deposit
4 made during the previous seven calendar days. The report shall contain
5 the name of each person contributing the funds so deposited and the
6 amount contributed by each person. However, contributions of no more
7 than twenty-five dollars in the aggregate from any one person may be
8 deposited without identifying the contributor. A copy of the report
9 shall be retained by the treasurer for his or her records. In the
10 event of deposits made by a deputy treasurer, the copy shall be
11 forwarded to the treasurer for his or her records. Each report shall
12 be certified as correct by the treasurer or deputy treasurer making the
13 deposit.

14 (4) If a city requires that candidates or committees for city
15 offices file reports with a city agency, the candidate or treasurer so
16 filing need not also file the report with the county auditor or
17 elections officer.

18 (5) The treasurer or candidate shall maintain books of account
19 accurately reflecting all contributions and expenditures on a current
20 basis within five business days of receipt or expenditure. During the
21 eight days immediately preceding the date of the election the books of
22 account shall be kept current within one business day. As specified in
23 the committee's statement of organization filed under RCW 42.17.040,
24 the books of account must be open for public inspection as follows:

25 (a) For at least two consecutive hours between 8:00 a.m. and 8:00
26 p.m. on the eighth day immediately before the election, except when it
27 is a legal holiday, in which case on the seventh day immediately before
28 the election, at the principal headquarters or, if there is no
29 headquarters, at the address of the treasurer or such other place as
30 may be authorized by the commission; and

31 (b) By appointment for inspections to be conducted at the
32 designated place for inspections between 8:00 a.m. and 8:00 p.m. on any
33 other day from the seventh day through the day immediately before the
34 election, other than Saturday, Sunday, or a legal holiday. It is a
35 violation of this chapter for a candidate or political committee to
36 refuse to allow and keep an appointment for an inspection to be
37 conducted during these authorized times and days in the week prior to

1 the election. The appointment must be allowed at an authorized time
2 and day for such inspections that is within twenty-four hours of the
3 time and day that is requested for the inspection.

4 (6) The treasurer or candidate shall preserve books of account,
5 bills, receipts, and all other financial records of the campaign or
6 political committee for not less than five calendar years following the
7 year during which the transaction occurred.

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

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

18 (9) After January 1, 2002, a report that is filed with the
19 commission electronically need not also be filed with the county
20 auditor or elections officer.

21 (10) The commission shall adopt administrative rules establishing
22 requirements for filer participation in any system designed and
23 implemented by the commission for the electronic filing of reports.

24 **Sec. 5.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read
25 as follows:

26 (1) During the period beginning on the thirtieth day before the
27 date a regular legislative session convenes and continuing (~~thirty~~
28 ~~days—past~~) through the date of final adjournment, and during the
29 period beginning on the date a special legislative session convenes and
30 continuing through the date that session adjourns, no state official or
31 a person employed by or acting on behalf of a state official or state
32 legislator may solicit or accept contributions to a public office fund,
33 to a candidate or authorized committee, or to retire a campaign debt.

34 (2) This section does not apply to activities authorized in RCW
35 43.07.370.

1 NEW SECTION. **Sec. 6.** The following acts or parts of acts are each
2 repealed:

- 3 (1) RCW 29A.04.158 (September primary) and 2004 c 271 s 187;
- 4 (2) RCW 29A.04.311 (Primaries) and 2004 c 271 s 105; and
- 5 (3) RCW 29A.52.011 (Elections to fill unexpired term--No primary,
6 when) and 2004 c 271 s 172.

7 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2006.

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