

**SHB 2016 - H AMD 129**

By Representative Moeller

NOT CONSIDERED 4/26/2009

1 On page 25, beginning on line 11, strike all of Sec. 202 and  
2 insert the following:

3  
4 **"Sec. 202.** RCW 42.17.369 and 2000 c 237 s 3 are each amended to  
5 read as follows:

6 (1) (~~By July 1, 1999,~~) The commission shall make available to  
7 candidates, public officials, and political committees that are  
8 required to file reports under this chapter an electronic filing  
9 (~~alternative~~) system for submitting financial affairs reports,  
10 contribution reports, and expenditure reports(~~, including but not~~  
11 ~~limited to filing by diskette, modem, satellite, or~~) over the  
12 internet.

13 (2) By January 1, (~~2002~~) 2012, the commission shall make  
14 available to lobbyists (~~and~~), lobbyists' employers, and agencies  
15 required to file reports under RCW 42.17.150, 42.17.170, 42.17.175,  
16 (~~or~~) 42.17.180, or 42.17.190 (as recodified by this act) an  
17 electronic filing (~~alternative~~) system for submitting these reports  
18 (~~including but not limited to filing by diskette, modem, satellite,~~  
19 ~~or~~) over the internet.

20 (3) The commission shall make available to candidates(~~and~~) and  
21 public officials(~~and~~) filing financial affairs reports and political  
22 committees(~~, lobbyists, and lobbyists' employers~~) an electronic  
23 (~~copy of the appropriate reporting forms~~) filing system at no  
24 charge."

25  
26 On page 51, beginning on line 13, strike all of Sec. 410 and  
27 insert the following:

1       **"Sec. 410.** RCW 42.17.3691 and 2000 c 237 s 4 are each amended to  
2 read as follows:

3       (1) (~~Beginning January 1, 2002, each candidate or political~~  
4 ~~committee that expended twenty five thousand dollars or more in the~~  
5 ~~preceding year or expects to expend twenty five thousand dollars or~~  
6 ~~more in the current year shall file all contribution reports and~~  
7 ~~expenditure reports required by this chapter by the electronic~~  
8 ~~alternative provided by the commission under RCW 42.17.369. The~~  
9 ~~commission may make exceptions on a case by case basis for candidates~~  
10 ~~whose authorized committees lack the technological ability to file~~  
11 ~~reports using the electronic alternative provided by the commission.~~

12       ~~(2) Beginning January 1, 2004,)~~ Each candidate or political  
13 committee that expended ten thousand dollars or more in the preceding  
14 year or expects to expend ten thousand dollars or more in the current  
15 year shall file all contribution reports and expenditure reports  
16 required by this chapter ~~((by the electronic alternative))~~  
17 electronically over the internet as provided by the commission under  
18 RCW 42.17.369 (as recodified by this act). ~~((The commission may make~~  
19 ~~exceptions on a case by case basis for candidates whose authorized~~  
20 ~~committees lack the technological ability to file reports using the~~  
21 ~~electronic alternative provided by the commission.~~

22       ~~(3))~~ (2)(a) Beginning January 1, 2012, lobbyists required to  
23 register under RCW 42.17.150 (as recodified by this act), or report  
24 under RCW 42.17.170 (as recodified by this act), whose total  
25 reportable accrued compensation for lobbying, whether from or on  
26 behalf of one or more lobbyists' employers, was ten thousand dollars  
27 or more for the previous calendar year, or is expected to be ten  
28 thousand dollars or more for the current calendar year, must file all  
29 reports required by this chapter electronically over the internet as  
30 provided by the commission under RCW 42.17.369 (as recodified by this  
31 act).

32       (b) Beginning January 1, 2013, lobbyists' employers required to  
33 report under RCW 42.17.180 (as recodified by this act) whose total  
34 reportable accrued expenses and payments for lobbying, including those

1 through or on behalf of one or more lobbyists, was ten thousand  
2 dollars or more for the previous calendar year, or is expected to be  
3 ten thousand dollars or more for the current calendar year, must file  
4 all reports required by this chapter electronically over the internet  
5 as provided by the commission under RCW 42.17.369 (as recodified by  
6 this act).

7 (c) Beginning January 1, 2012, all agencies required to report  
8 under RCW 42.17.190 (as recodified by this act) must file all lobbying  
9 reports required by this chapter electronically over the internet as  
10 provided by the commission under RCW 42.17.369 (as recodified by this  
11 act).

12 (3) The commission may make exceptions on a case-by-case basis for  
13 candidates, lobbyists, lobbyists' employers, or agencies when they  
14 lack the technological ability to file reports electronically.

15 (4) Failure by a candidate ((~~or~~)), political committee, lobbyist,  
16 lobbyist's employer, or agency to comply with this section is a  
17 violation of this chapter.

18  
19 NEW SECTION. Sec. 411. A new section is added to chapter 42.17  
20 RCW to read as follows: (1) Effective July 1, 2009, lobbyists and  
21 lobbyists' employers who are registered or required to report for  
22 either calendar years 2009 or 2010, or both, or who subsequently  
23 register for any part of calendar years 2009 or 2010, shall pay a one-  
24 time fee to the public disclosure commission for the development and  
25 implementation of the electronic filing system under RCW 42.17.369 as  
26 follows:

27 (a) Two hundred fifty dollars for each lobbyist whose total  
28 reportable accrued compensation for lobbying, whether from or on  
29 behalf of one or more lobbyists' employers, except employers exempt  
30 under subsection (3) of this section, was ten thousand dollars or more  
31 for the previous calendar year, or is expected to be ten thousand  
32 dollars or more for the current calendar year;

33 (b) Five hundred dollars for each lobbyist employer whose total  
34 reportable accrued expenses and payments for lobbying, including those

1 through or on behalf of one or more lobbyists, was ten thousand  
2 dollars or more for the previous calendar year, or is expected to be  
3 ten thousand dollars or more for the current calendar year; and

4 (c) Five hundred dollars for each agency required to file under  
5 RCW 42.17.190.

6 (2) Fees received under this section must be deposited into the  
7 lobbying electronic filing account under section 412 of this act.

8 (3) Lobbyists who lobby only for nonprofit, fund-raising  
9 organizations exempt from taxation under section 501(c)(3) of the  
10 internal revenue code, and lobbyist employers who are a nonprofit,  
11 fund-raising organization exempt from taxation as under section  
12 501(c)(3) of the internal revenue code, are exempt from paying the  
13 fees in this section.

14  
15 NEW SECTION. **Sec. 412.** A new section is added to chapter 42.17  
16 RCW to read as follows: (1) The lobbying electronic filing account is  
17 created in the custody of the state treasurer. All receipts from fees  
18 paid by lobbyists, lobbyists' employers, and agencies under section 3  
19 of this act must be deposited into the account. Expenditures from the  
20 account may be used only for costs incurred as a result of the design,  
21 development, implementation, and maintenance of:

22 (a) Software or other applications to accommodate electronic  
23 filing of the reports required for lobbyists, lobbyists' employers,  
24 and public agencies reporting under chapter 42.17 RCW; and

25 (b) A database and query system compatible with current  
26 architecture, technology, and operating systems that results in  
27 readily available data to the public for review and analysis.

28 (2) Only the executive director of the public disclosure  
29 commission or the executive director's designee may authorize  
30 expenditures from the account. The account is subject to allotment  
31 procedures under chapter 43.88 RCW, but an appropriation is not  
32 required for expenditures."

33  
34

1 Renumber the sections consecutively and correct any internal  
2 references accordingly.

3  
4 On page 118, line 27, after "Sec. 1107." strike "Section" and  
5 insert "Sections 411, 412, and"

6  
7 On page 118, line 31, after "102 through" insert "410, 413  
8 through"

9  
10 Correct the title.

11

12

13 **EFFECT:** Beginning January 1, 2012, lobbyists whose reportable  
14 compensation was \$10,000 or more in 2011, or is expected to be  
15 \$10,000 in 2012, must file the required disclosure reports  
16 electronically over the Internet. Beginning January 1, 2012,  
17 all agencies required to file lobbying reports must file the  
18 reports electronically over the Internet. Beginning January 1,  
19 2013, lobbyist employers whose reportable expenses and payments  
20 for lobbying was \$10,000 or more in 2012, or is expected to be  
21 \$10,000 or more in 2013, must file the required disclosure  
22 reports electronically over the Internet.

23  
24 Effective August 1, 2009, lobbyists, lobbyist employers, and  
25 agencies must pay a one-time fee to the PDC for development and  
26 implementation of an electronic filing system for reporting  
27 lobbying disclosure reports. Lobbyists whose lobbying income  
28 was \$10,000 in 2008 or is expected to be \$10,000 or more in  
29 2009 must pay a fee of \$250. Lobbyist employers whose accrued  
30 expenses and payments for lobbying was \$10,000 in 2008, or is  
31 expected to be \$10,000 or more in 2009, must pay a fee of \$500.  
32 Lobbyists who lobby only for nonprofits and lobbyist employers  
33 that are nonprofits are exempt from paying the fee. Agencies  
34 required to file under RCW42.17.190 must pay a fee of \$500.

35  
36 The fees collected must be deposited into the lobbying  
37 electronic filing account (account) created in the custody of  
38 the State Treasurer. Expenditures from the account may be used  
39 only for costs incurred for the design, development,  
40 implementation and maintenance of an application to accommodate  
41 electronic filing for lobbying reports, and a database and  
42 query system compatible with current systems.

43

1 The sections requiring payment of fees and the creation of the  
2 lobbying electronic filing account take effect immediately.

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