

2SHB 2016 - S COMM AMD

By Committee on Government Operations & Elections

ADOPTED 03/02/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART 1

4 GENERAL PROVISIONS

5 **Sec. 101.** RCW 42.17.020 and 2008 c 6 s 201 are each amended to  
6 read as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Actual malice" means to act with knowledge of falsity or with  
10 reckless disregard as to truth or falsity.

11 (2) "Agency" includes all state agencies and all local agencies.  
12 "State agency" includes every state office, department, division,  
13 bureau, board, commission, or other state agency. "Local agency"  
14 includes every county, city, town, municipal corporation, quasi-  
15 municipal corporation, or special purpose district, or any office,  
16 department, division, bureau, board, commission, or agency thereof, or  
17 other local public agency.

18 (3) "Authorized committee" means the political committee authorized  
19 by a candidate, or by the public official against whom recall charges  
20 have been filed, to accept contributions or make expenditures on behalf  
21 of the candidate or public official.

22 (4) "Ballot proposition" means any "measure" as defined by RCW  
23 29A.04.091, or any initiative, recall, or referendum proposition  
24 proposed to be submitted to the voters of the state or any municipal  
25 corporation, political subdivision, or other voting constituency from  
26 and after the time when the proposition has been initially filed with  
27 the appropriate election officer of that constituency (~~prior to~~)  
28 before its circulation for signatures.

1 (5) "Benefit" means a commercial, proprietary, financial, economic,  
2 or monetary advantage, or the avoidance of a commercial, proprietary,  
3 financial, economic, or monetary disadvantage.

4 (6) "Bona fide political party" means:

5 (a) An organization that has (~~filed a valid certificate of~~  
6 ~~nomination with~~) been recognized as a minor political party by the  
7 secretary of state ((under chapter 29A.20 RCW)));

8 (b) The governing body of the state organization of a major  
9 political party, as defined in RCW 29A.04.086, that is the body  
10 authorized by the charter or bylaws of the party to exercise authority  
11 on behalf of the state party; or

12 (c) The county central committee or legislative district committee  
13 of a major political party. There may be only one legislative district  
14 committee for each party in each legislative district.

15 (7) "Depository" means a bank (~~designated by a candidate or~~  
16 ~~political committee pursuant to RCW 42.17.050~~), mutual savings bank,  
17 savings and loan association, or credit union doing business in this  
18 state.

19 (8) "Treasurer" and "deputy treasurer" mean the individuals  
20 appointed by a candidate or political committee, pursuant to RCW  
21 42.17.050 (as recodified by this act), to perform the duties specified  
22 in that section.

23 (9) "Candidate" means any individual who seeks nomination for  
24 election or election to public office. An individual seeks nomination  
25 or election when he or she first:

26 (a) Receives contributions or makes expenditures or reserves space  
27 or facilities with intent to promote his or her candidacy for office;

28 (b) Announces publicly or files for office;

29 (c) Purchases commercial advertising space or broadcast time to  
30 promote his or her candidacy; or

31 (d) Gives his or her consent to another person to take on behalf of  
32 the individual any of the actions in (a) or (c) of this subsection.

33 (10) "Caucus political committee" means a political committee  
34 organized and maintained by the members of a major political party in  
35 the state senate or state house of representatives.

36 (11) "Commercial advertiser" means any person who sells the service  
37 of communicating messages or producing printed material for broadcast  
38 or distribution to the general public or segments of the general public

1 whether through the use of newspapers, magazines, television and radio  
2 stations, billboard companies, direct mail advertising companies,  
3 printing companies, or otherwise.

4 (12) "Commission" means the agency established under RCW 42.17.350  
5 (as recodified by this act).

6 (13) "Compensation" unless the context requires a narrower meaning,  
7 includes payment in any form for real or personal property or services  
8 of any kind(~~(:—PROVIDED, That)~~). For the purpose of compliance with  
9 RCW 42.17.241 (as recodified by this act), (~~(the term)~~) "compensation"  
10 (~~(shall)~~) does not include per diem allowances or other payments made  
11 by a governmental entity to reimburse a public official for expenses  
12 incurred while the official is engaged in the official business of the  
13 governmental entity.

14 (14) "Continuing political committee" means a political committee  
15 that is an organization of continuing existence not established in  
16 anticipation of any particular election campaign.

17 (15)(a) "Contribution" includes:

18 (i) A loan, gift, deposit, subscription, forgiveness of  
19 indebtedness, donation, advance, pledge, payment, transfer of funds  
20 between political committees, or anything of value, including personal  
21 and professional services for less than full consideration;

22 (ii) An expenditure made by a person in cooperation, consultation,  
23 or concert with, or at the request or suggestion of, a candidate, a  
24 political committee, the person or persons named on the candidate's or  
25 committee's registration form who direct expenditures on behalf of the  
26 candidate or committee, or their agents;

27 (iii) The financing by a person of the dissemination, distribution,  
28 or republication, in whole or in part, of broadcast, written, graphic,  
29 or other form of political advertising or electioneering communication  
30 prepared by a candidate, a political committee, or its authorized  
31 agent;

32 (iv) Sums paid for tickets to fund-raising events such as dinners  
33 and parties, except for the actual cost of the consumables furnished at  
34 the event.

35 (b) "Contribution" does not include:

36 (i) Standard interest on money deposited in a political committee's  
37 account;

38 (ii) Ordinary home hospitality;

1 (iii) A contribution received by a candidate or political committee  
2 that is returned to the contributor within five business days of the  
3 date on which it is received by the candidate or political committee;

4 (iv) A news item, feature, commentary, or editorial in a regularly  
5 scheduled news medium that is of primary interest to the general  
6 public, that is in a news medium controlled by a person whose business  
7 is that news medium, and that is not controlled by a candidate or a  
8 political committee;

9 (v) An internal political communication primarily limited to the  
10 members of or contributors to a political party organization or  
11 political committee, or to the officers, management staff, or  
12 stockholders of a corporation or similar enterprise, or to the members  
13 of a labor organization or other membership organization;

14 (vi) The rendering of personal services of the sort commonly  
15 performed by volunteer campaign workers, or incidental expenses  
16 personally incurred by volunteer campaign workers not in excess of  
17 fifty dollars personally paid for by the worker. "Volunteer services,"  
18 for the purposes of this (~~section~~) subsection, means services or  
19 labor for which the individual is not compensated by any person;

20 (vii) Messages in the form of reader boards, banners, or yard or  
21 window signs displayed on a person's own property or property occupied  
22 by a person. However, a facility used for such political advertising  
23 for which a rental charge is normally made must be reported as an in-  
24 kind contribution and counts towards any applicable contribution limit  
25 of the person providing the facility;

26 (viii) Legal or accounting services rendered to or on behalf of:

27 (A) A political party or caucus political committee if the person  
28 paying for the services is the regular employer of the person rendering  
29 such services; or

30 (B) A candidate or an authorized committee if the person paying for  
31 the services is the regular employer of the individual rendering the  
32 services and if the services are solely for the purpose of ensuring  
33 compliance with state election or public disclosure laws; or

34 (ix) The performance of ministerial functions by a person on behalf  
35 of two or more candidates or political committees either as volunteer  
36 services defined in (b)(vi) of this subsection or for payment by the  
37 candidate or political committee for whom the services are performed as  
38 long as:

1 (A) The person performs solely ministerial functions;

2 (B) A person who is paid by two or more candidates or political  
3 committees is identified by the candidates and political committees on  
4 whose behalf services are performed as part of their respective  
5 statements of organization under RCW 42.17.040 (as recodified by this  
6 act); and

7 (C) The person does not disclose, except as required by law, any  
8 information regarding a candidate's or committee's plans, projects,  
9 activities, or needs, or regarding a candidate's or committee's  
10 contributions or expenditures that is not already publicly available  
11 from campaign reports filed with the commission, or otherwise engage in  
12 activity that constitutes a contribution under (a)(ii) of this  
13 subsection.

14 A person who performs ministerial functions under this subsection  
15 (15)(b)(ix) is not considered an agent of the candidate or committee as  
16 long as he or she has no authority to authorize expenditures or make  
17 decisions on behalf of the candidate or committee.

18 (c) Contributions other than money or its equivalent are deemed to  
19 have a monetary value equivalent to the fair market value of the  
20 contribution. Services or property or rights furnished at less than  
21 their fair market value for the purpose of assisting any candidate or  
22 political committee are deemed a contribution. Such a contribution  
23 must be reported as an in-kind contribution at its fair market value  
24 and counts towards any applicable contribution limit of the provider.

25 (16) "Elected official" means any person elected at a general or  
26 special election to any public office, and any person appointed to fill  
27 a vacancy in any such office.

28 (17) "Election" includes any primary, general, or special election  
29 for public office and any election in which a ballot proposition is  
30 submitted to the voters(~~(- PROVIDED, That)~~). An election in which the  
31 qualifications for voting include other than those requirements set  
32 forth in Article VI, section 1 (Amendment 63) of the Constitution of  
33 the state of Washington shall not be considered an election for  
34 purposes of this chapter.

35 (18) "Election campaign" means any campaign in support of or in  
36 opposition to a candidate for election to public office and any  
37 campaign in support of, or in opposition to, a ballot proposition.

1 (19) "Election cycle" means the period beginning on the first day  
2 of January after the date of the last previous general election for the  
3 office that the candidate seeks and ending on December 31st after the  
4 next election for the office. In the case of a special election to  
5 fill a vacancy in an office, "election cycle" means the period  
6 beginning on the day the vacancy occurs and ending on December 31st  
7 after the special election.

8 (20) "Electioneering communication" means any broadcast, cable, or  
9 satellite television or radio transmission, United States postal  
10 service mailing, billboard, newspaper, or periodical that:

11 (a) Clearly identifies a candidate for a state, local, or judicial  
12 office either by specifically naming the candidate, or identifying the  
13 candidate without using the candidate's name;

14 (b) Is broadcast, transmitted, mailed, erected, distributed, or  
15 otherwise published within sixty days before any election for that  
16 office in the jurisdiction in which the candidate is seeking election;  
17 and

18 (c) Either alone, or in combination with one or more communications  
19 identifying the candidate by the same sponsor during the sixty days  
20 before an election, has a fair market value of five thousand dollars or  
21 more.

22 (21) "Electioneering communication" does not include:

23 (a) Usual and customary advertising of a business owned by a  
24 candidate, even if the candidate is mentioned in the advertising when  
25 the candidate has been regularly mentioned in that advertising  
26 appearing at least twelve months preceding his or her becoming a  
27 candidate;

28 (b) Advertising for candidate debates or forums when the  
29 advertising is paid for by or on behalf of the debate or forum sponsor,  
30 so long as two or more candidates for the same position have been  
31 invited to participate in the debate or forum;

32 (c) A news item, feature, commentary, or editorial in a regularly  
33 scheduled news medium that is:

34 (i) Of primary interest to the general public;

35 (ii) In a news medium controlled by a person whose business is that  
36 news medium; and

37 (iii) Not a medium controlled by a candidate or a political  
38 committee;

1 (d) Slate cards and sample ballots;

2 (e) Advertising for books, films, dissertations, or similar works

3 (i) written by a candidate when the candidate entered into a contract  
4 for such publications or media at least twelve months before becoming  
5 a candidate, or (ii) written about a candidate;

6 (f) Public service announcements;

7 (g) A mailed internal political communication primarily limited to  
8 the members of or contributors to a political party organization or  
9 political committee, or to the officers, management staff, or  
10 stockholders of a corporation or similar enterprise, or to the members  
11 of a labor organization or other membership organization;

12 (h) An expenditure by or contribution to the authorized committee  
13 of a candidate for state, local, or judicial office; or

14 (i) Any other communication exempted by the commission through rule  
15 consistent with the intent of this chapter.

16 (22) "Expenditure" includes a payment, contribution, subscription,  
17 distribution, loan, advance, deposit, or gift of money or anything of  
18 value, and includes a contract, promise, or agreement, whether or not  
19 legally enforceable, to make an expenditure. ((The—term))

20 "Expenditure" also includes a promise to pay, a payment, or a transfer  
21 of anything of value in exchange for goods, services, property,  
22 facilities, or anything of value for the purpose of assisting,  
23 benefiting, or honoring any public official or candidate, or assisting  
24 in furthering or opposing any election campaign. For the purposes of  
25 this chapter, agreements to make expenditures, contracts, and promises  
26 to pay may be reported as estimated obligations until actual payment is  
27 made. ((The—term)) "Expenditure" shall not include the partial or  
28 complete repayment by a candidate or political committee of the  
29 principal of a loan, the receipt of which loan has been properly  
30 reported.

31 (23) "Final report" means the report described as a final report in  
32 RCW 42.17.080(2) (as recodified by this act).

33 (24) "General election" for the purposes of RCW 42.17.640 (as  
34 recodified by this act) means the election that results in the election  
35 of a person to a state or local office. It does not include a primary.

36 (25) "Gift(~~(, " is as defined~~)" has the definition in RCW  
37 42.52.010.

1 (26) "Immediate family" includes the spouse or domestic partner,  
2 dependent children, and other dependent relatives, if living in the  
3 household. For the purposes of (~~RCW 42.17.640 through 42.17.790~~) the  
4 definition of "intermediary" in this section, "immediate family" means  
5 an individual's spouse or domestic partner, and child, stepchild,  
6 grandchild, parent, stepparent, grandparent, brother, half brother,  
7 sister, or half sister of the individual and the spouse or the domestic  
8 partner of any such person and a child, stepchild, grandchild, parent,  
9 stepparent, grandparent, brother, half brother, sister, or half sister  
10 of the individual's spouse or domestic partner and the spouse or the  
11 domestic partner of any such person.

12 (27) "Incumbent" means a person who is in present possession of an  
13 elected office.

14 (28) "Independent expenditure" means an expenditure that has each  
15 of the following elements:

16 (a) It is made in support of or in opposition to a candidate for  
17 office by a person who is not (i) a candidate for that office, (ii) an  
18 authorized committee of that candidate for that office, (iii) a person  
19 who has received the candidate's encouragement or approval to make the  
20 expenditure, if the expenditure pays in whole or in part for political  
21 advertising supporting that candidate or promoting the defeat of any  
22 other candidate or candidates for that office, or (iv) a person with  
23 whom the candidate has collaborated for the purpose of making the  
24 expenditure, if the expenditure pays in whole or in part for political  
25 advertising supporting that candidate or promoting the defeat of any  
26 other candidate or candidates for that office;

27 (b) The expenditure pays in whole or in part for political  
28 advertising that either specifically names the candidate supported or  
29 opposed, or clearly and beyond any doubt identifies the candidate  
30 without using the candidate's name; and

31 (c) The expenditure, alone or in conjunction with another  
32 expenditure or other expenditures of the same person in support of or  
33 opposition to that candidate, has a value of (~~five~~) eight hundred  
34 dollars or more. A series of expenditures, each of which is under  
35 (~~five~~) eight hundred dollars, constitutes one independent expenditure  
36 if their cumulative value is (~~five~~) eight hundred dollars or more.

37 (29)(a) "Intermediary" means an individual who transmits a  
38 contribution to a candidate or committee from another person unless the



1 contribution is from the individual's employer, immediate family (~~as~~  
2 ~~defined for purposes of RCW 42.17.640 through 42.17.790~~)), or an  
3 association to which the individual belongs.

4 (b) A treasurer or a candidate is not an intermediary for purposes  
5 of the committee that the treasurer or candidate serves.

6 (c) A professional fund-raiser is not an intermediary if the fund-  
7 raiser is compensated for fund-raising services at the usual and  
8 customary rate.

9 (d) A volunteer hosting a fund-raising event at the individual's  
10 home is not an intermediary for purposes of that event.

11 (30) "Legislation" means bills, resolutions, motions, amendments,  
12 nominations, and other matters pending or proposed in either house of  
13 the state legislature, and includes any other matter that may be the  
14 subject of action by either house or any committee of the legislature  
15 and all bills and resolutions that, having passed both houses, are  
16 pending approval by the governor.

17 (31) "Lobby" and "lobbying" each mean attempting to influence the  
18 passage or defeat of any legislation by the legislature of the state of  
19 Washington, or the adoption or rejection of any rule, standard, rate,  
20 or other legislative enactment of any state agency under the state  
21 administrative procedure act, chapter 34.05 RCW. Neither "lobby" nor  
22 "lobbying" includes an association's or other organization's act of  
23 communicating with the members of that association or organization.

24 (32) "Lobbyist" includes any person who lobbies either in his or  
25 her own or another's behalf.

26 (33) "Lobbyist's employer" means the person or persons by whom a  
27 lobbyist is employed and all persons by whom he or she is compensated  
28 for acting as a lobbyist.

29 (34) "Ministerial functions" means an act or duty carried out as  
30 part of the duties of an administrative office without exercise of  
31 personal judgment or discretion.

32 (35) "Participate" means that, with respect to a particular  
33 election, an entity:

34 (a) Makes either a monetary or in-kind contribution to a candidate;

35 (b) Makes an independent expenditure or electioneering  
36 communication in support of or opposition to a candidate;

37 (c) Endorses a candidate (~~prior to~~) before contributions

1 ((being)) are made by a subsidiary corporation or local unit with  
2 respect to that candidate or that candidate's opponent;

3 (d) Makes a recommendation regarding whether a candidate should be  
4 supported or opposed (~~(prior to)~~) before a contribution (~~(being)~~) is  
5 made by a subsidiary corporation or local unit with respect to that  
6 candidate or that candidate's opponent; or

7 (e) Directly or indirectly collaborates or consults with a  
8 subsidiary corporation or local unit on matters relating to the support  
9 of or opposition to a candidate, including, but not limited to, the  
10 amount of a contribution, when a contribution should be given, and what  
11 assistance, services or independent expenditures, or electioneering  
12 communications, if any, will be made or should be made in support of or  
13 opposition to a candidate.

14 (36) "Person" includes an individual, partnership, joint venture,  
15 public or private corporation, association, federal, state, or local  
16 governmental entity or agency however constituted, candidate,  
17 committee, political committee, political party, executive committee  
18 thereof, or any other organization or group of persons, however  
19 organized.

20 ~~(37) ("Person in interest" means the person who is the subject of~~  
21 ~~a record or any representative designated by that person, except that~~  
22 ~~if that person is under a legal disability, the term "person in~~  
23 ~~interest" means and includes the parent or duly appointed legal~~  
24 ~~representative.~~

25 ~~(38))~~ "Political advertising" includes any advertising displays,  
26 newspaper ads, billboards, signs, brochures, articles, tabloids,  
27 flyers, letters, radio or television presentations, or other means of  
28 mass communication, used for the purpose of appealing, directly or  
29 indirectly, for votes or for financial or other support or opposition  
30 in any election campaign.

31 ~~((39))~~ (38) "Political committee" means any person (except a  
32 candidate or an individual dealing with his or her own funds or  
33 property) having the expectation of receiving contributions or making  
34 expenditures in support of, or opposition to, any candidate or any  
35 ballot proposition.

36 ~~((40))~~ (39) "Primary" for the purposes of RCW 42.17.640 (as  
37 recodified by this act) means the procedure for nominating a candidate

1 to state or local office under chapter 29A.52 RCW or any other primary  
2 for an election that uses, in large measure, the procedures established  
3 in chapter 29A.52 RCW.

4 ~~((+41+))~~ (40) "Public office" means any federal, state, judicial,  
5 county, city, town, school district, port district, special district,  
6 or other state political subdivision elective office.

7 ~~((+42+))~~ (41) "Public record" ~~((includes any writing containing  
8 information relating to the conduct of government or the performance of  
9 any governmental or proprietary function prepared, owned, used, or  
10 retained by any state or local agency regardless of physical form or  
11 characteristics. For the office of the secretary of the senate and the  
12 office of the chief clerk of the house of representatives, public  
13 records means legislative records as defined in RCW 40.14.100 and also  
14 means the following: All budget and financial records; personnel  
15 leave, travel, and payroll records; records of legislative sessions;  
16 reports submitted to the legislature; and any other record designated  
17 a public record by any official action of the senate or the house of  
18 representatives)) has the definition in RCW 42.56.010.~~

19 ~~((+43+))~~ (42) "Recall campaign" means the period of time beginning  
20 on the date of the filing of recall charges under RCW 29A.56.120 and  
21 ending thirty days after the recall election.

22 ~~((+44+))~~ (43) "Sponsor of an electioneering communications,  
23 independent expenditures, or political advertising" means the person  
24 paying for the electioneering communication, independent expenditure,  
25 or political advertising. If a person acts as an agent for another or  
26 is reimbursed by another for the payment, the original source of the  
27 payment is the sponsor.

28 ~~((+45—"State"))~~ (44) "Legislative office" means the office of a  
29 member of the state house of representatives or the office of a member  
30 of the state senate.

31 ~~((+46+))~~ (45) "State office" means state legislative office or the  
32 office of governor, lieutenant governor, secretary of state, attorney  
33 general, commissioner of public lands, insurance commissioner,  
34 superintendent of public instruction, state auditor, or state  
35 treasurer.

36 ~~((+47+))~~ (46) "State official" means a person who holds a state  
37 office.

1 ((~~48~~)) (47) "Surplus funds" mean, in the case of a political  
2 committee or candidate, the balance of contributions that remain in the  
3 possession or control of that committee or candidate subsequent to the  
4 election for which the contributions were received, and that are in  
5 excess of the amount necessary to pay remaining debts incurred by the  
6 committee or candidate (~~(prior)~~) with respect to that election. In the  
7 case of a continuing political committee, "surplus funds" mean those  
8 contributions remaining in the possession or control of the committee  
9 that are in excess of the amount necessary to pay all remaining debts  
10 when it makes its final report under RCW 42.17.065 (as recodified by  
11 this act).

12 (~~((49)) "Writing" means handwriting, typewriting, printing,~~  
13 ~~photostating, photographing, and every other means of recording any~~  
14 ~~form of communication or representation, including, but not limited to,~~  
15 ~~letters, words, pictures, sounds, or symbols, or combination thereof,~~  
16 ~~and all papers, maps, magnetic or paper tapes, photographic films and~~  
17 ~~prints, motion picture, film and video recordings, magnetic or punched~~  
18 ~~cards, discs, drums, diskettes, sound recordings, and other documents~~  
19 ~~including existing data compilations from which information may be~~  
20 ~~obtained or translated.~~

21 ~~As used in this chapter, the singular shall take the plural and any~~  
22 ~~gender, the other, as the context requires.))~~

23 **PART 2**

24 **ELECTRONIC ACCESS**

25 **Sec. 201.** RCW 42.17.367 and 1999 c 401 s 9 are each amended to  
26 read as follows:

27 (~~(By February 1, 2000,)~~) The commission shall operate a web site or  
28 contract for the operation of a web site that allows access to reports,  
29 copies of reports, or copies of data and information submitted in  
30 reports, filed with the commission under RCW 42.17.040, 42.17.065,  
31 42.17.080, 42.17.100, (~~(and)~~) 42.17.105, 42.17.150, 42.17.170,  
32 42.17.175, and 42.17,180 (as recodified by this act). (~~(By January 1,~~  
33 ~~2001, the web site shall allow access to reports, copies of reports, or~~  
34 ~~copies of data and information submitted in reports, filed with the~~  
35 ~~commission under RCW 42.17.150, 42.17.170, 42.17.175, and 42.17.180.))~~)  
36 In addition, the commission shall attempt to make available via the web

1 site other public records submitted to or generated by the commission  
2 that are required by this chapter to be available for public use or  
3 inspection.

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 for submitting financial affairs reports, contribution  
10 reports, and expenditure reports(~~, including but not limited to filing~~  
11 ~~by diskette, modem, satellite, or the Internet~~)).

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

18 (3) The commission shall make available to candidates, public  
19 officials, political committees, lobbyists, and lobbyists' employers an  
20 electronic copy of the appropriate reporting forms at no charge.

21 **Sec. 203.** RCW 42.17.461 and 2000 c 237 s 5 are each amended to  
22 read as follows:

23 (~~(1)~~) The commission shall establish goals that all reports,  
24 copies of reports, or copies of the data or information included in  
25 reports, filed under RCW 42.17.040, 42.17.065, 42.17.080, 42.17.100,  
26 42.17.105, 42.17.150, 42.17.170, 42.17.175, and 42.17.180 (as  
27 recodified by this act), that are:

28 (~~(a) Submitted using the commission's electronic filing system~~  
29 ~~shall be accessible in the commission's office within two business days~~  
30 ~~of the commission's receipt of the report and shall be accessible on~~  
31 ~~the commission's web site within seven business days of the~~  
32 ~~commission's receipt of the report; and~~

33 ~~(b) Submitted in any format or using any method other than as~~  
34 ~~described in (a) of this subsection, shall be accessible in the~~  
35 ~~commission's office within four business days of the actual physical~~  
36 ~~receipt of the report, and not the technical date of filing as provided~~

1 under RCW 42.17.420, and shall be accessible on the commission's web  
2 site within fourteen business days of the actual physical receipt of  
3 the report, and not the technical date of filing as provided under RCW  
4 42.17.420, as specified in rule adopted by the commission.

5 (2) On January 1, 2001, or shortly thereafter, the commission shall  
6 revise these goals to reflect that all reports, copies of reports, or  
7 copies of the data or information included in reports, filed under RCW  
8 42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150,  
9 42.17.170, 42.17.175, and 42.17.180, that are:

10 (a) Submitted using the commission's electronic filing system shall  
11 be accessible in the commission's office within two business days of  
12 the commission's receipt of the report and on the commission's web site  
13 within four business days of the commission's receipt of the report;  
14 and

15 (b) Submitted in any format or using any method other than as  
16 described in (a) of this subsection, shall be accessible in the  
17 commission's office within four business days of the actual physical  
18 receipt of the report, and not the technical date of filing as provided  
19 under RCW 42.17.420, and on the commission's web site within seven  
20 business days of the actual physical receipt of the report, and not the  
21 technical date of filing as provided under RCW 42.17.420, as specified  
22 in rule adopted by the commission.

23 (3) On January 1, 2002, or shortly thereafter, the commission shall  
24 revise these goals to reflect that all reports, copies of reports, or  
25 copies of the data or information included in reports, filed under RCW  
26 42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150,  
27 42.17.170, 42.17.175, and 42.17.180, that are:

28 (a)) (1) Submitted using the commission's electronic filing system  
29 must be accessible in the commission's office and on the commission's  
30 web site within two business days of the commission's receipt of the  
31 report; and

32 ((b)) (2) Submitted ((in any format or using any method other  
33 than as described in (a) of this subsection,)) on paper must be  
34 accessible in the commission's office and on the commission's web site  
35 within four business days of the actual physical receipt of the report,  
36 and not the technical date of filing as provided under RCW 42.17.420  
37 (as recodified by this act), as specified in rule adopted by the  
38 commission.

1       **Sec. 204.** RCW 42.17.463 and 1999 c 401 s 3 are each amended to  
2 read as follows:

3       By July 1st of each year (~~beginning in 2000~~), the commission  
4 shall calculate the following performance measures, provide a copy of  
5 the performance measures to the governor and appropriate legislative  
6 committees, and make the performance measures available to the public:

7       (1) The average number of days that elapse between the commission's  
8 receipt of reports filed under RCW 42.17.040, 42.17.065, 42.17.080, and  
9 42.17.100 (as recodified by this act) and the time that the report, a  
10 copy of the report, or a copy of the data or information included in  
11 the report, is first accessible to the general public (a) in the  
12 commission's office, and (b) via the commission's web site;

13       (2) The average number of days that elapse between the commission's  
14 receipt of reports filed under RCW 42.17.105 (as recodified by this  
15 act) and the time that the report, a copy of the report, or a copy of  
16 the data or information included in the report, is first accessible to  
17 the general public (a) in the commission's office, and (b) via the  
18 commission's web site;

19       (3) The average number of days that elapse between the commission's  
20 receipt of reports filed under RCW 42.17.150, 42.17.170, 42.17.175, and  
21 42.17.180 (as recodified by this act) and the time that the report, a  
22 copy of the report, or a copy of the data or information included in  
23 the report, is first accessible to the general public (a) in the  
24 commission's office, and (b) via the commission's web site;

25       (4) The percentage of candidates, categorized as statewide,  
26 (~~state~~) legislative, or local, that have used each of the following  
27 methods to file reports under RCW 42.17.080 or 42.17.105 (as recodified  
28 by this act): (a) Hard copy paper format; (~~(b) electronic format via~~  
29 ~~diskette; (c) electronic format via modem or satellite; (d)~~) or (b)  
30 electronic format via the Internet; (~~and (e) any other format or~~  
31 method;)

32       (5) The percentage of continuing political committees that have  
33 used each of the following methods to file reports under RCW 42.17.065  
34 or 42.17.105 (as recodified by this act): (a) Hard copy paper format;  
35 (~~(b) electronic format via diskette; (c) electronic format via modem~~  
36 ~~or satellite; (d)~~) or (b) electronic format via the Internet; (~~and~~  
37 ~~(e) any other format or method;)~~) and

1 (6) The percentage of lobbyists and lobbyists' employers that have  
2 used each of the following methods to file reports under RCW 42.17.150,  
3 42.17.170, 42.17.175, or 42.17.180 (as recodified by this act): (a)  
4 Hard copy paper format; ~~((b) electronic format via diskette; (c)~~  
5 ~~electronic format via modem or satellite; (d))~~ or (b) electronic  
6 format via the Internet(~~; and (e) any other format or method~~)).

7 **PART 3**  
8 **ADMINISTRATION**

9 **Sec. 301.** RCW 42.17.350 and 1998 c 30 s 1 are each amended to read  
10 as follows:

11 (1) ~~((There is hereby established a " ))~~ The public disclosure  
12 commission(~~" which~~) is established. The commission shall be composed  
13 of five members (~~who shall be~~) appointed by the governor, with the  
14 consent of the senate. All appointees shall be persons of the highest  
15 integrity and qualifications. No more than three members shall have an  
16 identification with the same political party.

17 (2) The term of each member shall be five years. No member is  
18 eligible for appointment to more than one full term. Any member may be  
19 removed by the governor, but only upon grounds of neglect of duty or  
20 misconduct in office.

21 (3) During his or her tenure, a member of the commission is  
22 prohibited from engaging in any of the following activities, either  
23 within or outside the state of Washington:

24 (a) Holding or campaigning for elective office;

25 (b) Serving as an officer of any political party or political  
26 committee;

27 (c) Permitting his or her name to be used in support of or in  
28 opposition to a candidate or proposition;

29 (d) Soliciting or making contributions to a candidate or in support  
30 of or in opposition to any candidate or proposition;

31 (e) Participating in any way in any election campaign; or

32 (f) Lobbying, employing, or assisting a lobbyist, except that a  
33 member or the staff of the commission may lobby to the limited extent  
34 permitted by RCW 42.17.190 (as recodified by this act) on matters  
35 directly affecting this chapter.



1 (4) A vacancy on the commission shall be filled within thirty days  
2 of the vacancy by the governor, with the consent of the senate, and the  
3 appointee shall serve for the remaining term of his or her predecessor.  
4 A vacancy shall not impair the powers of the remaining members to  
5 exercise all of the powers of the commission.

6 (5) Three members of the commission shall constitute a quorum. The  
7 commission shall elect its own chair and adopt its own rules of  
8 procedure in the manner provided in chapter 34.05 RCW.

9 (6) Members shall be compensated in accordance with RCW 43.03.250  
10 and ~~((in addition))~~ shall be reimbursed for travel expenses incurred  
11 while engaged in the business of the commission as provided in RCW  
12 43.03.050 and 43.03.060. The compensation provided pursuant to this  
13 section shall not be considered salary for purposes of the provisions  
14 of any retirement system created ~~((pursuant to))~~ under the ~~((general))~~  
15 laws of this state.

16 **Sec. 302.** RCW 42.17.360 and 1973 c 1 s 36 are each amended to read  
17 as follows:

18 The commission shall:

19 (1) Develop and provide forms for the reports and statements  
20 required to be made under this chapter;

21 (2) Prepare and publish a manual setting forth recommended uniform  
22 methods of bookkeeping and reporting for use by persons required to  
23 make reports and statements under this chapter;

24 (3) Compile and maintain a current list of all filed reports and  
25 statements;

26 (4) Investigate whether properly completed statements and reports  
27 have been filed within the times required by this chapter;

28 (5) Upon complaint or upon its own motion, investigate and report  
29 apparent violations of this chapter to the appropriate law enforcement  
30 authorities;

31 (6) Conduct a sufficient number of audits and field investigations  
32 to provide a statistically valid finding regarding the degree of  
33 compliance with the provisions of this chapter by all required filers.  
34 Any documents, records, reports, computer files, papers, or materials  
35 provided to the commission for use in conducting audits and  
36 investigations must be returned to the candidate, campaign, or

1 political committee from which they were received within one week of  
2 the commission's completion of an audit or field investigation;

3 (7) Prepare and publish an annual report to the governor as to the  
4 effectiveness of this chapter and its enforcement by appropriate law  
5 enforcement authorities; (~~and~~

6 ~~(7))~~ (8) Enforce this chapter according to the powers granted it  
7 by law;

8 (9) Adopt rules governing the arrangement, handling, indexing, and  
9 disclosing of those reports required by this chapter to be filed with  
10 a county auditor or county elections official. The rules shall:

11 (a) Ensure ease of access by the public to the reports; and

12 (b) Include, but not be limited to, requirements for indexing the  
13 reports by the names of candidates or political committees and by the  
14 ballot proposition for or against which a political committee is  
15 receiving contributions or making expenditures;

16 (10) Adopt rules to carry out the policies of chapter 348, Laws of  
17 2006. The adoption of these rules is not subject to the time  
18 restrictions of RCW 42.17.370(1) (as recodified by this act);

19 (11) Adopt administrative rules establishing requirements for filer  
20 participation in any system designed and implemented by the commission  
21 for the electronic filing of reports; and

22 (12) Maintain and make available to the public and political  
23 committees of this state a toll-free telephone number.

24 **Sec. 303.** RCW 42.17.370 and 1995 c 397 s 17 are each amended to  
25 read as follows:

26 The commission (~~is empowered to~~) may:

27 (1) Adopt, (~~promulgate,~~) amend, and rescind suitable  
28 administrative rules to carry out the policies and purposes of this  
29 chapter, which rules shall be adopted under chapter 34.05 RCW. Any  
30 rule relating to campaign finance, political advertising, or related  
31 forms that would otherwise take effect after June 30th of a general  
32 election year shall take effect no earlier than the day following the  
33 general election in that year;

34 (2) Appoint an executive director and set, within the limits  
35 established by the state committee on agency officials' salaries under  
36 RCW 43.03.028, the executive director's compensation (~~of an executive~~  
37 ~~director who~~). The executive director shall perform such duties and

1 have such powers as the commission may prescribe and delegate to  
2 implement and enforce this chapter efficiently and effectively. The  
3 commission shall not delegate its authority to adopt, amend, or rescind  
4 rules nor (~~shall~~) may it delegate authority to determine whether an  
5 actual violation of this chapter has occurred or to assess penalties  
6 for such violations;

7 (3) Prepare and publish (~~such~~) reports and technical studies as  
8 in its judgment will tend to promote the purposes of this chapter,  
9 including reports and statistics concerning campaign financing,  
10 lobbying, financial interests of elected officials, and enforcement of  
11 this chapter;

12 (4) (~~Make from time to time, on its own motion~~) Conduct, as it  
13 deems appropriate, audits and field investigations;

14 (5) Make public the time and date of any formal hearing set to  
15 determine whether a violation has occurred, the question or questions  
16 to be considered, and the results thereof;

17 (6) Administer oaths and affirmations, issue subpoenas, and compel  
18 attendance, take evidence, and require the production of any (~~books,~~  
19 ~~papers, correspondence, memorandums, or other~~) records relevant (~~or~~  
20 ~~material for the purpose of~~) to any investigation authorized under  
21 this chapter, or any other proceeding under this chapter;

22 (7) Adopt (~~and promulgate~~) a code of fair campaign practices;

23 (8) (~~Relieve, by rule,~~) Adopt rules relieving candidates or  
24 political committees of obligations to comply with the election  
25 campaign provisions of this chapter (~~relating to election campaigns~~),  
26 if they have not received contributions nor made expenditures in  
27 connection with any election campaign of more than (~~one~~) five  
28 thousand dollars;

29 (9) Adopt rules prescribing reasonable requirements for keeping  
30 accounts of, and reporting on a quarterly basis, costs incurred by  
31 state agencies, counties, cities, and other municipalities and  
32 political subdivisions in preparing, publishing, and distributing  
33 legislative information. (~~The term~~) For the purposes of this  
34 subsection, "legislative information(~~(7)~~)" (~~for the purposes of this~~  
35 ~~subsection,~~) means books, pamphlets, reports, and other materials  
36 prepared, published, or distributed at substantial cost, a substantial  
37 purpose of which is to influence the passage or defeat of any  
38 legislation. The state auditor in his or her regular examination of

1 each agency under chapter 43.09 RCW shall review the rules, accounts,  
2 and reports and make appropriate findings, comments, and  
3 recommendations ((in his or her examination reports)) concerning those  
4 agencies; and

5 (10) ((After hearing, by order approved and ratified by a majority  
6 of the membership of the commission, suspend or modify any of the  
7 reporting requirements of this chapter in a particular case if it finds  
8 that literal application of this chapter works a manifestly  
9 unreasonable hardship and if it also finds that the suspension or  
10 modification will not frustrate the purposes of the chapter.—The  
11 commission shall find that a manifestly unreasonable hardship exists if  
12 reporting the name of an entity required to be reported under RCW  
13 42.17.241(1)(g)(ii) would be likely to adversely affect the competitive  
14 position of any entity in which the person filing the report or any  
15 member of his or her immediate family holds any office, directorship,  
16 general partnership interest, or an ownership interest of ten percent  
17 or more.—Any suspension or modification shall be only to the extent  
18 necessary to substantially relieve the hardship.—The commission shall  
19 act to suspend or modify any reporting requirements only if it  
20 determines that facts exist that are clear and convincing proof of the  
21 findings required under this section.—Requests for renewals of  
22 reporting modifications may be heard in a brief adjudicative proceeding  
23 as set forth in RCW 34.05.482 through 34.05.494 and in accordance with  
24 the standards established in this section.—No initial request may be  
25 heard in a brief adjudicative proceeding and no request for renewal may  
26 be heard in a brief adjudicative proceeding if the initial request was  
27 granted more than three years previously or if the applicant is holding  
28 an office or position of employment different from the office or  
29 position held when the initial request was granted.—The commission  
30 shall adopt administrative rules governing the proceedings.—Any  
31 citizen has standing to bring an action in Thurston county superior  
32 court to contest the propriety of any order entered under this section  
33 within one year from the date of the entry of the order; and

34 (11) ~~Revise, at least once every five years but no more often than~~  
35 ~~every two years, the monetary reporting thresholds and reporting code~~  
36 ~~values of this chapter. The revisions shall be only for the purpose of~~  
37 ~~recognizing economic changes as reflected by an inflationary index~~  
38 ~~recommended by the office of financial management. The revisions shall~~

1 ~~be guided by the change in the index for the period commencing with the~~  
2 ~~month of December preceding the last revision and concluding with the~~  
3 ~~month of December preceding the month the revision is adopted. As to~~  
4 ~~each of the three general categories of this chapter (reports of~~  
5 ~~campaign finance, reports of lobbyist activity, and reports of the~~  
6 ~~financial affairs of elected and appointed officials), the revisions~~  
7 ~~shall equally affect all thresholds within each category. Revisions~~  
8 ~~shall be adopted as rules under chapter 34.05 RCW. The first revision~~  
9 ~~authorized by this subsection shall reflect economic changes from the~~  
10 ~~time of the last legislative enactment affecting the respective code or~~  
11 ~~threshold through December 1985;~~

12 (12)) Develop and provide to filers a system for certification of  
13 reports required under this chapter which are transmitted by facsimile  
14 or electronically to the commission. Implementation of the program is  
15 contingent on the availability of funds.

16 NEW SECTION. **Sec. 304.** SUSPENSION OR MODIFICATION OF REPORTING  
17 REQUIREMENTS. (1) The commission may suspend or modify any of the  
18 reporting requirements of this chapter if it finds that literal  
19 application of this chapter works a manifestly unreasonable hardship in  
20 a particular case and the suspension or modification will not frustrate  
21 the purposes of this chapter. The commission may suspend or modify  
22 reporting requirements only after a hearing is held and the suspension  
23 or modification receives approval from a majority of the commission.  
24 The commission shall act to suspend or modify any reporting  
25 requirements:

26 (a) Only if it determines that facts exist that are clear and  
27 convincing proof of the findings required under this section; and

28 (b) Only to the extent necessary to substantially relieve the  
29 hardship.

30 (2) A manifestly unreasonable hardship exists if reporting the name  
31 of an entity required to be reported under RCW 42.17.241(1)(g)(ii) (as  
32 recodified by this act) would be likely to adversely affect the  
33 competitive position of any entity in which the person filing the  
34 report, or any member of his or her immediate family, holds any office,  
35 directorship, general partnership interest, or an ownership interest of  
36 ten percent or more.

1 (3) Requests for renewals of reporting modifications may be heard  
2 in a brief adjudicative proceeding as set forth in RCW 34.05.482  
3 through 34.05.494 and in accordance with the standards established in  
4 this section. No initial request may be heard in a brief adjudicative  
5 proceeding. No request for renewal may be heard in a brief  
6 adjudicative proceeding if the initial request was granted more than  
7 three years previously or if the applicant is holding an office or  
8 position of employment different from the office or position held when  
9 the initial request was granted.

10 (4) Any citizen has standing to bring an action in Thurston county  
11 superior court to contest the propriety of any order entered under this  
12 section within one year from the date of the entry of the order.

13 (5) The commission shall adopt rules governing the proceedings.

14 **Sec. 305.** RCW 42.17.690 and 1993 c 2 s 9 are each amended to read  
15 as follows:

16 (1) At the beginning of each even-numbered calendar year, the  
17 commission shall increase or decrease ~~((all))~~ the dollar amounts in  
18 ~~((this chapter))~~ RCW 42.17.020(28), 42.17.125(3), 42.17.180(1),  
19 42.17.640, 42.17.645, and 42.17.740 (as recodified by this act) based  
20 on changes in economic conditions as reflected in the inflationary  
21 index ~~((used by the commission under RCW 42.17.370))~~ recommended by the  
22 office of financial management. The new dollar amounts established by  
23 the commission under this section shall be rounded off ~~((by the~~  
24 ~~commission))~~ to amounts as judged most convenient for public  
25 understanding and so as to be within ten percent of the target amount  
26 equal to the base amount provided in this chapter multiplied by the  
27 increase in the inflationary index since ~~((December 3, 1992))~~ July  
28 2008.

29 (2) The commission may revise, at least once every five years but  
30 no more often than every two years, the monetary reporting thresholds  
31 and reporting code values of this chapter. The revisions shall be only  
32 for the purpose of recognizing economic changes as reflected by an  
33 inflationary index recommended by the office of financial management.  
34 The revisions shall be guided by the change in the index for the period  
35 commencing with the month of December preceding the last revision and  
36 concluding with the month of December preceding the month the revision  
37 is adopted. As to each of the three general categories of this

1 chapter, reports of campaign finance, reports of lobbyist activity, and  
2 reports of the financial affairs of elected and appointed officials,  
3 the revisions shall equally affect all thresholds within each category.  
4 The revisions authorized by this subsection shall reflect economic  
5 changes from the time of the last legislative enactment affecting the  
6 respective code or threshold.

7 (3) Revisions made in accordance with subsections (1) and (2) of  
8 this section shall be adopted as rules under chapter 34.05 RCW.

9 **Sec. 306.** RCW 42.17.380 and 1982 c 35 s 196 are each amended to  
10 read as follows:

11 ~~((1) The office of the secretary of state shall be designated as~~  
12 ~~a place where the public may file papers or correspond with the~~  
13 ~~commission and receive any form or instruction from the commission.~~

14 ~~(2))~~ The attorney general, through his or her office, shall  
15 ~~((supply such))~~ provide assistance as ~~((the commission may require in~~  
16 ~~order))~~ required by the commission to carry out its responsibilities  
17 under this chapter. The commission may employ attorneys who are  
18 neither the attorney general nor an assistant attorney general to carry  
19 out any function of the attorney general prescribed in this chapter.

20 **Sec. 307.** RCW 42.17.405 and 2006 c 240 s 2 are each amended to  
21 read as follows:

22 (1) Except as provided in subsections (2), (3), and (7) of this  
23 section, the reporting provisions of this chapter do not apply to:

24 (a) Candidates, elected officials, and agencies in political  
25 subdivisions with less than one thousand registered voters as of the  
26 date of the most recent general election in the jurisdiction~~((~~τ~~τ))~~;

27 (b) Political committees formed to support or oppose candidates or  
28 ballot propositions in such political subdivisions~~((~~τ~~))~~; or ~~((~~τ~~τ))~~

29 (c) Persons making independent expenditures in support of or  
30 opposition to such ballot propositions.

31 (2) The reporting provisions of this chapter apply in any exempt  
32 political subdivision from which a "petition for disclosure" containing  
33 the valid signatures of fifteen percent of the number of registered  
34 voters, as of the date of the most recent general election in the  
35 political subdivision, is filed with the commission. The commission  
36 shall by rule prescribe the form of the petition. After the signatures

1 are gathered, the petition shall be presented to the auditor or  
2 elections officer of the county, or counties, in which the political  
3 subdivision is located. The auditor or elections officer shall verify  
4 the signatures and certify to the commission that the petition contains  
5 no less than the required number of valid signatures. The commission,  
6 upon receipt of a valid petition, shall order every known affected  
7 person in the political subdivision to file the initially required  
8 statement and reports within fourteen days of the date of the order.

9 (3) The reporting provisions of this chapter apply in any exempt  
10 political subdivision that by ordinance, resolution, or other official  
11 action has petitioned the commission to make the provisions applicable  
12 to elected officials and candidates of the exempt political  
13 subdivision. A copy of the action shall be sent to the commission. If  
14 the commission finds the petition to be a valid action of the  
15 appropriate governing body or authority, the commission shall order  
16 every known affected person in the political subdivision to file the  
17 initially required statement and reports within fourteen days of the  
18 date of the order.

19 (4) The commission shall void any order issued by it pursuant to  
20 subsection (2) or (3) of this section when, at least four years after  
21 issuing the order, the commission is presented a petition or official  
22 action so requesting from the affected political subdivision. Such  
23 petition or official action shall meet the respective requirements of  
24 subsection (2) or (3) of this section.

25 (5) Any petition for disclosure, ordinance, resolution, or official  
26 action of an agency petitioning the commission to void the exemption in  
27 RCW 42.17.030(3) (as recodified by this act) shall not be considered  
28 unless it has been filed with the commission:

29 (a) In the case of a ballot measure, at least sixty days before the  
30 date of any election in which campaign finance reporting is to be  
31 required;

32 (b) In the case of a candidate, at least sixty days before the  
33 first day on which a person may file a declaration of candidacy for any  
34 election in which campaign finance reporting is to be required.

35 (6) Any person exempted from reporting under this chapter may at  
36 his or her option file the statement and reports.

37 (7) The reporting provisions of this chapter apply to a candidate



1 in any political subdivision if the candidate receives or expects to  
2 receive five thousand dollars or more in contributions.

3 **Sec. 308.** RCW 42.17.420 and 1999 c 401 s 10 are each amended to  
4 read as follows:

5 (1) Except as provided in subsection (2) of this section, (~~when~~)  
6 the date of receipt of any properly addressed application, report,  
7 statement, notice, or payment required to be made under the provisions  
8 of this chapter (~~has been deposited postpaid in the United States mail~~  
9 ~~properly addressed, it shall be deemed to have been received on the~~  
10 ~~date of mailing. It shall be presumed that~~) is the date shown by the  
11 post office cancellation mark on the envelope (~~is the date of~~  
12 ~~mailing~~) of the submitted material. The provisions of this section do  
13 not apply to reports required to be delivered under RCW 42.17.105 and  
14 42.17.175 (as recodified by this act).

15 (2) When a report is filed electronically with the commission, it  
16 is deemed to have been received on the file transfer date. The  
17 commission shall notify the filer of receipt of the electronically  
18 filed report. Such notification may be sent by mail, facsimile, or  
19 electronic mail. If the notification of receipt of the electronically  
20 filed report is not received by the filer, the filer may offer his or  
21 her own proof of sending the report, and such proof shall be treated as  
22 if it were a receipt sent by the commission. Electronic filing may be  
23 used for purposes of filing the special reports required to be  
24 delivered under RCW 42.17.105 and 42.17.175 (as recodified by this  
25 act).

26 **Sec. 309.** RCW 42.17.450 and 1973 c 1 s 45 are each amended to read  
27 as follows:

28 (~~Persons with whom statements or reports or copies of statements~~  
29 ~~or reports are required to be filed under this chapter~~) (1) County  
30 auditors and county elections officials shall preserve (~~them~~) filed  
31 statements or reports for not less than six years.

32 (2) The commission(~~, however,~~) shall preserve (~~such~~) filed  
33 statements or reports for not less than ten years.

34 **PART 4**  
35 **CAMPAIGN FINANCE REPORTING**

1       **Sec. 401.** RCW 42.17.030 and 2006 c 240 s 1 are each amended to  
2 read as follows:

3       The provisions of this chapter relating to the financing of  
4 election campaigns shall apply in all election campaigns other than (1)  
5 for precinct committee officer; (2) for a federal elective office; and  
6 (3) for an office of a political subdivision of the state that does not  
7 encompass a whole county and that contains fewer than five thousand  
8 registered voters as of the date of the most recent general election in  
9 the subdivision, unless required by RCW 42.17.405 (2) through (5) and  
10 (7) (as recodified by this act).

11       **Sec. 402.** RCW 42.17.040 and 2007 c 358 s 2 are each amended to  
12 read as follows:

13       (1) Every political committee(~~(, within two weeks after its~~  
14 ~~organization or, within two weeks after the date when it first has the~~  
15 ~~expectation of receiving contributions or making expenditures in any~~  
16 ~~election campaign, whichever is earlier,)) shall file a statement of  
17 organization with the commission and with the county auditor or  
18 elections officer of the county in which the candidate resides, or in  
19 the case of any other political committee, the county in which the  
20 treasurer resides. The statement must be filed within two weeks after  
21 organization or within two weeks after the date the committee first has  
22 the expectation of receiving contributions or making expenditures in  
23 any election campaign, whichever is earlier. A political committee  
24 organized within the last three weeks before an election and having the  
25 expectation of receiving contributions or making expenditures during  
26 and for that election campaign shall file a statement of organization  
27 within three business days after its organization or when it first has  
28 the expectation of receiving contributions or making expenditures in  
29 the election campaign.~~

30       (2) The statement of organization shall include but not be limited  
31 to:

- 32       (a) The name and address of the committee;  
33       (b) The names and addresses of all related or affiliated committees  
34 or other persons, and the nature of the relationship or affiliation;  
35       (c) The names, addresses, and titles of its officers; or if it has  
36 no officers, the names, addresses, and titles of its responsible  
37 leaders;

- 1 (d) The name and address of its treasurer and depository;
- 2 (e) A statement whether the committee is a continuing one;
- 3 (f) The name, office sought, and party affiliation of each  
4 candidate whom the committee is supporting or opposing, and, if the  
5 committee is supporting the entire ticket of any party, the name of the  
6 party;
- 7 (g) The ballot proposition concerned, if any, and whether the  
8 committee is in favor of or opposed to such proposition;
- 9 (h) What distribution of surplus funds will be made, in accordance  
10 with RCW 42.17.095 (as recodified by this act), in the event of  
11 dissolution;
- 12 (i) The street address of the place and the hours during which the  
13 committee will make available for public inspection its books of  
14 account and all reports filed in accordance with RCW 42.17.080 (as  
15 recodified by this act);
- 16 (j) Such other information as the commission may by regulation  
17 prescribe, in keeping with the policies and purposes of this chapter;
- 18 (k) The name, address, and title of any person who authorizes  
19 expenditures or makes decisions on behalf of the candidate or  
20 committee; and
- 21 (l) The name, address, and title of any person who is paid by or is  
22 a volunteer for a candidate or political committee to perform  
23 ministerial functions and who performs ministerial functions on behalf  
24 of two or more candidates or committees.
- 25 (3) Any material change in information previously submitted in a  
26 statement of organization shall be reported to the commission and to  
27 the appropriate county elections officer within the ten days following  
28 the change.

29 **Sec. 403.** RCW 42.17.050 and 1989 c 280 s 3 are each amended to  
30 read as follows:

31 (1) Each candidate, within two weeks after becoming a candidate,  
32 and each political committee, at the time it is required to file a  
33 statement of organization, shall designate and file with the commission  
34 and the appropriate county elections officer the name(~~s~~) and  
35 address(~~es~~) of(~~+~~

36 ~~(a)~~) one legally competent individual, who may be the candidate,  
37 to serve as a treasurer(~~+~~and

1       ~~(b) A bank, mutual savings bank, savings and loan association, or~~  
2 ~~credit union doing business in this state to serve as depository and~~  
3 ~~the name of the account or accounts maintained in it)).~~

4       (2) A candidate, a political committee, or a treasurer may appoint  
5 as many deputy treasurers as is considered necessary and ~~((may~~  
6 ~~designate not more than one additional depository in each other county~~  
7 ~~in which the campaign is conducted. The candidate or political~~  
8 ~~committee)) shall file the names and addresses of the deputy treasurers~~  
9 ~~((and additional depositories)) with the commission and the appropriate~~  
10 county elections officer.

11       ~~(3) ((A candidate may not knowingly establish, use, direct, or~~  
12 ~~control more than one political committee for the purpose of supporting~~  
13 ~~that candidate during a particular election campaign. This does not~~  
14 ~~prohibit: (a) In addition to a candidate's having his or her own~~  
15 ~~political committee, the candidate's participation in a political~~  
16 ~~committee established to support a slate of candidates which includes~~  
17 ~~the candidate; or (b) joint fund raising efforts by candidates when a~~  
18 ~~separate political committee is established for that purpose and all~~  
19 ~~contributions are disbursed to and accounted for on a pro rata basis by~~  
20 ~~the benefiting candidates.~~

21       ~~(4))~~(a) A candidate or political committee may at any time remove  
22 a treasurer or deputy treasurer ~~((or change a designated depository)).~~

23       (b) In the event of the death, resignation, removal, or change of  
24 a treasurer~~((7))~~ or deputy treasurer, ~~((or depository7))~~ the candidate  
25 or political committee shall designate and file with the commission and  
26 the appropriate county elections officer the name and address of any  
27 successor.

28       ~~((+5))~~ (4) No treasurer~~((7))~~ or deputy treasurer~~((7—or~~  
29 ~~depository))~~ may be deemed to be in compliance with the provisions of  
30 this chapter until his or her name and address is filed with the  
31 commission and the appropriate county elections officer.

32       NEW SECTION. Sec. 404. DEPOSITORIES. Each candidate and each  
33 political committee shall designate and file with the commission and  
34 the appropriate county elections officer the name and address of not  
35 more than one depository for each county in which the campaign is  
36 conducted in which the candidate's or political committee's accounts  
37 are maintained and the name of the account or accounts maintained in

1 that depository on behalf of the candidate or political committee. The  
2 candidate or political committee may at any time change the designated  
3 depository and shall file with the commission and the appropriate  
4 county elections officer the same information for the successor  
5 depository as for the original depository. The candidate or political  
6 committee may not be deemed in compliance with the provisions of this  
7 chapter until the information required for the depository is filed with  
8 the commission and the appropriate county elections officer.

9 **Sec. 405.** RCW 42.17.060 and 1989 c 280 s 4 are each amended to  
10 read as follows:

11 (1) All monetary contributions received by a candidate or political  
12 committee shall be deposited by the treasurer or deputy treasurer in a  
13 depository in an account established and designated for that purpose.  
14 Such deposits shall be made within five business days of receipt of the  
15 contribution.

16 (2) Political committees (~~which~~) that support or oppose more than  
17 one candidate or ballot proposition, or exist for more than one  
18 purpose, may maintain multiple separate bank accounts within the same  
19 designated depository for such purpose(~~(:—PROVIDED, That)~~) only if:

20 (a) Each such account (~~shall~~) bears the same name;

21 (b) Each such account is followed by an appropriate designation  
22 (~~which~~) that accurately identifies its separate purpose(~~(:—AND~~  
23 PROVIDED FURTHER, That)); and

24 (c) Transfers of funds (~~which~~) that must be reported under RCW  
25 42.17.090(1)(~~(d) may~~) (e) (as recodified by this act) are not (~~be~~)  
26 made from more than one such account.

27 (3) Nothing in this section prohibits a candidate or political  
28 committee from investing funds on hand in a depository in bonds,  
29 certificates, or tax-exempt securities, or in savings accounts or other  
30 similar instruments in financial institutions, or in mutual funds other  
31 than the depository(~~(:—PROVIDED, That)~~) but only if:

32 (a) The commission and the appropriate county elections officer  
33 (~~is~~) are notified in writing of the initiation and the termination of  
34 the investment(~~(:—PROVIDED FURTHER, That)); and~~

35 (b) The principal of such investment, when terminated together with  
36 all interest, dividends, and income derived from the investment  
37 (~~are~~), is deposited in the depository in the account from which the

1 investment was made and properly reported to the commission and the  
2 appropriate county elections officer (~~(prior to)~~) before any further  
3 disposition or expenditure (~~(thereof)~~).

4 (4) Accumulated unidentified contributions, other than those made  
5 by persons whose names must be maintained on a separate and private  
6 list by a political committee's treasurer pursuant to RCW  
7 42.17.090(1)(b) (as recodified by this act), (~~(which total)~~) in excess  
8 of one percent of the total accumulated contributions received in the  
9 current calendar year, or three hundred dollars (~~(+)~~), whichever is  
10 more(~~(+)~~), may not be deposited, used, or expended, but shall be  
11 returned to the donor(~~(-)~~) if his or her identity can be ascertained.  
12 If the donor cannot be ascertained, the contribution shall escheat to  
13 the state(~~(-)~~) and shall be paid to the state treasurer for deposit in  
14 the state general fund.

15 (~~((5) A contribution of more than fifty dollars in currency may not  
16 be accepted unless a receipt, signed by the contributor and by the  
17 candidate, treasurer, or deputy treasurer, is prepared and made a part  
18 of the campaign's or political committee's financial records.))~~)

19 **Sec. 406.** RCW 42.17.065 and 2000 c 237 s 1 are each amended to  
20 read as follows:

21 (1) In addition to the provisions of this section, a continuing  
22 political committee shall file and report on the same conditions and at  
23 the same times as any other committee in accordance with the provisions  
24 of RCW 42.17.040, 42.17.050, and 42.17.060 (as recodified by this act).

25 (2) A continuing political committee shall file (~~(with the  
26 commission and the auditor or elections officer of the county in which  
27 the committee maintains its office or headquarters and if there is no  
28 such office or headquarters then in the county in which the committee  
29 treasurer resides)~~) a report on the tenth day of (~~(the)~~) each month  
30 detailing (~~(its activities)~~) expenditures made and contributions  
31 received for the preceding calendar month (~~(in which the committee has  
32 received a contribution or made an expenditure: PROVIDED, That such)~~).  
33 This report (~~(shall)~~) need only be filed if either the total  
34 contributions received or total expenditures made since the last such  
35 report exceed two hundred dollars(~~(: PROVIDED FURTHER, That after  
36 January 1, 2002, if the committee files with the commission  
37 electronically, it need not also file with the county auditor or~~

1 ~~elections officer~~). The report must be filed with the commission and  
2 the auditor or elections officer of the county in which the committee  
3 maintains its office or headquarters. If the committee does not have  
4 an office or headquarters, the report must be filed in the county where  
5 the committee treasurer resides. However, if the committee files with  
6 the commission electronically, it need not also file with the county  
7 auditor or elections officer. The report shall be on a form supplied  
8 by the commission and shall include the following information:

9 (a) The information required by RCW 42.17.090 (as recodified by  
10 this act);

11 (b) Each expenditure made to retire previously accumulated debts of  
12 the committee(~~+~~) identified by recipient, amount, and date of  
13 payments;

14 (c) (~~Such~~) Other information (~~as~~) the commission shall  
15 prescribe by rule (~~prescribe~~).

16 (3) If a continuing political committee (~~shall~~) makes a  
17 contribution in support of or in opposition to a candidate or ballot  
18 proposition within sixty days (~~prior to~~) before the date (~~on which~~  
19 ~~such~~) that the candidate or ballot proposition will be voted upon,  
20 (~~such continuing political~~) the committee shall report pursuant to  
21 RCW 42.17.080 (as recodified by this act).

22 (4) A continuing political committee shall file reports as required  
23 by this chapter until it is dissolved, at which time a final report  
24 shall be filed. Upon submitting a final report, the duties of the  
25 (~~campaign~~) treasurer shall cease and there shall be no obligation to  
26 make any further reports.

27 (5) The (~~campaign~~) treasurer shall maintain books of account,  
28 current within five business days, that accurately (~~reflecting~~)  
29 reflect all contributions and expenditures (~~on a current basis within~~  
30 ~~five business days of receipt or expenditure~~). During the eight days  
31 immediately preceding the date of any election(~~, for which~~) that the  
32 committee has received any contributions or made any expenditures, the  
33 books of account shall be kept current within one business day and  
34 shall be open for public inspection in the same manner as provided for  
35 candidates and other political committees in RCW 42.17.080(5) (as  
36 recodified by this act).

37 (6) All reports filed pursuant to this section shall be certified  
38 as correct by the (~~campaign~~) treasurer.

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

5 **Sec. 407.** RCW 42.17.067 and 1989 c 280 s 6 are each amended to  
6 read as follows:

7 (1) Fund-raising activities (~~which meet~~) meeting the standards of  
8 subsection (2) of this section may be reported in accordance with the  
9 provisions of this section in lieu of reporting in accordance with RCW  
10 42.17.080 (as recodified by this act).

11 (2) Standards:

12 (a) The activity consists of one or more of the following:

13 (i) (~~The retail~~) A sale of goods or services sold at a reasonable  
14 approximation of the fair market value of each item or service (~~sold~~  
15 ~~at the activity~~); or

16 (ii) A gambling operation (~~which~~) that is licensed, conducted, or  
17 operated in accordance with the provisions of chapter 9.46 RCW; or

18 (iii) A gathering where food and beverages are purchased (~~where~~)  
19 and the price of admission or the per person charge for the food and  
20 beverages is no more than twenty-five dollars; or

21 (iv) A concert, dance, theater performance, or similar  
22 entertainment event (~~where~~) and the price of admission is no more  
23 than twenty-five dollars; or

24 (v) An auction or similar sale (~~where~~) for which the total fair  
25 market value of items donated by any person (~~for sale~~) is no more  
26 than fifty dollars; and

27 (b) No person responsible for receiving money at (~~such~~) the fund-  
28 raising activity knowingly accepts payments from a single person at or  
29 from such an activity to the candidate or committee aggregating more  
30 than fifty dollars unless the name and address of the person making  
31 (~~such~~) the payment, together with the amount paid to the candidate or  
32 committee, are disclosed in the report filed pursuant to subsection (6)  
33 of this section; and

34 (c) (~~Such~~) Any other standards (~~as shall be~~) established by  
35 rule of the commission to prevent frustration of the purposes of this  
36 chapter.



1 (3) All funds received from a fund-raising activity (~~(which)~~) that  
2 conforms with subsection (2) of this section (~~(shall)~~) must be  
3 deposited in the depository within five business days of receipt by the  
4 treasurer or deputy treasurer (~~(in the depository)~~).

5 (4) At the time reports are required under RCW 42.17.080 (as  
6 recodified by this act), the treasurer or deputy treasurer making the  
7 deposit shall file with the commission and the appropriate county  
8 elections officer a report of the fund-raising activity which (~~(shall)~~)  
9 must contain the following information:

10 (a) The date of the activity;

11 (b) A precise description of the fund-raising methods used in the  
12 activity; and

13 (c) The total amount of cash receipts from persons, each of whom  
14 paid no more than fifty dollars.

15 (5) The treasurer or deputy treasurer shall certify the report is  
16 correct.

17 (6) The treasurer shall report pursuant to RCW 42.17.080 and  
18 42.17.090 (as recodified by this act):

19 (a) The name and address and the amount contributed (~~(of)~~) by each  
20 person (~~(who contributes)~~) contributing goods or services with a fair  
21 market value of more than fifty dollars to a fund-raising activity  
22 reported under subsection (4) of this section(~~(7)~~);i and

23 (b) The name and address (~~(of)~~) and the amount paid by each person  
24 whose identity can be ascertained, (~~(and the amount paid, from whom~~  
25 ~~were knowingly received payments)~~) who made a contribution to the  
26 candidate or committee aggregating more than fifty dollars at or from  
27 such a fund-raising activity.

28 **Sec. 408.** RCW 42.17.080 and 2008 c 73 s 1 are each amended to read  
29 as follows:

30 (1) In addition to the information required under RCW 42.17.040 and  
31 42.17.050 (as recodified by this act), on the day the treasurer is  
32 designated, each candidate or political committee (~~(shall)~~) must file  
33 with the commission and the county auditor or elections officer of the  
34 county in which the candidate resides, or in the case of a political  
35 committee, the county in which the treasurer resides, (~~(in addition to~~  
36 ~~any statement of organization required under RCW 42.17.040 or~~

1 ~~42.17.050,~~) a report of all contributions received and expenditures  
2 made prior to that date, if any.

3 (2) ~~((At the following intervals))~~ Each treasurer shall file with  
4 the commission and the county auditor or elections officer of the  
5 county in which the candidate resides, or in the case of a political  
6 committee, the county in which the committee maintains its office or  
7 headquarters, ~~((and if there is no office or headquarters then))~~ or in  
8 the county in which the treasurer resides if there is no office or  
9 headquarters, a report containing the information required by RCW  
10 42.17.090 (as recodified by this act) at the following intervals:

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

13 (b) On the tenth day of the first month after the election; and

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

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

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

35 (3) For the period beginning the first day of the fourth month  
36 preceding the date ~~((on which))~~ of the special election ~~((is held))~~, or  
37 for the period beginning the first day of the fifth month before the  
38 date ~~((on which))~~ of the general election ~~((is held))~~, and ending on

1 the date of that special or general election, each Monday the treasurer  
2 shall file with the commission and the appropriate county elections  
3 officer a report of each bank deposit made during the previous seven  
4 calendar days. The report shall contain the name of each person  
5 contributing the funds (~~((so deposited))~~) and the amount contributed by  
6 each person. However, (~~((contributions of))~~) persons who contribute no  
7 more than twenty-five dollars in the aggregate (~~((from any one person~~  
8 ~~may be deposited without identifying the contributor))~~) are not required  
9 to be identified in the report. A copy of the report shall be retained  
10 by the treasurer for his or her records. In the event of deposits made  
11 by a deputy treasurer, the copy shall be forwarded to the treasurer for  
12 his or her records. Each report shall be certified as correct by the  
13 treasurer or deputy treasurer making the 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  
16 (~~((so filing need not also))~~) complying with the requirement does not  
17 need to file the report with the county auditor or 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 (as  
24 recodified by this act), the books of account must be open for public  
25 inspection by appointment at the designated place for inspections  
26 between 8:00 a.m. and 8:00 p.m. on any day from the eighth day  
27 immediately before the election through the day immediately before the  
28 election, other than Saturday, Sunday, or a legal holiday. It is a  
29 violation of this chapter for a candidate or political committee to  
30 refuse to allow and keep an appointment for an inspection to be  
31 conducted during these authorized times and days. The appointment must  
32 be allowed at an authorized time and day for such inspections that is  
33 within twenty-four hours of the time and day that is requested for the  
34 inspection.

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

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

4       ~~(8))~~ Copies of all reports filed pursuant to this section shall be  
5 readily available for public inspection (~~for at least two consecutive~~  
6 ~~hours Monday through Friday, excluding legal holidays, between 8:00~~  
7 ~~a.m. and 8:00 p.m., as specified in the committee's statement of~~  
8 ~~organization filed pursuant to RCW 42.17.040)) by appointment, pursuant  
9 to subsection (5) of this section, at the principal headquarters or, if  
10 there is no headquarters, at the address of the treasurer or such other  
11 place as may be authorized by the commission.~~

12       ~~((9) After January 1, 2002,)~~ (7) A report that is filed with the  
13 commission electronically need not also be filed with the county  
14 auditor or elections officer.

15       ~~((10) The commission shall adopt administrative rules establishing~~  
16 ~~requirements for filer participation in any system designed and~~  
17 ~~implemented by the commission for the electronic filing of reports.))~~

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

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

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

31       **Sec. 409.** RCW 42.17.090 and 2003 c 123 s 1 are each amended to  
32 read as follows:

33       ~~((1))~~ Each report required under RCW 42.17.080 (1) and (2) (as  
34 recodified by this act) must be certified as correct by the treasurer  
35 and the candidate and shall disclose the following:

36       ~~((a))~~ (1) The funds on hand at the beginning of the period;

1        ~~((b))~~ (2) The name and address of each person who has made one or  
2 more contributions during the period, together with the money value and  
3 date of ~~((such))~~ each contribution~~((s))~~ and the aggregate value of all  
4 contributions received from each ~~((such))~~ person during the campaign,  
5 or in the case of a continuing political committee, the current  
6 calendar year~~((:—PROVIDED, That))~~, with the following exceptions:

7        (a) Pledges in the aggregate of less than one hundred dollars from  
8 any one person need not be reported~~((:—PROVIDED FURTHER, That the))~~;

9        (b) Income ~~((which))~~ that results from a fund-raising activity  
10 conducted in accordance with RCW 42.17.067 (as recodified by this act)  
11 may be reported as one lump sum, with the exception of that portion  
12 ~~((of such income which was))~~ received from persons whose names and  
13 addresses are required to be included in the report required by RCW  
14 42.17.067~~((:—PROVIDED FURTHER, That))~~ (as recodified by this act);

15        (c) Contributions of no more than twenty-five dollars in the  
16 aggregate from any one person during the election campaign may be  
17 reported as one lump sum ~~((so long as))~~ if the ~~((campaign))~~ treasurer  
18 maintains a separate and private list of the name, address, and amount  
19 of each such contributor~~((:—PROVIDED FURTHER, That))~~; and

20        (d) The money value of contributions of postage shall be the face  
21 value of ~~((such))~~ the postage;

22        ~~((e))~~ (3) Each loan, promissory note, or security instrument to  
23 be used by or for the benefit of the candidate or political committee  
24 made by any person, ~~((together with))~~ including the names and addresses  
25 of the lender and each person liable directly, indirectly or  
26 contingently and the date and amount of each such loan, promissory  
27 note, or security instrument;

28        ~~((d))~~ (4) All other contributions not otherwise listed or  
29 exempted;

30        ~~((e))~~ (5) The name and address of each candidate or political  
31 committee to which any transfer of funds was made, ~~((together with))~~  
32 including the amounts and dates of ~~((such))~~ the transfers;

33        ~~((f))~~ (6) The name and address of each person to whom an  
34 expenditure was made in the aggregate amount of more than fifty dollars  
35 during the period covered by this report, ~~((and))~~ the amount, date, and  
36 purpose of each ~~((such))~~ expenditure~~((.—A candidate for state  
37 executive or state legislative office or the political committee of  
38 such a candidate shall report this information for an expenditure under~~

1 ~~one of the following categories, whichever is appropriate: (i)~~  
2 ~~Expenditures for the election of the candidate; (ii) expenditures for~~  
3 ~~nonreimbursed public office related expenses; (iii) expenditures~~  
4 ~~required to be reported under (e) of this subsection; or (iv)~~  
5 ~~expenditures of surplus funds and other expenditures. The report of~~  
6 ~~such a candidate or committee shall contain a separate total of~~  
7 ~~expenditures for each category and a total sum of all expenditures.~~  
8 ~~Other candidates and political committees need not report information~~  
9 ~~regarding expenditures under the categories listed in (i) through (iv)~~  
10 ~~of this subsection or under similar such categories unless required to~~  
11 ~~do so by the commission by rule. The report of such an other candidate~~  
12 ~~or committee shall also contain)), and the total sum of all~~  
13 ~~expenditures;~~

14 ~~((g))~~ (7) The name and address of each person ~~((to whom any~~  
15 ~~expenditure was made directly or indirectly to compensate the person))~~  
16 directly compensated for soliciting or procuring signatures on an  
17 initiative or referendum petition, the amount of ~~((such))~~ the  
18 compensation to each ~~((such))~~ person, and the total ~~((of the))~~  
19 expenditures made for this purpose. Such expenditures shall be  
20 reported under this subsection ~~((1)(g) whether the expenditures are or~~  
21 ~~are not also))~~ in addition to what is required to be reported under  
22 ~~((f) of this))~~ subsection (6) of this section;

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

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

29 ~~((j))~~ (10) The disposition made in accordance with RCW 42.17.095  
30 (as recodified by this act) of any surplus funds; and

31 ~~((k) Such))~~ (11) Any other information ~~((as shall be))~~ required by  
32 the commission by rule in conformance with the policies and purposes of  
33 this chapter.

34 ~~((2) The treasurer and the candidate shall certify the correctness~~  
35 ~~of each report.))~~

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

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

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

19           ~~((3))~~ (2) Failure by a candidate or political committee to comply  
20 with this section is a violation of this chapter.

21           **Sec. 411.** RCW 42.17.093 and 2006 c 348 s 6 are each amended to  
22 read as follows:

23           (1) An out-of-state political committee organized for the purpose  
24 of supporting or opposing candidates or ballot propositions in another  
25 state that is not otherwise required to report under RCW 42.17.040  
26 through 42.17.090 (as recodified by this act) shall report as required  
27 in this section when it makes an expenditure supporting or opposing a  
28 Washington state candidate or political committee. The committee shall  
29 file with the commission a statement disclosing:

30           (a) Its name and address;

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

32           (c) The names, addresses, and titles of its officers or, if it has  
33 no officers, the names, addresses, and the titles of its responsible  
34 leaders;

35           (d) The name, office sought, and party affiliation of each  
36 candidate in the state of Washington whom the out-of-state committee is

1 supporting or opposing and, if (~~such~~) the committee is supporting or  
2 opposing the entire ticket of any party, the name of the party;

3 (e) The ballot proposition supported or opposed in the state of  
4 Washington, if any, and whether (~~such~~) the committee is in favor of  
5 or opposed to (~~such~~) that proposition;

6 (f) The name and address of each person residing in the state of  
7 Washington or corporation (~~which~~) that has a place of business in the  
8 state of Washington who has made one or more contributions in the  
9 aggregate of more than twenty-five dollars to the out-of-state  
10 committee during the current calendar year, together with the money  
11 value and date of (~~such~~) the contributions;

12 (g) The name, address, and employer of each person or corporation  
13 residing outside the state of Washington who has made one or more  
14 contributions in the aggregate of more than two thousand five hundred  
15 fifty dollars to the out-of-state committee during the current calendar  
16 year, together with the money value and date of (~~such~~) the  
17 contributions. Annually, the commission must modify the two thousand  
18 five hundred fifty dollar limit in this subsection based on percentage  
19 change in the implicit price deflator for personal consumption  
20 expenditures for the United States as published for the most recent  
21 twelve-month period by the bureau of economic analysis of the federal  
22 department of commerce;

23 (h) The name and address of each person in the state of Washington  
24 to whom an expenditure was made by the out-of-state committee with  
25 respect to a candidate or political committee in the aggregate amount  
26 of more than fifty dollars, the amount, date, and purpose of (~~such~~)  
27 the expenditure, and the total sum of (~~such~~) the expenditures; and

28 (i) (~~Such~~) Any other information as the commission may prescribe  
29 by rule in keeping with the policies and purposes of this chapter.

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

36 **Sec. 412.** RCW 42.17.100 and 1995 c 397 s 28 are each amended to  
37 read as follows:



1 (1) For the purposes of this section and RCW 42.17.550 (~~the term~~)  
2 (as recodified by this act), "independent expenditure" means any  
3 expenditure that is made in support of or in opposition to any  
4 candidate or ballot proposition and is not otherwise required to be  
5 reported pursuant to RCW 42.17.060, 42.17.080, or 42.17.090 (as  
6 recodified by this act). "Independent expenditure" does not include:  
7 An internal political communication primarily limited to the  
8 contributors to a political party organization or political action  
9 committee, or the officers, management staff, and stockholders of a  
10 corporation or similar enterprise, or the members of a labor  
11 organization or other membership organization; or the rendering of  
12 personal services of the sort commonly performed by volunteer campaign  
13 workers, or incidental expenses personally incurred by volunteer  
14 campaign workers not in excess of fifty dollars personally paid for by  
15 the worker. "Volunteer services," for the purposes of this section,  
16 means services or labor for which the individual is not compensated by  
17 any person.

18 (2) Within five days after the date of making an independent  
19 expenditure that by itself or when added to all other (~~such~~)  
20 independent expenditures made during the same election campaign by the  
21 same person equals one hundred dollars or more, or within five days  
22 after the date of making an independent expenditure for which no  
23 reasonable estimate of monetary value is practicable, whichever occurs  
24 first, the person who made the independent expenditure shall file with  
25 the commission and the county elections officer of the county of  
26 residence for the candidate supported or opposed by the independent  
27 expenditure (or in the case of an expenditure made in support of or in  
28 opposition to a local ballot proposition, the county of residence for  
29 the person making the expenditure) an initial report of all independent  
30 expenditures made during the campaign (~~prior to~~) before and including  
31 such date.

32 (3) At the following intervals each person who is required to file  
33 an initial report pursuant to subsection (2) of this section shall file  
34 with the commission and the county elections officer of the county of  
35 residence for the candidate supported or opposed by the independent  
36 expenditure (or in the case of an expenditure made in support of or in  
37 opposition to a ballot proposition, the county of residence for the

1 person making the expenditure) a further report of the independent  
2 expenditures made since the date of the last report:

3 (a) On the twenty-first day and the seventh day preceding the date  
4 on which the election is held; and

5 (b) On the tenth day of the first month after the election; and

6 (c) On the tenth day of each month in which no other reports are  
7 required to be filed pursuant to this section. However, the further  
8 reports required by this subsection (3) shall only be filed if the  
9 reporting person has made an independent expenditure since the date of  
10 the last previous report filed.

11 (4) The report filed pursuant to ~~((paragraph (a) of this))~~  
12 subsection (3)(a) of this section shall be the final report, and upon  
13 submitting such final report the duties of the reporting person shall  
14 cease, and there shall be no obligation to make any further reports.

15 ~~((+4))~~ (5) All reports filed pursuant to this section shall be  
16 certified as correct by the reporting person.

17 ~~((+5))~~ (6) Each report required by subsections (2) and (3) of this  
18 section shall disclose for the period beginning at the end of the  
19 period for the last previous report filed or, in the case of an initial  
20 report, beginning at the time of the first independent expenditure, and  
21 ending not more than one business day before the date the report is  
22 due:

23 (a) The name and address of the person filing the report;

24 (b) The name and address of each person to whom an independent  
25 expenditure was made in the aggregate amount of more than fifty  
26 dollars, and the amount, date, and purpose of each ~~((such))~~  
27 expenditure. If no reasonable estimate of the monetary value of a  
28 particular independent expenditure is practicable, it is sufficient to  
29 report instead a precise description of services, property, or rights  
30 furnished through the expenditure, and where appropriate, to attach a  
31 copy of the item produced or distributed by the expenditure;

32 (c) The total sum of all independent expenditures made during the  
33 campaign to date; and

34 ~~((Such))~~ Any other information ~~((as shall be required by))~~ the  
35 commission may require by rule ~~((in conformance with the policies and  
36 purposes of this chapter))~~.

1       **Sec. 413.** RCW 42.17.103 and 2005 c 445 s 7 are each amended to  
2 read as follows:

3       (1) The sponsor of political advertising who, within twenty-one  
4 days of an election, publishes, mails, or otherwise presents to the  
5 public political advertising supporting or opposing a candidate or  
6 ballot proposition that qualifies as an independent expenditure with a  
7 fair market value of one thousand dollars or more shall deliver, either  
8 electronically or in written form, a special report to the commission  
9 within twenty-four hours of, or on the first working day after, the  
10 date the political advertising is first published, mailed, or otherwise  
11 presented to the public.

12       (2) If a sponsor is required to file a special report under this  
13 section, the sponsor shall also deliver to the commission within the  
14 delivery period established in subsection (1) of this section a special  
15 report for each subsequent independent expenditure of any size  
16 supporting or opposing the same candidate who was the subject of the  
17 previous independent expenditure, supporting or opposing that  
18 candidate's opponent, or supporting or opposing the same ballot  
19 proposition that was the subject of the previous independent  
20 expenditure.

21       (3) The special report must include (~~at least~~):

22       (a) The name and address of the person making the expenditure;

23       (b) The name and address of the person to whom the expenditure was  
24 made;

25       (c) A detailed description of the expenditure;

26       (d) The date the expenditure was made and the date the political  
27 advertising was first published or otherwise presented to the public;

28       (e) The amount of the expenditure;

29       (f) The name of the candidate supported or opposed by the  
30 expenditure, the office being sought by the candidate, and whether the  
31 expenditure supports or opposes the candidate; or the name of the  
32 ballot proposition supported or opposed by the expenditure and whether  
33 the expenditure supports or opposes the ballot proposition; and

34       (g) Any other information the commission may require by rule.

35       (4) All persons required to report under RCW 42.17.065, 42.17.080,  
36 42.17.090, 42.17.100, and 42.17.565 (as recodified by this act) are  
37 subject to the requirements of this section. The commission may

1 determine that reports filed pursuant to this section also satisfy the  
2 requirements of RCW 42.17.100 (as recodified by this act).

3 (5) The sponsor of independent expenditures supporting a candidate  
4 or opposing that candidate's opponent required to report under this  
5 section shall file with each required report an affidavit or  
6 declaration of the person responsible for making the independent  
7 expenditure that the expenditure was not made in cooperation,  
8 consultation, or concert with, or at the request or suggestion of, the  
9 candidate, the candidate's authorized committee, or the candidate's  
10 agent, or with the encouragement or approval of the candidate, the  
11 candidate's authorized committee, or the candidate's agent.

12 **Sec. 414.** RCW 42.17.105 and 2001 c 54 s 2 are each amended to read  
13 as follows:

14 (1) ~~((Campaign))~~ Treasurers shall prepare and deliver to the  
15 commission a special report ~~((regarding any))~~ when a contribution or  
16 aggregate of contributions ~~((which:—Is))~~ totals one thousand dollars  
17 or more~~((+))~~, is from a single person or entity~~((+))~~, and is received  
18 during a special reporting period.

19 ~~((Any))~~ (2) A political committee ~~((making))~~ shall prepare and  
20 deliver to the commission a special report when it makes a contribution  
21 or an aggregate of contributions to a single entity ~~((which is))~~ that  
22 totals one thousand dollars or more ~~((shall also prepare and deliver to~~  
23 the commission the special report if the contribution or aggregate of  
24 contributions is made)) during a special reporting period.

25 ~~((For the purposes of subsections (1) through (7) of this section:~~  
26 ~~(a) Each of the following intervals is a))~~ (3) An aggregate of  
27 contributions includes only those contributions made to or received  
28 from a single entity during any one special reporting period. Any  
29 subsequent contribution of any size made to or received from the same  
30 person or entity during the special reporting period must also be  
31 reported.

32 (4) Special reporting periods, for purposes of this section,  
33 include: ~~((+))~~

34 (a) The ~~((interval beginning after the))~~ period ~~((covered by))~~  
35 beginning on the day after the last report required by RCW 42.17.080  
36 and 42.17.090 (as recodified by this act) to be filed before a primary  
37 and concluding on the end of the day before that primary; ~~((and (ii)))~~

1        (b) ~~The ((interval composed of the))~~ period twenty-one days  
2 preceding a general election; and

3        ~~((+b))~~ (c) An aggregate of contributions includes only those  
4 contributions received from a single entity during any one special  
5 reporting period or made by the contributing political committee to a  
6 single entity during any one special reporting period.

7        ~~((+2))~~ (5) If a campaign treasurer files a special report under  
8 this section for one or more contributions received from a single  
9 entity during a special reporting period, the treasurer shall also file  
10 a special report under this section for each subsequent contribution of  
11 any size which is received from that entity during the special  
12 reporting period. If a political committee files a special report  
13 under this section for a contribution or contributions made to a single  
14 entity during a special reporting period, the political committee shall  
15 also file a special report for each subsequent contribution of any size  
16 which is made to that entity during the special reporting period.

17        ~~((+3) Except as provided in subsection (4) of this section, the))~~  
18 (6) Special reports required by this section shall be delivered  
19 electronically or in written form, including but not limited to  
20 mailgram, telegram, or nightletter. The special report may be  
21 transmitted orally by telephone to the commission if the written form  
22 of the report is postmarked and mailed to the commission or the  
23 electronic filing is transferred to the commission within the delivery  
24 periods established in (a) and (b) of this subsection.

25        (a) The special report required of a contribution recipient ~~((by))~~  
26 under subsection (1) of this section shall be delivered to the  
27 commission within forty-eight hours of the time, or on the first  
28 working day after: The contribution of one thousand dollars or more is  
29 received by the candidate or treasurer; the aggregate received by the  
30 candidate or treasurer first equals one thousand dollars or more; or  
31 ~~((the))~~ any subsequent contribution ~~((that must be reported under~~  
32 ~~subsection (2) of this section))~~ from the same source is received by  
33 the candidate or treasurer.

34        (b) The special report required of a contributor ~~((by))~~ under  
35 subsection ~~((+1))~~ (2) of this section or RCW 42.17.175 (as recodified  
36 by this act) shall be delivered to the commission, and the candidate or  
37 political committee to whom the contribution or contributions are made,  
38 within twenty-four hours of the time, or on the first working day

1 after: The contribution is made; the aggregate of contributions made  
2 first equals one thousand dollars or more; or ~~((the))~~ any subsequent  
3 contribution ~~((that must be reported under subsection (2) of this~~  
4 ~~section))~~ to the same person or entity is made.

5 ~~((4) The special report may be transmitted orally by telephone to~~  
6 ~~the commission to satisfy the delivery period required by subsection~~  
7 ~~(3) of this section if the written form of the report is also mailed to~~  
8 ~~the commission and postmarked within the delivery period established in~~  
9 ~~subsection (3) of this section or the file transfer date of the~~  
10 ~~electronic filing is within the delivery period established in~~  
11 ~~subsection (3) of this section.~~

12 ~~(5))~~ (7) The special report shall include ~~((at least))~~:

13 (a) The amount of the contribution or contributions;

14 (b) The date or dates of receipt;

15 (c) The name and address of the donor;

16 (d) The name and address of the recipient; and

17 (e) Any other information the commission may by rule require.

18 ~~((6))~~ (8) Contributions reported under this section shall also be  
19 reported as required by other provisions of this chapter.

20 ~~((7))~~ (9) The commission shall prepare daily a summary of the  
21 special reports made under this section and RCW 42.17.175 (as  
22 recodified by this act).

23 ~~((8) It is a violation of this chapter for any person to make, or~~  
24 ~~for any candidate or political committee to accept from any one person,~~  
25 ~~contributions reportable under RCW 42.17.090 in the aggregate exceeding~~  
26 ~~fifty thousand dollars for any campaign for statewide office or~~  
27 ~~exceeding five thousand dollars for any other campaign subject to the~~  
28 ~~provisions of this chapter within twenty one days of a general~~  
29 ~~election. This subsection does not apply to contributions made by, or~~  
30 ~~accepted from, a bona fide political party as defined in this chapter,~~  
31 ~~excluding the county central committee or legislative district~~  
32 ~~committee.~~

33 ~~(9))~~ (10) Contributions governed by this section include, but are  
34 not limited to, contributions made or received indirectly through a  
35 third party or entity whether the contributions are or are not reported  
36 to the commission as earmarked contributions under RCW 42.17.135 (as  
37 recodified by this act).

1       **Sec. 415.** RCW 42.17.550 and 1993 c 2 s 23 are each amended to read  
2 as follows:

3       A person or entity, other than a party organization making an  
4 independent expenditure ~~((by))~~ that consists of mailing one thousand or  
5 more identical or nearly identical cumulative pieces of political  
6 advertising in a single calendar year shall ~~((r))~~ report that activity.  
7 The report must be made within two working days after the date of the  
8 mailing, ~~((file a statement))~~ disclosing the number of pieces in the  
9 mailing and an example of the mailed political advertising ~~((with)).~~  
10 The report must be sent to the election officer of the county ~~((or))~~ of  
11 residence ~~((for))~~ of the candidate supported or opposed by the  
12 independent campaign expenditure ~~((or r)).~~ In the case of an  
13 expenditure made in support of or in opposition to a ballot  
14 proposition, the report must be sent to the county of residence ~~((for))~~  
15 of the person making the expenditure.

16       **Sec. 416.** RCW 42.17.135 and 1989 c 280 s 13 are each amended to  
17 read as follows:

18       A ~~((candidate or))~~ political committee receiving a contribution  
19 earmarked for the benefit of ~~((another))~~ a candidate or another  
20 political committee shall:

21       (1) Report the contribution as required in RCW 42.17.080 and  
22 42.17.090 (as recodified by this act);

23       (2) Complete a report, entitled "Earmarked contributions," on a  
24 form prescribed by the commission ~~((by rule, which))~~ that identifies  
25 the name and address of the person who made the contribution, the  
26 candidate or political committee for whose benefit the contribution is  
27 earmarked, the amount of the contribution, and the date ~~((on which))~~  
28 that the contribution was received; and

29       (3) ~~((Notify))~~ Mail or deliver to the commission and the candidate  
30 or political committee ~~((for whose benefit))~~ benefiting from the  
31 contribution ~~((is earmarked regarding the receipt of the contribution~~  
32 ~~by mailing or delivering to the commission and to the candidate or~~  
33 ~~committee))~~ a copy of the "Earmarked contributions" report within two  
34 working days of receipt of the contribution. ~~((Such notice shall be~~  
35 ~~given within two working days of receipt of the contribution.))~~

36       (4) A candidate or political committee receiving notification of an  
37 earmarked contribution under subsection (3) of this section shall

1 report the contribution, once notification of the contribution is  
2 received by the candidate or committee, in the same manner as ((~~the~~  
3 ~~receipt of~~)) any other contribution ((~~is disclosed in reports~~)), as  
4 required by RCW 42.17.080 and 42.17.090 (as recodified by this act).

5 **PART 5**

6 **POLITICAL ADVERTISING AND ELECTIONEERING COMMUNICATIONS**

7 **Sec. 501.** RCW 42.17.561 and 2005 c 445 s 1 are each amended to  
8 read as follows:

9 (1) The legislature finds that:

10 ((~~1~~)) (a) Timely disclosure to voters of the identity and sources  
11 of funding for electioneering communications is vitally important to  
12 the integrity of state, local, and judicial elections.

13 ((~~2~~)) (b) Electioneering communications that identify political  
14 candidates for state, local, or judicial office and that are  
15 distributed sixty days before an election for those offices are  
16 intended to influence voters and the outcome of those elections.

17 ((~~3~~)) (c) The state has a compelling interest in providing voters  
18 information about electioneering communications in political campaigns  
19 concerning candidates for state, local, or judicial office so that  
20 voters can be fully informed as to the: ((~~a~~)) (i) Source of support  
21 or opposition to those candidates; and ((~~b~~)) (ii) identity of persons  
22 attempting to influence the outcome of state, local, and judicial  
23 candidate elections.

24 ((~~4~~)) (d) Nondisclosure of financial information about  
25 advertising that masquerades as relating only to issues and not to  
26 candidate campaigns fosters corruption or the appearance of corruption.  
27 These consequences can be substantially avoided by full disclosure of  
28 the identity and funding of those persons paying for such advertising.

29 ((~~5~~)) (e) The United States supreme court held in *McConnell et*  
30 *al. v. Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157  
31 L.Ed.2d 491 (2003) that speakers seeking to influence elections do not  
32 possess an inviolable free speech right to engage in electioneering  
33 communications regarding elections, including when issue advocacy is  
34 the functional equivalent of express advocacy. Therefore, such  
35 election campaign communications can be regulated and the source of  
36 funding disclosed.



1       (~~(6)~~) (f) The state (~~(also)~~) has a sufficiently compelling  
2 interest in preventing corruption in political campaigns to justify and  
3 restore contribution limits and restrictions on the use of soft money  
4 in RCW 42.17.640 (as recodified by this act). Those interests include  
5 restoring restrictions on the use of such funds for electioneering  
6 communications, as well as the laws preventing circumvention of those  
7 limits and restrictions.

8       (2) Based upon the findings in this section, chapter 445, Laws of  
9 2005 is narrowly tailored to accomplish the following and is intended  
10 to:

11       (a) Improve the disclosure to voters of information concerning  
12 persons and entities seeking to influence state, local, and judicial  
13 campaigns through reasonable and effective mechanisms, including  
14 improving disclosure of the source, identity, and funding of  
15 electioneering communications concerning state, local, and judicial  
16 candidate campaigns;

17       (b) Regulate electioneering communications that mention state,  
18 local, and judicial candidates and that are broadcast, mailed, erected,  
19 distributed, or otherwise published right before the election so that  
20 the public knows who is paying for such communications;

21       (c) Reenact and amend the contribution limits in RCW 42.17.640 (7)  
22 and (15) (as recodified by this act) and the restrictions on the use of  
23 soft money, including as applied to electioneering communications, as  
24 those limits and restrictions were in effect following the passage of  
25 chapter 2, Laws of 1993 (Initiative Measure No. 134) and before the  
26 state supreme court decision in *Washington State Republican Party v.*  
27 *Washington State Public Disclosure Commission*, 141 Wn.2d 245, 4 P.3d  
28 808 (2000). The commission is authorized to fully restore the  
29 implementation of the limits and restrictions of RCW 42.17.640 (7) and  
30 (15) (as recodified by this act) in light of *McConnell et al. v.*  
31 *Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157 L.Ed.2d  
32 491 (2003). The United States supreme court upheld the disclosure and  
33 regulation of electioneering communications in political campaigns,  
34 including but not limited to issue advocacy that is the functional  
35 equivalent of express advocacy; and

36       (d) Authorize the commission to adopt rules to implement chapter  
37 445, Laws of 2005.

1       **Sec. 502.** RCW 42.17.565 and 2005 c 445 s 3 are each amended to  
2 read as follows:

3       (1) A payment for or promise to pay for any electioneering  
4 communication shall be reported to the commission by the sponsor on  
5 forms the commission shall develop by rule to include, at a minimum,  
6 the following information:

7       (a) Name and address of the sponsor;

8       (b) Source of funds for the communication, including:

9       (i) General treasury funds. The name and address of businesses,  
10 unions, groups, associations, or other organizations using general  
11 treasury funds for the communication, however, if a business, union,  
12 group, association, or other organization undertakes a special  
13 solicitation of its members or other persons for an electioneering  
14 communication, or it otherwise receives funds for an electioneering  
15 communication, that entity shall report pursuant to (b)(ii) of this  
16 subsection;

17       (ii) Special solicitations and other funds. The name, address,  
18 and, for individuals, occupation and employer, of a person whose funds  
19 were used to pay for the electioneering communication, along with the  
20 amount, if such funds from the person have exceeded two hundred fifty  
21 dollars in the aggregate for the electioneering communication; and

22       (iii) Any other source information required or exempted by the  
23 commission by rule;

24       (c) Name and address of the person to whom an electioneering  
25 communication related expenditure was made;

26       (d) A detailed description of each expenditure of more than one  
27 hundred dollars;

28       (e) The date the expenditure was made and the date the  
29 electioneering communication was first broadcast, transmitted, mailed,  
30 erected, distributed, or otherwise published;

31       (f) The amount of the expenditure;

32       (g) The name of each candidate clearly identified in the  
33 electioneering communication, the office being sought by each  
34 candidate, and the amount of the expenditure attributable to each  
35 candidate; and

36       (h) Any other information the commission may require or exempt by  
37 rule.

1 (2) Electioneering communications shall be reported as follows:  
2 The sponsor of an electioneering communication shall report to the  
3 commission within twenty-four hours of, or on the first working day  
4 after, the date the electioneering communication is broadcast,  
5 transmitted, mailed, erected, distributed, or otherwise published.

6 (3) Electioneering communications shall be reported electronically  
7 by the sponsor using software provided or approved by the commission.  
8 The commission may make exceptions on a case-by-case basis for a  
9 sponsor who lacks the technological ability to file reports using the  
10 electronic means provided or approved by the commission.

11 (4) All persons required to report under RCW 42.17.065, 42.17.080,  
12 42.17.090, and 42.17.100 (as recodified by this act) are subject to the  
13 requirements of this section, although the commission may determine by  
14 rule that persons filing according to those sections may be exempt from  
15 reporting some of the information otherwise required by this section.  
16 The commission may determine that reports filed pursuant to this  
17 section also satisfy the requirements of RCW 42.17.100 and 42.17.103  
18 (as recodified by this act).

19 (5) Failure of any sponsor to report electronically under this  
20 section shall be a violation of this chapter.

21 **Sec. 503.** RCW 42.17.570 and 2005 c 445 s 4 are each amended to  
22 read as follows:

23 (1) An electioneering communication made by a person in  
24 cooperation, consultation, or concert with, or at the request or  
25 suggestion of, a candidate, a candidate's authorized committee, or  
26 their agents is a contribution to the candidate.

27 (2) An electioneering communication made by a person in  
28 cooperation, consultation, or concert with, or at the request or  
29 suggestion of, a political committee or its agents is a contribution to  
30 the political committee.

31 (3) If an electioneering communication is not a contribution  
32 pursuant to subsection (1) or (2) of this section, the sponsor shall  
33 file an affidavit or declaration so stating at the time the sponsor is  
34 required to report the electioneering communication expense under RCW  
35 42.17.565 (as recodified by this act).

1           **Sec. 504.** RCW 42.17.575 and 2005 c 445 s 5 are each amended to  
2 read as follows:

3           (1) The sponsor of an electioneering communication shall preserve  
4 all financial records relating to the communication, including books of  
5 account, bills, receipts, contributor information, and ledgers, for not  
6 less than five calendar years following the year in which the  
7 communication was broadcast, transmitted, mailed, erected, or otherwise  
8 published.

9           (2) All reports filed under RCW 42.17.565 (as recodified by this  
10 act) shall be certified as correct by the sponsor. If the sponsor is  
11 an individual using his or her own funds to pay for the communication,  
12 the certification shall be signed by the individual. If the sponsor is  
13 a political committee, the certification shall be signed by the  
14 committee treasurer. If the sponsor is another entity, the  
15 certification shall be signed by the individual responsible for  
16 authorizing the expenditure on the entity's behalf.

17           **Sec. 505.** RCW 42.17.510 and 2005 c 445 s 9 are each amended to  
18 read as follows:

19           (1) All written political advertising, whether relating to  
20 candidates or ballot propositions, shall include the sponsor's name and  
21 address. All radio and television political advertising, whether  
22 relating to candidates or ballot propositions, shall include the  
23 sponsor's name. The use of an assumed name for the sponsor of  
24 electioneering communications, independent expenditures, or political  
25 advertising shall be unlawful. For partisan office, if a candidate has  
26 expressed a party or independent preference on the declaration of  
27 candidacy, that party or independent designation shall be clearly  
28 identified in electioneering communications, independent expenditures,  
29 or political advertising.

30           (2) In addition to the ~~((materials))~~ information required by  
31 subsection (1) of this section, except as specifically addressed in  
32 subsections (4) and (5) of this section, all political advertising  
33 undertaken as an independent expenditure or an electioneering  
34 communication by a person or entity other than a bona fide political  
35 party ~~((organization, and all electioneering communications,))~~ must  
36 include as part of the communication:

1       ~~(a) The ((following)) statement ((as part of the communication~~  
2 ~~"NOTICE TO VOTERS (Required by law): This advertisement is not~~  
3 ~~authorized or approved by any candidate)):~~ "No candidate authorized  
4 this ad. It is paid for by (name, address, city, state)((-))";

5       ~~(b) If the ((advertisement undertaken as an independent expenditure~~  
6 ~~or electioneering communication is undertaken by a nonindividual other~~  
7 ~~than a party organization, then the following notation must also be~~  
8 ~~included))~~ sponsor is a political committee, the statement: "Top Five  
9 Contributors," followed by a listing of the names of the five persons  
10 or entities making the largest contributions in excess of seven hundred  
11 dollars reportable under this chapter during the twelve-month period  
12 before the date of the advertisement or communication; and

13       ~~(c) If the sponsor is a political committee established,~~  
14 ~~maintained, or controlled directly, or indirectly through the formation~~  
15 ~~of one or more political committees, by an individual, corporation,~~  
16 ~~union, association, or other entity, the full name of that individual~~  
17 ~~or entity.~~

18       (3) The ~~((statements and listings of contributors))~~ information  
19 required by subsections (1) and (2) of this section shall:

20       (a) Appear on the first page or fold of the written advertisement  
21 or communication in at least ten-point type, or in type at least ten  
22 percent of the largest size type used in a written advertisement or  
23 communication directed at more than one voter, such as a billboard or  
24 poster, whichever is larger;

25       (b) Not be subject to the half-tone or screening process; and

26       (c) Be set apart from any other printed matter.

27       (4) In an independent expenditure or electioneering communication  
28 transmitted via television or other medium that includes a visual  
29 image, the following statement must either be clearly spoken, or appear  
30 in print and be visible for at least four seconds, appear in letters  
31 greater than four percent of the visual screen height, and have a  
32 reasonable color contrast with the background: "No candidate  
33 authorized this ad. Paid for by (name, city, state)." If the  
34 advertisement or communication is undertaken by a nonindividual other  
35 than a party organization, then the following notation must also be  
36 included: "Top Five Contributors" followed by a listing of the names  
37 of the five persons or entities making the largest contributions in  
38 excess of seven hundred dollars reportable under this chapter during

1 the twelve-month period before the date of the advertisement.  
2 Abbreviations may be used to describe contributing entities if the full  
3 name of the entity has been clearly spoken previously during the  
4 broadcast advertisement.

5 (5) The following statement shall be clearly spoken in an  
6 independent expenditure or electioneering communication transmitted by  
7 a method that does not include a visual image: "No candidate  
8 authorized this ad. Paid for by (name, city, state)." If the  
9 independent expenditure or electioneering communication is undertaken  
10 by a nonindividual other than a party organization, then the following  
11 statement must also be included: "Top Five Contributors" followed by  
12 a listing of the names of the five persons or entities making the  
13 largest contributions in excess of seven hundred dollars reportable  
14 under this chapter during the twelve-month period before the date of  
15 the advertisement. Abbreviations may be used to describe contributing  
16 entities if the full name of the entity has been clearly spoken  
17 previously during the broadcast advertisement.

18 (6) Political yard signs are exempt from the requirement of  
19 subsections (1) and (2) of this section that the name and address of  
20 the sponsor of political advertising be listed on the advertising. In  
21 addition, the public disclosure commission shall, by rule, exempt from  
22 the identification requirements of subsections (1) and (2) of this  
23 section forms of political advertising such as campaign buttons,  
24 balloons, pens, pencils, sky-writing, inscriptions, and other forms of  
25 advertising where identification is impractical.

26 (7) For the purposes of this section, "yard sign" means any outdoor  
27 sign with dimensions no greater than eight feet by four feet.

28 **Sec. 506.** RCW 42.17.520 and 1984 c 216 s 2 are each amended to  
29 read as follows:

30 At least one picture of the candidate used in any political  
31 advertising shall have been taken within the last five years and shall  
32 be no smaller than (~~the largest~~) any other picture of the same  
33 candidate used in the same advertisement.

34 **Sec. 507.** RCW 42.17.540 and 1984 c 216 s 4 are each amended to  
35 read as follows:

36 (1) Except as provided in subsection (2) of this section, the

1 responsibility for compliance with RCW 42.17.510 through 42.17.530 (as  
2 recodified by this act) shall (~~rest~~) be with the sponsor of the  
3 political advertising and not with the broadcasting station or other  
4 medium.

5 (2) If a broadcasting station or other medium changes the content  
6 of a political advertisement, the station or medium shall be  
7 responsible for any failure of the advertisement to comply with RCW  
8 42.17.510 through 42.17.530 (as recodified by this act) that results  
9 from that change.

10 **Sec. 508.** RCW 42.17.110 and 2005 c 445 s 8 are each amended to  
11 read as follows:

12 (1) Each commercial advertiser who has accepted or provided  
13 political advertising or electioneering communications during the  
14 election campaign shall maintain documents and books of account that  
15 shall be open for public inspection during normal business hours during  
16 the campaign and for a period of no less than three years after the  
17 date of the applicable election(~~, during normal business hours,~~).  
18 The documents and books of account (~~which~~) shall specify:

19 (a) The names and addresses of persons from whom it accepted  
20 political advertising or electioneering communications;

21 (b) The exact nature and extent of the services rendered; and

22 (c) The (~~consideration~~) total cost and the manner of (~~paying~~  
23 ~~that consideration for such~~) payment for the services.

24 (2) At the request of the commission, each commercial advertiser  
25 (~~which must~~) required to comply with subsection (1) of this section  
26 shall deliver to the commission(~~, upon its request,~~) copies of  
27 (~~such~~) the information (~~as~~) that must be maintained and be open for  
28 public inspection pursuant to subsection (1) of this section.

29 **PART 6**

30 **CAMPAIGN CONTRIBUTION LIMITS AND OTHER RESTRICTIONS**

31 **Sec. 601.** RCW 42.17.610 and 1993 c 2 s 1 are each amended to read  
32 as follows:

33 (1) The people of the state of Washington find and declare that:

34 (~~(1)~~) (a) The financial strength of certain individuals or

1 organizations should not permit them to exercise a disproportionate or  
2 controlling influence on the election of candidates.

3 ~~((+2))~~ (b) Rapidly increasing political campaign costs have led  
4 many candidates to raise larger percentages of money from special  
5 interests with a specific financial stake in matters before state  
6 government. This has caused the public perception that decisions of  
7 elected officials are being improperly influenced by monetary  
8 contributions.

9 ~~((+3))~~ (c) Candidates are raising less money in small  
10 contributions from individuals and more money from special interests.  
11 This has created the public perception that individuals have an  
12 insignificant role to play in the political process.

- 13 (2) By limiting campaign contributions, the people intend to:  
14 (a) Ensure that individuals and interest groups have fair and equal  
15 opportunity to influence elective and governmental processes;  
16 (b) Reduce the influence of large organizational contributors; and  
17 (c) Restore public trust in governmental institutions and the  
18 electoral process.

19 **Sec. 602.** RCW 42.17.640 and 2006 c 348 s 1 are each amended to  
20 read as follows:

- 21 (1) The contribution limits in this section apply to:  
22 (a) Candidates for ~~((state))~~ legislative office;  
23 (b) Candidates for state office other than ~~((state))~~ legislative  
24 office;  
25 (c) Candidates for county office in a county that has over two  
26 hundred thousand registered voters;  
27 (d) Candidates for special purpose district office if that district  
28 is authorized to provide freight and passenger transfer and terminal  
29 facilities and that district has over two hundred thousand registered  
30 voters;  
31 (e) Persons holding an office in (a) through (d) of this subsection  
32 against whom recall charges have been filed or to a political committee  
33 having the expectation of making expenditures in support of the recall  
34 of a person holding the office;  
35 (f) Caucus political committees;  
36 (g) Bona fide political parties.



1 (2) No person, other than a bona fide political party or a caucus  
2 political committee, may make contributions to a candidate for a  
3 ((state)) legislative office or county office that in the aggregate  
4 exceed ((seven)) eight hundred dollars or to a candidate for a public  
5 office in a special purpose district or a state office other than a  
6 ((state)) legislative office that in the aggregate exceed one thousand  
7 ((four)) six hundred dollars for each election in which the candidate  
8 is on the ballot or appears as a write-in candidate. Contributions to  
9 candidates subject to the limits in this section made with respect to  
10 a primary may not be made after the date of the primary. However,  
11 contributions to a candidate or a candidate's authorized committee may  
12 be made with respect to a primary until thirty days after the primary,  
13 subject to the following limitations: (a) The candidate lost the  
14 primary; (b) the candidate's authorized committee has insufficient  
15 funds to pay debts outstanding as of the date of the primary; and (c)  
16 the contributions may only be raised and spent to satisfy the  
17 outstanding debt. Contributions to candidates subject to the limits in  
18 this section made with respect to a general election may not be made  
19 after the final day of the applicable election cycle.

20 (3) No person, other than a bona fide political party or a caucus  
21 political committee, may make contributions to a state official, a  
22 county official, or a public official in a special purpose district  
23 against whom recall charges have been filed, or to a political  
24 committee having the expectation of making expenditures in support of  
25 the recall of the state official, county official, or public official  
26 in a special purpose district during a recall campaign that in the  
27 aggregate exceed ((seven)) eight hundred dollars if for a ((state))  
28 legislative office or county office or one thousand ((four)) six  
29 hundred dollars if for a special purpose district office or a state  
30 office other than a ((state)) legislative office.

31 (4)(a) Notwithstanding subsection (2) of this section, no bona fide  
32 political party or caucus political committee may make contributions to  
33 a candidate during an election cycle that in the aggregate exceed (i)  
34 ((seventy)) eighty cents multiplied by the number of eligible  
35 registered voters in the jurisdiction from which the candidate is  
36 elected if the contributor is a caucus political committee or the  
37 governing body of a state organization, or (ii) ((thirty-five)) forty

1 cents multiplied by the number of registered voters in the jurisdiction  
2 from which the candidate is elected if the contributor is a county  
3 central committee or a legislative district committee.

4 (b) No candidate may accept contributions from a county central  
5 committee or a legislative district committee during an election cycle  
6 that when combined with contributions from other county central  
7 committees or legislative district committees would in the aggregate  
8 exceed (~~(thirty-five))~~ forty cents times the number of registered  
9 voters in the jurisdiction from which the candidate is elected.

10 (5)(a) Notwithstanding subsection (3) of this section, no bona fide  
11 political party or caucus political committee may make contributions to  
12 a state official, county official, or a public official in a special  
13 purpose district against whom recall charges have been filed, or to a  
14 political committee having the expectation of making expenditures in  
15 support of the state official, county official, or a public official in  
16 a special purpose district during a recall campaign that in the  
17 aggregate exceed (i) (~~(seventy))~~ eighty cents multiplied by the number  
18 of eligible registered voters in the jurisdiction entitled to recall  
19 the state official if the contributor is a caucus political committee  
20 or the governing body of a state organization, or (ii) (~~(thirty-five))~~  
21 forty cents multiplied by the number of registered voters in the  
22 jurisdiction from which the candidate is elected if the contributor is  
23 a county central committee or a legislative district committee.

24 (b) No official holding an office specified in subsection (1) of  
25 this section against whom recall charges have been filed, no authorized  
26 committee of the official, and no political committee having the  
27 expectation of making expenditures in support of the recall of the  
28 official may accept contributions from a county central committee or a  
29 legislative district committee during an election cycle that when  
30 combined with contributions from other county central committees or  
31 legislative district committees would in the aggregate exceed (~~(thirty-~~  
32 ~~five))~~ forty cents multiplied by the number of registered voters in the  
33 jurisdiction from which the candidate is elected.

34 (6) For purposes of determining contribution limits under  
35 subsections (4) and (5) of this section, the number of eligible  
36 registered voters in a jurisdiction is the number at the time of the  
37 most recent general election in the jurisdiction.

1 (7) Notwithstanding subsections (2) through (5) of this section, no  
2 person other than an individual, bona fide political party, or caucus  
3 political committee may make contributions reportable under this  
4 chapter to a caucus political committee that in the aggregate exceed  
5 (~~seven~~) eight hundred dollars in a calendar year or to a bona fide  
6 political party that in the aggregate exceed (~~three~~) four thousand  
7 (~~five hundred~~) dollars in a calendar year. This subsection does not  
8 apply to loans made in the ordinary course of business.

9 (8) For the purposes of RCW 42.17.640 through 42.17.790 (as  
10 recodified by this act), a contribution to the authorized political  
11 committee of a candidate or of an official specified in subsection (1)  
12 of this section against whom recall charges have been filed is  
13 considered to be a contribution to the candidate or official.

14 (9) A contribution received within the twelve-month period after a  
15 recall election concerning an office specified in subsection (1) of  
16 this section is considered to be a contribution during that recall  
17 campaign if the contribution is used to pay a debt or obligation  
18 incurred to influence the outcome of that recall campaign.

19 (10) The contributions allowed by subsection (3) of this section  
20 are in addition to those allowed by subsection (2) of this section, and  
21 the contributions allowed by subsection (5) of this section are in  
22 addition to those allowed by subsection (4) of this section.

23 (11) RCW 42.17.640 through 42.17.790 (as recodified by this act)  
24 apply to a special election conducted to fill a vacancy in an office  
25 specified in subsection (1) of this section. However, the  
26 contributions made to a candidate or received by a candidate for a  
27 primary or special election conducted to fill such a vacancy shall not  
28 be counted toward any of the limitations that apply to the candidate or  
29 to contributions made to the candidate for any other primary or  
30 election.

31 (12) Notwithstanding the other subsections of this section, no  
32 corporation or business entity not doing business in Washington state,  
33 no labor union with fewer than ten members who reside in Washington  
34 state, and no political committee that has not received contributions  
35 of ten dollars or more from at least ten persons registered to vote in  
36 Washington state during the preceding one hundred eighty days may make  
37 contributions reportable under this chapter to a state office  
38 candidate, to a state official against whom recall charges have been

1 filed, or to a political committee having the expectation of making  
2 expenditures in support of the recall of the official. This subsection  
3 does not apply to loans made in the ordinary course of business.

4 (13) Notwithstanding the other subsections of this section, no  
5 county central committee or legislative district committee may make  
6 contributions reportable under this chapter to a candidate specified in  
7 subsection (1) of this section, or an official specified in subsection  
8 (1) of this section against whom recall charges have been filed, or  
9 political committee having the expectation of making expenditures in  
10 support of the recall of an official specified in subsection (1) of  
11 this section if the county central committee or legislative district  
12 committee is outside of the jurisdiction entitled to elect the  
13 candidate or recall the official.

14 (14) No person may accept contributions that exceed the  
15 contribution limitations provided in this section.

16 (15) The following contributions are exempt from the contribution  
17 limits of this section:

18 (a) An expenditure or contribution earmarked for voter  
19 registration, for absentee ballot information, for precinct caucuses,  
20 for get-out-the-vote campaigns, for precinct judges or inspectors, for  
21 sample ballots, or for ballot counting, all without promotion of or  
22 political advertising for individual candidates; (~~or~~)

23 (b) An expenditure by a political committee for its own internal  
24 organization or fund-raising without direct association with individual  
25 candidates; or

26 (c) An expenditure or contribution for independent expenditures as  
27 defined in RCW 42.17.020 or electioneering communications as defined in  
28 RCW 42.17.020.

29 **Sec. 603.** RCW 42.17.645 and 2006 c 348 s 2 are each amended to  
30 read as follows:

31 (1) No person may make contributions to a candidate for judicial  
32 office that in the aggregate exceed one thousand (~~four~~) six hundred  
33 dollars for each election in which the candidate is on the ballot or  
34 appears as a write-in candidate. Contributions made with respect to a  
35 primary may not be made after the date of the primary. However,  
36 contributions to a candidate or a candidate's authorized committee may  
37 be made with respect to a primary until thirty days after the primary,

1 subject to the following limitations: (a) The candidate lost the  
2 primary; (b) the candidate's authorized committee has insufficient  
3 funds to pay debts outstanding as of the date of the primary; and (c)  
4 the contributions may only be raised and spent to satisfy the  
5 outstanding debt. Contributions made with respect to a general  
6 election may not be made after the final day of the applicable election  
7 cycle.

8 (2) This section through RCW 42.17.790 (as recodified by this act)  
9 apply to a special election conducted to fill a vacancy in an office.  
10 However, the contributions made to a candidate or received by a  
11 candidate for a primary or special election conducted to fill such a  
12 vacancy will not be counted toward any of the limitations that apply to  
13 the candidate or to contributions made to the candidate for any other  
14 primary or election.

15 (3) No person may accept contributions that exceed the contribution  
16 limitations provided in this section.

17 (4) The dollar limits in this section must be adjusted according to  
18 RCW 42.17.690 (as recodified by this act).

19 NEW SECTION. **Sec. 604.** REPORTABLE CONTRIBUTIONS--PREELECTION  
20 LIMITATIONS. (1) It is a violation of this chapter for any person to  
21 make, or for any candidate or political committee to accept from any  
22 one person, contributions reportable under RCW 42.17.090 (as recodified  
23 by this act) in the aggregate exceeding fifty thousand dollars for any  
24 campaign for statewide office or exceeding five thousand dollars for  
25 any other campaign subject to the provisions of this chapter within  
26 twenty-one days of a general election. This subsection does not apply  
27 to contributions made by, or accepted from, a bona fide political party  
28 as defined in this chapter, excluding the county central committee or  
29 legislative district committee.

30 (2) Contributions governed by this section include, but are not  
31 limited to, contributions made or received indirectly through a third  
32 party or entity whether the contributions are or are not reported to  
33 the commission as earmarked contributions under RCW 42.17.135 (as  
34 recodified by this act).

35 **Sec. 605.** RCW 42.17.070 and 2007 c 358 s 3 are each amended to  
36 read as follows:

1 No expenditures may be made or incurred by any candidate or  
2 political committee (~~(except on the authority of)~~) unless authorized by  
3 the candidate or the person or persons named on the candidate's or  
4 committee's registration form(~~(, and)~~). A record of all such  
5 expenditures shall be maintained by the treasurer.

6 No expenditure of more than fifty dollars may be made in currency  
7 unless a receipt, signed by the recipient and by the candidate or  
8 treasurer, is prepared and made a part of the campaign's or political  
9 committee's financial records.

10 **Sec. 606.** RCW 42.17.095 and 2005 c 467 s 1 are each amended to  
11 read as follows:

12 The surplus funds of a candidate(~~(,)~~) or (~~(of a political committee~~  
13 ~~supporting or opposing a candidate,)~~) a candidate's authorized  
14 committee may only be disposed of in any one or more of the following  
15 ways:

16 (1) Return the surplus to a contributor in an amount not to exceed  
17 that contributor's original contribution;

18 (~~(Transfer the surplus to the candidate's personal account as~~  
19 ~~reimbursement)~~) Using surplus, reimburse the candidate for lost  
20 earnings incurred as a result of that candidate's election campaign.  
21 (~~(Such)~~) Lost earnings shall be verifiable as unpaid salary or, when  
22 the candidate is not salaried, as an amount not to exceed income  
23 received by the candidate for services rendered during an appropriate,  
24 corresponding time period. All lost earnings incurred shall be  
25 documented and a record thereof shall be maintained by the candidate or  
26 the candidate's (~~(political)~~) authorized committee. The committee  
27 shall (~~(include)~~) maintain a copy of (~~(such)~~) this record (~~(when its~~  
28 ~~expenditure for such reimbursement is reported pursuant to RCW~~  
29 ~~42.17.090)~~) in accordance with RCW 42.17.080(6) (as recodified by this  
30 act);

31 (3) Transfer the surplus without limit to a political party or to  
32 a caucus political committee;

33 (4) Donate the surplus to a charitable organization registered in  
34 accordance with chapter 19.09 RCW;

35 (5) Transmit the surplus to the state treasurer for deposit in the  
36 general fund, the (~~(oral history)~~) Washington state legacy project,

1 state library, and archives account under RCW 43.07.380, or the  
2 legislative international trade account under RCW ((44.04.270))  
3 43.15.050, as specified by the candidate or political committee; or

4 (6) Hold the surplus in the ((campaign)) depository or depositories  
5 designated in accordance with ((RCW 42.17.050)) section 404 of this act  
6 for possible use in a future election campaign for the same office last  
7 sought by the candidate and report any such disposition in accordance  
8 with RCW 42.17.090((+—PROVIDED, That)) (as recodified by this act).  
9 If the candidate subsequently announces or publicly files for office,  
10 the appropriate information ((as appropriate is)) must be reported to  
11 the commission in accordance with RCW 42.17.040 through 42.17.090 (as  
12 recodified by this act). If a subsequent office is not sought the  
13 surplus held shall be disposed of in accordance with the requirements  
14 of this section.

15 (7) Hold the surplus campaign funds in a separate account for  
16 nonreimbursed public office-related expenses or as provided in this  
17 section, and report any such disposition in accordance with RCW  
18 42.17.090 (as recodified by this act). The separate account required  
19 under this subsection shall not be used for deposits of campaign funds  
20 that are not surplus.

21 (8) No candidate or authorized committee may transfer funds to any  
22 other candidate or other political committee.

23 The disposal of surplus funds under this section shall not be  
24 considered a contribution for purposes of this chapter.

25 NEW SECTION. Sec. 607. CANDIDATES' POLITICAL COMMITTEES--  
26 LIMITATIONS. A candidate may not knowingly establish, use, direct, or  
27 control more than one political committee for the purpose of supporting  
28 that candidate during a particular election campaign. This does not  
29 prohibit: (1) In addition to a candidate's having his or her own  
30 political committee, the candidate's participation in a political  
31 committee established to support a slate of candidates that includes  
32 the candidate; or (2) joint fund-raising efforts by candidates when a  
33 separate political committee is established for that purpose and all  
34 contributions are disbursed to and accounted for on a pro rata basis by  
35 the benefiting candidates.

1       **Sec. 608.** RCW 42.17.125 and 1995 c 397 s 29 are each amended to  
2 read as follows:

3       Contributions received and reported in accordance with RCW  
4 42.17.060 through 42.17.090 (as recodified by this act) may only be  
5 ~~((transferred))~~ paid to ~~((the personal account of))~~ a candidate, or  
6 ~~((of))~~ a treasurer or other individual or expended for such  
7 individual's personal use under the following circumstances:

8       (1) Reimbursement for or ~~((loans))~~ payments to cover lost earnings  
9 incurred as a result of campaigning or services performed for the  
10 political committee. ~~((Such))~~ Lost earnings shall be verifiable as  
11 unpaid salary, or when the individual is not salaried, as an amount not  
12 to exceed income received by the individual for services rendered  
13 during an appropriate, corresponding time period. All lost earnings  
14 incurred shall be documented and a record ~~((thereof))~~ shall be  
15 maintained by the ~~((individual))~~ candidate or the ~~((individual's~~  
16 ~~political))~~ candidate's authorized committee in accordance with RCW  
17 42.17.080 (as recodified by this act). ~~((The political committee shall~~  
18 ~~include a copy of such record when its expenditure for such~~  
19 ~~reimbursement is reported pursuant to RCW 42.17.090.))~~

20       (2) Reimbursement for direct out-of-pocket election campaign and  
21 postelection campaign related expenses made by the individual. To  
22 receive reimbursement from the political committee, the individual  
23 shall provide the political committee with written documentation as to  
24 the amount, date, and description of each expense, and the political  
25 committee shall include a copy of such information when its expenditure  
26 for such reimbursement is reported pursuant to RCW 42.17.090 (as  
27 recodified by this act).

28       (3) Repayment of loans made by the individual to political  
29 committees~~((, which repayment))~~ shall be reported pursuant to RCW  
30 42.17.090 (as recodified by this act). However, contributions may not  
31 be used to reimburse a candidate for loans totaling more than ~~((three))~~  
32 four thousand seven hundred dollars made by the candidate to the  
33 candidate's own ~~((political))~~ authorized committee ~~((or campaign))~~.

34       **Sec. 609.** RCW 42.17.660 and 2005 c 445 s 12 are each amended to  
35 read as follows:

36       For purposes of this chapter:



1 (1) A contribution by a political committee with funds that have  
2 all been contributed by one person who exercises exclusive control over  
3 the distribution of the funds of the political committee is a  
4 contribution by the controlling person.

5 (2) Two or more entities are treated as a single entity if one of  
6 the two or more entities is a subsidiary, branch, or department of a  
7 corporation that is participating in an election campaign or making  
8 contributions, or a local unit or branch of a trade association, labor  
9 union, or collective bargaining association that is participating in an  
10 election campaign or making contributions. All contributions made by  
11 a person or political committee whose contribution or expenditure  
12 activity is financed, maintained, or controlled by a trade association,  
13 labor union, collective bargaining organization, or the local unit of  
14 a trade association, labor union, or collective bargaining organization  
15 are considered made by the trade association, labor union, collective  
16 bargaining organization, or local unit of a trade association, labor  
17 union, or collective bargaining organization.

18 (3) The commission shall adopt rules to carry out this section and  
19 is not subject to the time restrictions of RCW 42.17.370(1) (as  
20 recodified by this act).

21 **Sec. 610.** RCW 42.17.720 and 1995 c 397 s 22 are each amended to  
22 read as follows:

23 (1) A loan is considered to be a contribution from the lender and  
24 any guarantor of the loan and is subject to the contribution  
25 limitations of this chapter. The full amount of the loan shall be  
26 attributed to the lender and to each guarantor.

27 (2) A loan to a candidate for public office or the candidate's  
28 (~~political~~) authorized committee must be by written agreement.

29 (3) The proceeds of a loan made to a candidate for public office:

30 (a) By a commercial lending institution;

31 (b) Made in the regular course of business; and

32 (c) On the same terms ordinarily available to members of the  
33 public, are not subject to the contribution limits of this chapter.

34 **Sec. 611.** RCW 42.17.740 and 1995 c 397 s 23 are each amended to  
35 read as follows:

1 (1) A person may not make a contribution of more than (~~fifty~~)  
2 eighty dollars, other than an in-kind contribution, except by a written  
3 instrument containing the name of the donor and the name of the payee.

4 (2) A political committee may not make a contribution, other than  
5 in-kind, except by a written instrument containing the name of the  
6 donor and the name of the payee.

7 **Sec. 612.** RCW 42.17.790 and 1995 c 397 s 27 are each amended to  
8 read as follows:

9 (1) Except as provided in subsection (2) of this section, a  
10 candidate for public office or the candidate's (~~political~~) authorized  
11 committee may not use or permit the use of contributions, whether or  
12 not surplus, solicited for or received by the candidate (~~for public~~  
13 ~~office~~) or the candidate's (~~political~~) authorized committee to  
14 further the candidacy of the individual for an office other than the  
15 office designated on the statement of organization. A contribution  
16 solicited for or received on behalf of the candidate (~~for public~~  
17 ~~office~~) is considered solicited or received for the candidacy for  
18 which the individual is then a candidate if the contribution is  
19 solicited or received before the general election(~~s~~) for which the  
20 candidate (~~for public office~~) is a nominee or is unopposed.

21 (2) With the written approval of the contributor, a candidate (~~for~~  
22 ~~public office~~) or the candidate's (~~political~~) authorized committee  
23 may use or permit the use of contributions, whether or not surplus,  
24 solicited for or received by the candidate (~~for public office~~) or the  
25 candidate's (~~political~~) authorized committee from that contributor to  
26 further the candidacy of the individual for an office other than the  
27 office designated on the statement of organization. If the contributor  
28 does not approve the use of his or her contribution to further the  
29 candidacy of the individual for an office other than the office  
30 designated on the statement of organization at the time of the  
31 contribution, the contribution must be considered surplus funds and  
32 disposed of in accordance with RCW 42.17.095 (as recodified by this  
33 act).

34 **Sec. 613.** RCW 42.17.680 and 2002 c 156 s 1 are each amended to  
35 read as follows:

36 (1) No employer or labor organization may increase the salary of an

1 officer or employee, or (~~give an emolument to~~) compensate an officer,  
2 employee, or other person or entity, with the intention that the  
3 increase in salary, or the (~~emolument~~) compensation, or a part of it,  
4 be contributed or spent to support or oppose a candidate, state  
5 official against whom recall charges have been filed, political party,  
6 or political committee.

7 (2) No employer or labor organization may discriminate against an  
8 officer or employee in the terms or conditions of employment for (a)  
9 the failure to contribute to, (b) the failure in any way to support or  
10 oppose, or (c) in any way supporting or opposing a candidate, ballot  
11 proposition, political party, or political committee. At least  
12 annually, an employee from whom wages or salary are withheld under  
13 subsection (3) of this section shall be notified of the provisions of  
14 this subsection.

15 (3) No employer or other person or entity responsible for the  
16 disbursement of funds in payment of wages or salaries may withhold or  
17 divert a portion of an employee's wages or salaries for contributions  
18 to political committees or for use as political contributions except  
19 upon the written request of the employee. The request must be made on  
20 a form prescribed by the commission informing the employee of the  
21 prohibition against employer and labor organization discrimination  
22 described in subsection (2) of this section. The employee may revoke  
23 the request at any time. At least annually, the employee shall be  
24 notified about the right to revoke the request.

25 (4) Each person or entity who withholds contributions under  
26 subsection (3) of this section shall maintain open for public  
27 inspection for a period of no less than three years, during normal  
28 business hours, documents and books of accounts that shall include a  
29 copy of each employee's request, the amounts and dates funds were  
30 actually withheld, and the amounts and dates funds were transferred to  
31 a political committee. Copies of such information shall be delivered  
32 to the commission upon request.

33 **PART 7**

34 **PUBLIC OFFICIALS', EMPLOYEES', AND AGENCIES' CAMPAIGN**  
35 **RESTRICTIONS, PROHIBITIONS, AND REPORTING**

1       **Sec. 701.** RCW 42.17.130 and 2006 c 215 s 2 are each amended to  
2 read as follows:

3       No elective official nor any employee of his (~~(for her)~~) or her  
4 office nor any person appointed to or employed by any public office or  
5 agency may use or authorize the use of any of the facilities of a  
6 public office or agency, directly or indirectly, for the purpose of  
7 assisting a campaign for election of any person to any office or for  
8 the promotion of or opposition to any ballot proposition. Facilities  
9 of a public office or agency include, but are not limited to, use of  
10 stationery, postage, machines, and equipment, use of employees of the  
11 office or agency during working hours, vehicles, office space,  
12 publications of the office or agency, and clientele lists of persons  
13 served by the office or agency. However, this does not apply to the  
14 following activities:

15       (1) Action taken at an open public meeting by members of an elected  
16 legislative body or by an elected board, council, or commission of a  
17 special purpose district including, but not limited to, fire districts,  
18 public hospital districts, library districts, park districts, port  
19 districts, public utility districts, school districts, sewer districts,  
20 and water districts, to express a collective decision, or to actually  
21 vote upon a motion, proposal, resolution, order, or ordinance, or to  
22 support or oppose a ballot proposition so long as (a) any required  
23 notice of the meeting includes the title and number of the ballot  
24 proposition, and (b) members of the legislative body, members of the  
25 board, council, or commission of the special purpose district, or  
26 members of the public are afforded an approximately equal opportunity  
27 for the expression of an opposing view;

28       (2) A statement by an elected official in support of or in  
29 opposition to any ballot proposition at an open press conference or in  
30 response to a specific inquiry;

31       (3) Activities which are part of the normal and regular conduct of  
32 the office or agency.

33       (4) This section does not apply to any person who is a state  
34 officer or state employee as defined in RCW 42.52.010.

35       **Sec. 702.** RCW 42.17.245 and 2005 c 274 s 282 are each amended to  
36 read as follows:

37       After January 1st and before April 15th of each calendar year, the

1 state treasurer, each county, public utility district, and port  
2 district treasurer, and each treasurer of an incorporated city or town  
3 whose population exceeds one thousand shall file with the commission:

4 (1) A statement under oath that no public funds under that  
5 treasurer's control were invested in any institution where the  
6 treasurer or, in the case of a county, a member of the county finance  
7 committee, held during the reporting period an office, directorship,  
8 partnership interest, or ownership interest; or

9 (2) A report disclosing for the previous calendar year: (a) The  
10 name and address of each financial institution in which the treasurer  
11 or, in the case of a county, a member of the county finance committee,  
12 held during the reporting period an office, directorship, partnership  
13 interest, or ownership interest which holds or has held during the  
14 reporting period public accounts of the governmental entity for which  
15 the treasurer is responsible; (b) the aggregate sum of time and demand  
16 deposits held in each such financial institution on December 31; and  
17 (c) the highest balance held at any time during such reporting  
18 period(~~(+—PROVIDED, That)~~). The state treasurer shall disclose the  
19 highest balance information only upon a public records request under  
20 chapter 42.56 RCW. The statement or report required by this section  
21 shall be filed either with the statement required under RCW 42.17.240  
22 (as recodified by this act) or separately.

23 NEW SECTION. Sec. 703. No state-elected official or municipal  
24 officer may speak or appear in a public service announcement that is  
25 broadcast, shown, or distributed in any form whatsoever during the  
26 period beginning January 1st and continuing through the general  
27 election if that official or officer is a candidate. If the official  
28 or officer does not control the broadcast, showing, or distribution of  
29 a public service announcement in which he or she speaks or appears,  
30 then the official or officer shall contractually limit the use of the  
31 public service announcement to be consistent with this section prior to  
32 participating in the public service announcement. This section does  
33 not apply to public service announcements that are part of the regular  
34 duties of the office that only mention or visually display the office  
35 or office seal or logo and do not mention or visually display the name  
36 of the official or officer in the announcement.

PART 8

LOBBYING DISCLOSURE AND RESTRICTIONS

Sec. 801. RCW 42.17.150 and 1987 c 201 s 1 are each amended to read as follows:

(1) Before (~~doing any~~) lobbying, or within thirty days after being employed as a lobbyist, whichever occurs first, a lobbyist shall register by filing with the commission a lobbyist registration statement, in such detail as the commission shall prescribe, (~~showing~~) that includes the following information:

(a) (~~His~~) The lobbyist's name, permanent business address, and any temporary residential and business addresses in Thurston county during the legislative session;

(b) The name, address and occupation or business of the lobbyist's employer;

(c) The duration of (~~his~~) the lobbyist's employment;

(d) (~~His~~) The compensation to be received for lobbying(~~or how much he is~~), the amount to be paid for expenses, and what expenses are to be reimbursed;

(e) Whether the (~~person from whom he receives said compensation employs him~~) lobbyist is employed solely as a lobbyist or whether (~~he~~) the lobbyist is a regular employee performing services for his or her employer which include but are not limited to the influencing of legislation;

(f) The general subject or subjects (~~of his legislative interest~~) to be lobbied;

(g) A written authorization from each of the lobbyist's employers confirming such employment;

(h) The name and address of the person who will have custody of the accounts, bills, receipts, books, papers, and documents required to be kept under this chapter;

(i) If the lobbyist's employer is an entity (including, but not limited to, business and trade associations) whose members include, or which as a representative entity undertakes lobbying activities for, businesses, groups, associations, or organizations, the name and address of each member of such entity or person represented by such entity whose fees, dues, payments, or other consideration paid to such entity during either of the prior two years have exceeded five hundred

1 dollars or who is obligated to or has agreed to pay fees, dues,  
2 payments, or other consideration exceeding five hundred dollars to such  
3 entity during the current year.

4 (2) Any lobbyist who receives or is to receive compensation from  
5 more than one person for (~~his services as a lobbyist~~) lobbying shall  
6 file a separate notice of representation (~~with respect to~~) for each  
7 (~~such~~) person(~~; except that where a lobbyist whose fee for acting as~~  
8 ~~such in respect to the same legislation or type of legislation is, or~~  
9 ~~is to be, paid or contributed to by more than one person then such~~  
10 ~~lobbyist may file a single statement, in which he shall detail the~~  
11 ~~name, business address and occupation of each person so paying or~~  
12 ~~contributing, and the amount of the respective payments or~~  
13 ~~contributions made by each such person~~). However, if two or more  
14 persons are jointly paying or contributing to the payment of the  
15 lobbyist, the lobbyist may file a single statement detailing the name,  
16 business address, and occupation of each person paying or contributing  
17 and the respective amounts to be paid or contributed.

18 (3) Whenever a change, modification, or termination of the  
19 lobbyist's employment occurs, the lobbyist shall(~~;~~) file with the  
20 commission an amended registration statement within one week of  
21 (~~such~~) the change, modification, or termination(~~;~~ ~~furnish full~~  
22 ~~information regarding the same by filing with the commission an amended~~  
23 ~~registration statement~~)).

24 (4) Each registered lobbyist (~~who has registered~~) shall file a  
25 new registration statement, revised as appropriate, on the second  
26 Monday in January of each odd-numbered year(~~;~~ ~~and~~). Failure to do so  
27 (~~shall~~) terminates (~~his~~) the lobbyist's registration.

28 **Sec. 802.** RCW 42.17.155 and 1995 c 397 s 6 are each amended to  
29 read as follows:

30 Each lobbyist shall at the time he or she registers submit to the  
31 commission a recent photograph of himself or herself of a size and  
32 format as determined by rule of the commission, together with the name  
33 of the lobbyist's employer, the length of his or her employment as a  
34 lobbyist before the legislature, a brief biographical description, and  
35 any other information he or she may wish to submit not to exceed fifty  
36 words in length. (~~Such~~) The photograph and information shall be

1 published by the commission at least biennially in a booklet form (~~by~~  
2 ~~the commission~~) for distribution to legislators and the public.

3 **Sec. 803.** RCW 42.17.160 and 1998 c 55 s 3 are each amended to read  
4 as follows:

5 The following persons and activities (~~shall be~~) are exempt from  
6 registration and reporting under RCW 42.17.150, 42.17.170, and  
7 42.17.200 (as recodified by this act):

8 (1) Persons who limit their lobbying activities to appearing before  
9 public sessions of committees of the legislature, or public hearings of  
10 state agencies;

11 (2) Activities by lobbyists or other persons whose participation  
12 has been solicited by an agency under RCW 34.05.310(2);

13 (3) News or feature reporting activities and editorial comment by  
14 working members of the press, radio, or television and the publication  
15 or dissemination thereof by a newspaper, book publisher, regularly  
16 published periodical, radio station, or television station;

17 (4) Persons who lobby without compensation or other consideration  
18 for acting as a lobbyist(~~(:—PROVIDED, Such)~~), if the person makes no  
19 expenditure for or on behalf of any member of the legislature or  
20 elected official or public officer or employee of the state of  
21 Washington in connection with such lobbying. The exemption contained  
22 in this subsection is intended to permit and encourage citizens of this  
23 state to lobby any legislator, public official, or state agency without  
24 incurring any registration or reporting obligation provided they do not  
25 exceed the limits stated above. Any person exempt under this  
26 subsection (4) may at his or her option register and report under this  
27 chapter;

28 (5) Persons who restrict their lobbying activities to no more than  
29 four days or parts (~~thereof~~) of four days during any three-month  
30 period and whose total expenditures during such three-month period for  
31 or on behalf of any one or more members of the legislature or state  
32 elected officials or public officers or employees of the state of  
33 Washington in connection with such lobbying do not exceed twenty-five  
34 dollars(~~(:—PROVIDED, That)~~). The commission shall (~~promulgate~~  
35 ~~regulations~~) adopt rules to require disclosure by persons exempt under  
36 this subsection or their employers or entities which sponsor or  
37 coordinate the lobbying activities of such persons if it determines



1 that such regulations are necessary to prevent frustration of the  
2 purposes of this chapter. Any person exempt under this subsection (5)  
3 may at his or her option register and report under this chapter;

4 (6) The governor;

5 (7) The lieutenant governor;

6 (8) Except as provided by RCW 42.17.190(1) (as recodified by this  
7 act), members of the legislature;

8 (9) Except as provided by RCW 42.17.190(1) (as recodified by this  
9 act), persons employed by the legislature for the purpose of aiding in  
10 the preparation or enactment of legislation or the performance of  
11 legislative duties;

12 (10) Elected officials, and officers and employees of any agency  
13 reporting under RCW 42.17.190(5) (as recodified by this act).

14 **Sec. 804.** RCW 42.17.170 and 1995 c 397 s 33 are each amended to  
15 read as follows:

16 (1) Any lobbyist registered under RCW 42.17.150 (as recodified by  
17 this act) and any person who lobbies shall file with the commission  
18 ~~((periodic))~~ monthly reports of his or her lobbying activities ~~((signed~~  
19 ~~by the lobbyist))~~. The reports shall be made in the form and manner  
20 prescribed by the commission and must be signed by the lobbyist.  
21 ~~((They shall be due monthly and))~~ The monthly report shall be filed  
22 within fifteen days after the last day of the calendar month covered by  
23 the report.

24 (2) ~~((Each such))~~ The monthly ~~((periodic))~~ report shall contain:

25 (a) The totals of all expenditures for lobbying activities made or  
26 incurred by ~~((such))~~ the lobbyist or on behalf of ~~((such))~~ the lobbyist  
27 by the lobbyist's employer during the period covered by the report.  
28 ~~((Such))~~ Expenditure totals for lobbying activities shall be segregated  
29 according to financial category, including compensation; food and  
30 refreshments; living accommodations; advertising; travel;  
31 contributions; and other expenses or services. Each individual  
32 expenditure of more than twenty-five dollars for entertainment shall be  
33 identified by date, place, amount, and the names of all persons ~~((in~~  
34 ~~the group partaking in or of such))~~ taking part in the entertainment,  
35 along with the dollar amount attributable to each person, including  
36 ~~((any portion thereof attributable to))~~ the lobbyist's ~~((participation~~

1 ~~therein, and shall include amounts actually expended on each person~~  
2 ~~where calculable, or allocating any portion of the expenditure to~~  
3 ~~individual participants.~~

4 ~~Notwithstanding the foregoing, lobbyists are not required to report~~  
5 ~~the following:~~

6 ~~(i) Unreimbursed personal living and travel expenses not incurred~~  
7 ~~directly for lobbying;~~

8 ~~(ii) Any expenses incurred for his or her own living~~  
9 ~~accommodations;~~

10 ~~(iii) Any expenses incurred for his or her own travel to and from~~  
11 ~~hearings of the legislature;~~

12 ~~(iv) Any expenses incurred for telephone, and any office expenses,~~  
13 ~~including rent and salaries and wages paid for staff and secretarial~~  
14 ~~assistance)) portion.~~

15 (b) In the case of a lobbyist employed by more than one employer,  
16 the proportionate amount of ((such)) expenditures in each category  
17 incurred on behalf of each of ((his)) the lobbyist's employers.

18 (c) An itemized listing of each ((such expenditure)) contribution  
19 of money or of tangible or intangible personal property, whether  
20 contributed by the lobbyist personally or delivered or transmitted by  
21 the lobbyist, ((in the nature of a contribution of money or of tangible  
22 or intangible personal property)) to any candidate, elected official,  
23 or officer or employee of any agency, or any political committee  
24 supporting or opposing any ballot proposition, or for or on behalf of  
25 any candidate, elected official, or officer or employee of any agency,  
26 or any political committee supporting or opposing any ballot  
27 proposition. All contributions made to, or for the benefit of, any  
28 candidate, elected official, or officer or employee of any agency, or  
29 any political committee supporting or opposing any ballot proposition  
30 shall be identified by date, amount, and the name of the candidate,  
31 elected official, or officer or employee of any agency, or any  
32 political committee supporting or opposing any ballot proposition  
33 receiving, or to be benefited by each such contribution.

34 (d) The subject matter of proposed legislation or other legislative  
35 activity or rule((-)) making under chapter 34.05 RCW, the state  
36 administrative procedure act, and the state agency considering the  
37 same, which the lobbyist has been engaged in supporting or opposing

1 during the reporting period, unless exempt under RCW 42.17.160(2) (as  
2 recodified by this act).

3 ~~(e) ((Such other information relevant to lobbying activities as the~~  
4 ~~commission shall by rule prescribe. Information supporting such~~  
5 ~~activities as are required to be reported is subject to audit by the~~  
6 ~~commission.~~

7 ~~(f))~~ A listing of each payment for an item specified in RCW  
8 42.52.150(5) in excess of fifty dollars and each item specified in RCW  
9 42.52.010(~~(+9))~~ (10) (d) and (f) made to a state elected official,  
10 state officer, or state employee. Each item shall be identified by  
11 recipient, date, and approximate value of the item.

12 ~~((+g))~~ (f) The total expenditures ~~((made))~~ paid or incurred during  
13 the reporting period by the lobbyist for lobbying purposes, whether  
14 through or on behalf of a lobbyist or otherwise~~((As used in this~~  
15 ~~subsection, "expenditures" includes amounts paid or incurred during the~~  
16 ~~reporting period))~~, for (i) political advertising as defined in RCW  
17 42.17.020 (as recodified by this act); and (ii) public relations,  
18 telemarketing, polling, or similar activities if ~~((such))~~ the  
19 activities, directly or indirectly, are intended, designed, or  
20 calculated to influence legislation or the adoption or rejection of a  
21 rule, standard, or rate by an agency under the administrative procedure  
22 act. The report shall specify the amount, the person to whom the  
23 amount was paid, and a brief description of the activity.

24 (3) ~~((If a state elected official or a member of such an official's~~  
25 ~~immediate family is identified by a lobbyist in such a report as having~~  
26 ~~received from the lobbyist an item specified in RCW 42.52.150(5) or~~  
27 ~~42.52.010(9) (d) or (f), the lobbyist shall transmit to the official a~~  
28 ~~copy of the completed form used to identify the item in the report at~~  
29 ~~the same time the report is filed with the commission))~~ Lobbyists are  
30 not required to report the following:

31 (a) Unreimbursed personal living and travel expenses not incurred  
32 directly for lobbying;

33 (b) Any expenses incurred for his or her own living accommodations;

34 (c) Any expenses incurred for his or her own travel to and from  
35 hearings of the legislature;

36 (d) Any expenses incurred for telephone, and any office expenses,  
37 including rent and salaries and wages paid for staff and secretarial  
38 assistance.

1 (4) The commission may adopt rules to vary the content of lobbyist  
2 reports to address specific circumstances, consistent with this  
3 section. Lobbyist reports are subject to audit by the commission.

4 **Sec. 805.** RCW 42.17.172 and 1993 c 2 s 32 are each amended to read  
5 as follows:

6 (1) When a listing or a report of contributions is made to the  
7 commission under RCW 42.17.170(2)(c) (as recodified by this act), a  
8 copy of the listing or report must be given to the candidate, elected  
9 official, professional staff member of the legislature, or officer or  
10 employee of an agency, or a political committee supporting or opposing  
11 a ballot proposition named in the listing or report.

12 (2) If a state elected official or a member of the official's  
13 immediate family is identified by a lobbyist in a lobbyist report as  
14 having received from the lobbyist an item specified in RCW 42.52.150(5)  
15 or 42.52.010(10) (d) or (f), the lobbyist shall transmit to the  
16 official a copy of the completed form used to identify the item in the  
17 report at the same time the report is filed with the commission.

18 **Sec. 806.** RCW 42.17.175 and 2001 c 54 s 3 are each amended to read  
19 as follows:

20 Any lobbyist registered under RCW 42.17.150 (as recodified by this  
21 act), any person who lobbies, and any lobbyist's employer making a  
22 contribution or an aggregate of contributions to a single entity that  
23 is one thousand dollars or more during a special reporting period, as  
24 specified in RCW 42.17.105 (as recodified by this act), before a  
25 primary or general election(~~(, as such period is specified in RCW~~  
26 ~~42.17.105(1),)~~) shall file one or more special reports (~~(for the~~  
27 ~~contribution or aggregate of contributions and for subsequent~~  
28 ~~contributions made during that period under the same circumstances)~~) in  
29 the same manner and to the same extent that a contributing political  
30 committee must file (~~(such a report or reports)~~) under RCW 42.17.105  
31 (as recodified by this act). (~~(Such a special report shall be filed in~~  
32 ~~the same manner provided under RCW 42.17.105 for a special report of a~~  
33 ~~contributing political committee.)~~)

34 **Sec. 807.** RCW 42.17.180 and 1993 c 2 s 27 are each amended to read  
35 as follows:

1 (1) Every employer of a lobbyist registered under this chapter  
2 during the preceding calendar year and every person other than an  
3 individual that made contributions aggregating to more than ((~~ten~~)  
4 sixteen thousand dollars or independent expenditures aggregating to  
5 more than ((~~five~~) eight hundred dollars during the preceding calendar  
6 year shall file with the commission on or before the last day of  
7 February of each year a statement disclosing for the preceding calendar  
8 year the following information:

9 (a) The name of each state elected official and the name of each  
10 candidate for state office who was elected to the office and any member  
11 of the immediate family of those persons to whom the person reporting  
12 has paid any compensation in the amount of ((~~five~~) eight hundred  
13 dollars or more during the preceding calendar year for personal  
14 employment or professional services, including professional services  
15 rendered by a corporation, partnership, joint venture, association,  
16 union, or other entity in which the person holds any office,  
17 directorship, or any general partnership interest, or an ownership  
18 interest of ten percent or more, the value of the compensation in  
19 accordance with the reporting provisions set out in RCW 42.17.241(2)  
20 (as recodified by this act), and the consideration given or performed  
21 in exchange for the compensation.

22 (b) The name of each state elected official, successful candidate  
23 for state office, or members of his or her immediate family to whom the  
24 person reporting made expenditures, directly or indirectly, either  
25 through a lobbyist or otherwise, the amount of the expenditures and the  
26 purpose for the expenditures. For the purposes of this subsection,  
27 ((~~the term~~)) "expenditure" shall not include any expenditure made by  
28 the employer in the ordinary course of business if the expenditure is  
29 not made for the purpose of influencing, honoring, or benefiting the  
30 elected official, successful candidate, or member of his immediate  
31 family, as an elected official or candidate.

32 (c) The total expenditures made by the person reporting for  
33 lobbying purposes, whether through or on behalf of a registered  
34 lobbyist or otherwise.

35 (d) All contributions made to a political committee supporting or  
36 opposing a candidate for state office, or to a political committee  
37 supporting or opposing a statewide ballot proposition. Such

1 contributions shall be identified by the name and the address of the  
2 recipient and the aggregate amount contributed to each such recipient.

3 (e) The name and address of each registered lobbyist employed by  
4 the person reporting and the total expenditures made by (~~such~~) the  
5 person reporting for each (~~such~~) lobbyist for lobbying purposes.

6 (f) The names, offices sought, and party affiliations of candidates  
7 for state offices supported or opposed by independent expenditures of  
8 the person reporting and the amount of each such expenditure.

9 (g) The identifying proposition number and a brief description of  
10 any statewide ballot proposition supported or opposed by expenditures  
11 not reported under (d) of this subsection and the amount of each such  
12 expenditure.

13 (h) (~~Such~~) Any other information (~~as~~) the commission prescribes  
14 by rule.

15 (2)(a) Except as provided in (b) of this subsection, an employer of  
16 a lobbyist registered under this chapter shall file a special report  
17 with the commission if the employer makes a contribution or  
18 contributions aggregating more than one hundred dollars in a calendar  
19 month to any one of the following: A candidate, elected official,  
20 officer or employee of an agency, or political committee. The report  
21 shall identify the date and amount of each such contribution and the  
22 name of the candidate, elected official, agency officer or employee, or  
23 political committee receiving the contribution or to be benefited by  
24 the contribution. The report shall be filed on a form prescribed by  
25 the commission and shall be filed within fifteen days after the last  
26 day of the calendar month during which the contribution was made.

27 (b) The provisions of (a) of this subsection do not apply to a  
28 contribution (~~which~~) that is made through a registered lobbyist and  
29 reportable under RCW 42.17.170 (as recodified by this act).

30 **Sec. 808.** RCW 42.17.190 and 1995 c 397 s 7 are each amended to  
31 read as follows:

32 (1) The house of representatives and the senate shall report  
33 annually: The total budget; the portion of the total attributed to  
34 staff; and the number of full-time and part-time staff positions by  
35 assignment, with dollar figures as well as number of positions.

36 (2) Unless authorized by subsection (3) of this section or  
37 otherwise expressly authorized by law, no public funds may be used

1 directly or indirectly for lobbying(~~(+PROVIDED)~~). However, this does  
2 not prevent officers or employees of an agency from communicating with  
3 a member of the legislature on the request of that member; or  
4 communicating to the legislature, through the proper official channels,  
5 requests for legislative action or appropriations (~~(which)~~) that are  
6 deemed necessary for the efficient conduct of the public business or  
7 actually made in the proper performance of their official duties(~~(+  
8 PROVIDED FURTHER, That)~~). This subsection does not apply to the  
9 legislative branch.

10 (3) Any agency, not otherwise expressly authorized by law, may  
11 expend public funds for lobbying, but such lobbying activity shall be  
12 limited to (a) providing information or communicating on matters  
13 pertaining to official agency business to any elected official or  
14 officer or employee of any agency or (b) advocating the official  
15 position or interests of the agency to any elected official or officer  
16 or employee of any agency(~~(+PROVIDED, That)~~). Public funds may not  
17 be expended as a direct or indirect gift or campaign contribution to  
18 any elected official or officer or employee of any agency. For the  
19 purposes of this subsection, (~~(the term)~~) "gift" means a voluntary  
20 transfer of any thing of value without consideration of equal or  
21 greater value, but does not include informational material transferred  
22 for the sole purpose of informing the recipient about matters  
23 pertaining to official agency business. This section does not permit  
24 the printing of a state publication (~~(which)~~) that has been otherwise  
25 prohibited by law.

26 (4) No elective official or any employee of his or her office or  
27 any person appointed to or employed by any public office or agency may  
28 use or authorize the use of any of the facilities of a public office or  
29 agency, directly or indirectly, in any effort to support or oppose an  
30 initiative to the legislature. "Facilities of a public office or  
31 agency" has the same meaning as in RCW 42.17.130 (as recodified by this  
32 act) and 42.52.180. The provisions of this subsection shall not apply  
33 to the following activities:

34 (a) Action taken at an open public meeting by members of an elected  
35 legislative body to express a collective decision, or to actually vote  
36 upon a motion, proposal, resolution, order, or ordinance, or to support  
37 or oppose an initiative to the legislature so long as (i) any required  
38 notice of the meeting includes the title and number of the initiative

1 to the legislature, and (ii) members of the legislative body or members  
2 of the public are afforded an approximately equal opportunity for the  
3 expression of an opposing view;

4 (b) A statement by an elected official in support of or in  
5 opposition to any initiative to the legislature at an open press  
6 conference or in response to a specific inquiry;

7 (c) Activities (~~(which)~~) that are part of the normal and regular  
8 conduct of the office or agency;

9 (d) Activities conducted regarding an initiative to the legislature  
10 that would be permitted under RCW 42.17.130 (as recodified by this act)  
11 and 42.52.180 if conducted regarding other ballot measures.

12 (5) Each state agency, county, city, town, municipal corporation,  
13 quasi-municipal corporation, or special purpose district (~~(which)~~) that  
14 expends public funds for lobbying shall file with the commission,  
15 except as exempted by (d) of this subsection, quarterly statements  
16 providing the following information for the quarter just completed:

17 (a) The name of the agency filing the statement;

18 (b) The name, title, and job description and salary of each elected  
19 official, officer, or employee who lobbied, a general description of  
20 the nature of the lobbying, and the proportionate amount of time spent  
21 on the lobbying;

22 (c) A listing of expenditures incurred by the agency for lobbying  
23 including but not limited to travel, consultant or other special  
24 contractual services, and brochures and other publications, the  
25 principal purpose of which is to influence legislation;

26 (d) For purposes of this subsection (~~(the term)~~), "lobbying" does  
27 not include:

28 (i) Requests for appropriations by a state agency to the office of  
29 financial management pursuant to chapter 43.88 RCW nor requests by the  
30 office of financial management to the legislature for appropriations  
31 other than its own agency budget requests;

32 (ii) Recommendations or reports to the legislature in response to  
33 a legislative request expressly requesting or directing a specific  
34 study, recommendation, or report by an agency on a particular subject;

35 (iii) Official reports including recommendations submitted to the  
36 legislature on an annual or biennial basis by a state agency as  
37 required by law;



1 (iv) Requests, recommendations, or other communication between or  
2 within state agencies or between or within local agencies;

3 (v) Any other lobbying to the extent that it includes:

4 (A) Telephone conversations or preparation of written  
5 correspondence;

6 (B) In-person lobbying on behalf of an agency of no more than four  
7 days or parts thereof during any three-month period by officers or  
8 employees of that agency and in-person lobbying by any elected official  
9 of such agency on behalf of such agency or in connection with the  
10 powers, duties, or compensation of such official(~~(:—PROVIDED, That)~~).  
11 The total expenditures of nonpublic funds made in connection with such  
12 lobbying for or on behalf of any one or more members of the legislature  
13 or state elected officials or public officers or employees of the state  
14 of Washington ((~~de~~)) may not exceed fifteen dollars for any three-month  
15 period(~~(:—PROVIDED FURTHER, That)~~). The exemption under this  
16 subsection (5)(d)(v)(B) is in addition to the exemption provided in  
17 (d)(v)(A) of this subsection;

18 (C) Preparation or adoption of policy positions.

19 The statements shall be in the form and the manner prescribed by  
20 the commission and shall be filed within one month after the end of the  
21 quarter covered by the report.

22 (6) In lieu of reporting under subsection (5) of this section, any  
23 county, city, town, municipal corporation, quasi municipal corporation,  
24 or special purpose district may determine and so notify the public  
25 disclosure commission(~~(7)~~) that elected officials, officers, or  
26 employees who, on behalf of any such local agency, engage in lobbying  
27 reportable under subsection (5) of this section shall register and  
28 report such reportable lobbying in the same manner as a lobbyist who is  
29 required to register and report under RCW 42.17.150 and 42.17.170 (as  
30 recodified by this act). Each such local agency shall report as a  
31 lobbyist employer pursuant to RCW 42.17.180 (as recodified by this  
32 act).

33 (7) The provisions of this section do not relieve any elected  
34 official or officer or employee of an agency from complying with other  
35 provisions of this chapter, if such elected official, officer, or  
36 employee is not otherwise exempted.

37 (8) The purpose of this section is to require each state agency and  
38 certain local agencies to report the identities of those persons who

1 lobby on behalf of the agency for compensation, together with certain  
2 separately identifiable and measurable expenditures of an agency's  
3 funds for that purpose. This section shall be reasonably construed to  
4 accomplish that purpose and not to require any agency to report any of  
5 its general overhead cost or any other costs (~~(which)~~) that relate only  
6 indirectly or incidentally to lobbying or (~~(which)~~) that are equally  
7 attributable to or inseparable from nonlobbying activities of the  
8 agency.

9 The public disclosure commission may adopt rules clarifying and  
10 implementing this legislative interpretation and policy.

11 **Sec. 809.** RCW 42.17.200 and 1990 c 139 s 5 are each amended to  
12 read as follows:

13 (1) Any person who has made expenditures, not reported by a  
14 registered lobbyist under RCW 42.17.170 (as recodified by this act) or  
15 by a candidate or political committee under RCW 42.17.065 or 42.17.080  
16 (as recodified by this act), exceeding (~~(five hundred)~~) one thousand  
17 dollars in the aggregate within any three-month period or exceeding  
18 (~~(two)~~) five hundred dollars in the aggregate within any one-month  
19 period in presenting a program (~~(addressed)~~) to the public, a  
20 substantial portion of which is intended, designed, or calculated  
21 primarily to influence legislation shall (~~(be required to)~~) register  
22 and report, as provided in subsection (2) of this section, as a sponsor  
23 of a grass roots lobbying campaign.

24 (2) Within thirty days after becoming a sponsor of a grass roots  
25 lobbying campaign, the sponsor shall register by filing with the  
26 commission a registration statement, in such detail as the commission  
27 shall prescribe, showing:

28 (a) The sponsor's name, address, and business or occupation, and,  
29 if the sponsor is not an individual, the names, addresses, and titles  
30 of the controlling persons responsible for managing the sponsor's  
31 affairs;

32 (b) The names, addresses, and business or occupation of all persons  
33 organizing and managing the campaign, or hired to assist the campaign,  
34 including any public relations or advertising firms participating in  
35 the campaign, and the terms of compensation for all such persons;

36 (c) The names and addresses of each person contributing twenty-five  
37 dollars or more to the campaign, and the aggregate amount contributed;

1 (d) The purpose of the campaign, including the specific  
2 legislation, rules, rates, standards, or proposals that are the subject  
3 matter of the campaign;

4 (e) The totals of all expenditures made or incurred to date on  
5 behalf of the campaign(~~(, which totals shall be)~~) segregated according  
6 to financial category, including but not limited to the following:  
7 Advertising, segregated by media, and in the case of large expenditures  
8 (as provided by rule of the commission), by outlet; contributions;  
9 entertainment, including food and refreshments; office expenses  
10 including rent and the salaries and wages paid for staff and  
11 secretarial assistance, or the proportionate amount (~~(thereof)~~) paid or  
12 incurred for lobbying campaign activities; consultants; and printing  
13 and mailing expenses.

14 (3) Every sponsor who has registered under this section shall file  
15 monthly reports with the commission(~~(, which reports shall be filed)~~)  
16 by the tenth day of the month for the activity during the preceding  
17 month. The reports shall update the information contained in the  
18 sponsor's registration statement and in prior reports and shall show  
19 contributions received and totals of expenditures made during the  
20 month, in the same manner as provided for in the registration  
21 statement.

22 (4) When the campaign has been terminated, the sponsor shall file  
23 a notice of termination with the final monthly report(~~(, which~~  
24 ~~notice)~~). The final report shall state the totals of all contributions  
25 and expenditures made on behalf of the campaign, in the same manner as  
26 provided for in the registration statement.

27 **Sec. 810.** RCW 42.17.210 and 1973 c 1 s 21 are each amended to read  
28 as follows:

29 If any person registered or required to be registered as a lobbyist  
30 (~~(under this chapter employs)~~), or ((if)) any employer of any person  
31 registered or required to be registered as a lobbyist (~~(under this~~  
32 ~~chapter)~~), employs ((any)) a member or an employee of the legislature,  
33 ((~~or any~~)) a member of ((any)) a state board or commission, ((~~or any~~  
34 ~~employee of the legislature,~~)) or ((any)) a full-time state employee,  
35 ((if such)) and that new employee ((shall)) remains in the partial  
36 employ of the state ((~~or any agency thereof, then~~)), the new employer  
37 ((shall)) must file within fifteen days after employment a statement

1 (~~under oath~~) with the commission, signed under oath, setting out the  
2 nature of the employment, the name of the person (~~to be paid~~  
3 ~~thereunder~~) employed, and the amount of pay or consideration (~~to be~~  
4 ~~paid thereunder~~. ~~The statement shall be filed within fifteen days~~  
5 ~~after the commencement of such employment~~)).

6 **Sec. 811.** RCW 42.17.220 and 1973 c 1 s 22 are each amended to read  
7 as follows:

8 It (~~shall be~~) is a violation of this chapter for any person to  
9 employ for pay or any consideration, or pay or agree to pay any  
10 consideration to, a person to lobby who is not registered under this  
11 chapter except upon the condition that such a person must register as  
12 a lobbyist as provided by this chapter(~~, and such person does in fact~~  
13 ~~so register as soon as practicable~~)).

14 **Sec. 812.** RCW 42.17.230 and 1987 c 201 s 2 are each amended to  
15 read as follows:

16 (1) A person required to register as a lobbyist under (~~this~~  
17 ~~chapter shall also have the following obligations, the violation of~~  
18 ~~which shall constitute cause for revocation of his registration, and~~  
19 ~~may subject such person, and such person's employer, if such employer~~  
20 ~~aids, abets, ratifies, or confirms any such act, to other civil~~  
21 ~~liabilities, as provided by this chapter:~~

22 ~~(1) Such persons shall obtain and preserve all~~) RCW 42.17.150 (as  
23 recodified by this act) shall substantiate financial reports required  
24 to be made under this chapter with accounts, bills, receipts, books,  
25 papers, and other necessary documents (necessary to substantiate the  
26 financial reports required to be made under this chapter). All such  
27 documents must be obtained and preserved for a period of at least five  
28 years from the date of (~~the~~) filing (~~of~~) the statement containing  
29 such items(~~, which accounts, bills, receipts, books, papers, and~~  
30 ~~documents~~) and shall be made available for inspection by the  
31 commission at any time(~~: PROVIDED, That if a lobbyist is required~~  
32 ~~under~~). If the terms of (~~his~~) the lobbyist's employment contract  
33 (~~to turn any~~) require that these records be turned over to his or her  
34 employer, responsibility for the preservation and inspection of  
35 (~~such~~) these records under this subsection shall (~~rest~~) be with  
36 such employer.

1 (2) ~~((In addition,))~~ A person required to register as a lobbyist  
2 under RCW 42.17.150 (as recodified by this act) shall not:

3 (a) Engage in any lobbying activity ~~((as a lobbyist))~~ before  
4 registering as ~~((such))~~ a lobbyist;

5 (b) Knowingly deceive or attempt to deceive ~~((any))~~ a legislator  
6 ~~((as to any fact))~~ regarding the facts pertaining to any pending or  
7 proposed legislation;

8 (c) Cause or influence the introduction of ~~((any))~~ a bill or  
9 amendment ~~((thereto))~~ to that bill for the purpose of ~~((thereafter))~~  
10 later being employed to secure its defeat;

11 (d) Knowingly represent an interest adverse to ~~((any of))~~ his or  
12 her employer~~((s))~~ without ~~((first))~~ full disclosure of the adverse  
13 interest to the employer and obtaining ~~((such))~~ the employer's written  
14 consent ~~((thereto after full disclosure to such employer of such~~  
15 adverse interest));

16 (e) Exercise any undue influence, extortion, or unlawful  
17 retaliation upon any legislator ~~((by reason of such))~~ due to the  
18 legislator's position ~~((with respect to, or his vote upon,))~~ or vote on  
19 any pending or proposed legislation;

20 (f) Enter into any agreement, arrangement, or understanding  
21 ~~((according to which his or her))~~ in which any portion of his or her  
22 compensation~~((, or any portion thereof,))~~ is or will be contingent upon  
23 ~~((the))~~ his or her success ~~((of any attempt to influence))~~ in  
24 influencing legislation.

25 (3) A violation by a lobbyist of this section shall be cause for  
26 revocation of his or her registration, and may subject the lobbyist and  
27 the lobbyist's employer, if the employer aids, abets, ratifies, or  
28 confirms the violation, to other civil liabilities as provided by this  
29 chapter.

## 30 PART 9

### 31 PERSONAL FINANCIAL AFFAIRS REPORTING

#### 32 BY CANDIDATES AND PUBLIC OFFICIALS

33 **Sec. 901.** RCW 42.17.240 and 1995 c 397 s 8 are each amended to  
34 read as follows:

35 (1) After January 1st and before April 15th of each year, every  
36 elected official and every executive state officer shall ((after

1 ~~January 1st and before April 15th of each year))~~ file with the  
2 commission a statement of financial affairs for the preceding calendar  
3 year. However, any local elected official whose term of office  
4 ~~((expires immediately after))~~ ends on December 31st shall file the  
5 statement required to be filed by this section for the final year  
6 ~~((that ended on that December 31st))~~ of his or her term.

7 (2) Within two weeks of becoming a candidate, every candidate shall  
8 ~~((within two weeks of becoming a candidate))~~ file with the commission  
9 a statement of financial affairs for the preceding twelve months.

10 (3) Within two weeks of appointment, every person appointed to a  
11 vacancy in an elective office or executive state officer position shall  
12 ~~((within two weeks of being so appointed))~~ file with the commission a  
13 statement of financial affairs for the preceding twelve months.

14 (4) A statement of a candidate or appointee filed during the period  
15 from January 1st to April 15th shall cover the period from January 1st  
16 of the preceding calendar year to the time of candidacy or appointment  
17 if the filing of the statement would relieve the individual of a prior  
18 obligation to file a statement covering the entire preceding calendar  
19 year.

20 (5) No individual may be required to file more than once in any  
21 calendar year.

22 (6) Each statement of financial affairs filed under this section  
23 shall be sworn as to its truth and accuracy.

24 (7) Every elected official and every executive state officer shall  
25 file with their statement of financial affairs a statement certifying  
26 that they have read and are familiar with RCW 42.17.130 (as recodified  
27 by this act) or 42.52.180, whichever is applicable.

28 (8) For the purposes of this section, the term "executive state  
29 officer" includes those listed in RCW 42.17.2401.

30 (9) This section does not apply to incumbents or candidates for a  
31 federal office or the office of precinct committee officer.

32 **Sec. 902.** RCW 42.17.2401 and 2009 c 565 s 24 are each amended to  
33 read as follows:

34 For the purposes of RCW 42.17.240 (as recodified by this act),  
35 ~~((the term))~~ "executive state officer" includes:

36 (1) The chief administrative law judge, the director of  
37 agriculture, ~~((the administrator of the Washington basic health plan,))~~

1 the director of the department of services for the blind, the director  
2 of the state system of community and technical colleges, the director  
3 of commerce, the secretary of corrections, the director of early  
4 learning, the director of ecology, the commissioner of employment  
5 security, the chair of the energy facility site evaluation council, the  
6 secretary of the state finance committee, the director of financial  
7 management, the director of fish and wildlife, the executive secretary  
8 of the forest practices appeals board, the director of the gambling  
9 commission, the director of general administration, the secretary of  
10 health, the administrator of the Washington state health care  
11 authority, the executive secretary of the health care facilities  
12 authority, the executive secretary of the higher education facilities  
13 authority, the executive secretary of the horse racing commission, the  
14 executive secretary of the human rights commission, the executive  
15 secretary of the indeterminate sentence review board, the director of  
16 the department of information services, the executive director of the  
17 state investment board, the director of labor and industries, the  
18 director of licensing, the director of the lottery commission, the  
19 director of the office of minority and women's business enterprises,  
20 the director of parks and recreation, the director of personnel, the  
21 executive director of the public disclosure commission, the executive  
22 director of the Puget Sound partnership, the director of the recreation  
23 and conservation office, the director of retirement systems, the  
24 director of revenue, the secretary of social and health services, the  
25 chief of the Washington state patrol, the executive secretary of the  
26 board of tax appeals, the secretary of transportation, the secretary of  
27 the utilities and transportation commission, the director of veterans  
28 affairs, the president of each of the regional and state universities  
29 and the president of The Evergreen State College, and each district and  
30 each campus president of each state community college;

31 (2) Each professional staff member of the office of the governor;

32 (3) Each professional staff member of the legislature; and

33 (4) Central Washington University board of trustees, the boards of  
34 trustees of each community college and each technical college, each  
35 member of the state board for community and technical colleges, state  
36 convention and trade center board of directors, (~~(committee for~~  
37 ~~deferred compensation,)) Eastern Washington University board of  
38 trustees, Washington economic development finance authority, The~~

1 Evergreen State College board of trustees, executive ethics board,  
2 forest practices appeals board, forest practices board, gambling  
3 commission, life sciences discovery fund authority board of trustees,  
4 Washington health care facilities authority, (~~each member of the~~  
5 ~~Washington health services commission,~~) higher education coordinating  
6 board, higher education facilities authority, horse racing commission,  
7 state housing finance commission, human rights commission,  
8 indeterminate sentence review board, board of industrial insurance  
9 appeals, information services board, (~~recreation and conservation~~  
10 ~~funding board,~~) state investment board, commission on judicial  
11 conduct, legislative ethics board, liquor control board, lottery  
12 commission, (~~marine oversight board,~~) Pacific Northwest electric  
13 power and conservation planning council, parks and recreation  
14 commission, board of pilotage commissioners, pollution control hearings  
15 board, public disclosure commission, (~~public pension commission,~~)  
16 shorelines hearings board, public employees' benefits board, recreation  
17 and conservation funding board, salmon recovery funding board, board of  
18 tax appeals, transportation commission, University of Washington board  
19 of regents, utilities and transportation commission, (~~Washington state~~  
20 ~~maritime commission,~~) Washington personnel resources board, Washington  
21 (~~public power supply system~~) energy northwest executive board,  
22 Washington State University board of regents, Western Washington  
23 University board of trustees, and fish and wildlife commission.

24 **Sec. 903.** RCW 42.17.241 and 2008 c 6 s 202 are each amended to  
25 read as follows:

26 (1) The statement of financial affairs required by RCW 42.17.240  
27 (as recodified by this act) shall disclose the following information  
28 for the reporting individual and each member of his or her immediate  
29 family:

30 (a) Occupation, name of employer, and business address; (~~and~~)

31 (b) Each bank (~~or~~) account, savings account (~~or~~), and insurance  
32 policy in which (~~any such person or persons owned~~) a direct financial  
33 interest (~~that exceeded five~~) was held that exceeds twenty thousand  
34 dollars at any time during the reporting period; each other item of  
35 intangible personal property in which (~~any such person or persons~~  
36 ~~owned~~) a direct financial interest (~~, the value of which exceeded five~~  
37 ~~hundred~~) was held that exceeds two thousand dollars during the



1 reporting period; the name, address, and nature of the entity; and the  
2 nature and highest value of each ~~((such))~~ direct financial interest  
3 during the reporting period; ~~((and))~~

4 (c) The name and address of each creditor to whom the value of  
5 ~~((five hundred))~~ two thousand dollars or more was owed; the original  
6 amount of each debt to each ~~((such))~~ creditor; the amount of each debt  
7 owed to each creditor as of the date of filing; the terms of repayment  
8 of each ~~((such))~~ debt; and the security given, if any, for each such  
9 debt~~((:—PROVIDED,—That))~~. Debts arising ~~((out of))~~ from a "retail  
10 installment transaction" as defined in chapter 63.14 RCW (retail  
11 installment sales act) need not be reported; ~~((and))~~

12 (d) Every public or private office, directorship, and position held  
13 as trustee; ~~((and))~~

14 (e) All persons for whom any legislation, rule, rate, or standard  
15 has been prepared, promoted, or opposed for current or deferred  
16 compensation~~((:—PROVIDED,—That))~~. For the purposes of this  
17 subsection, "compensation" does not include payments made to the person  
18 reporting by the governmental entity for which ~~((such))~~ the person  
19 serves as an elected official or state executive officer or  
20 professional staff member for his or her service in office; the  
21 description of such actual or proposed legislation, rules, rates, or  
22 standards; and the amount of current or deferred compensation paid or  
23 promised to be paid; ~~((and))~~

24 (f) The name and address of each governmental entity, corporation,  
25 partnership, joint venture, sole proprietorship, association, union, or  
26 other business or commercial entity from whom compensation has been  
27 received in any form of a total value of ~~((five hundred))~~ two thousand  
28 dollars or more; the value of the compensation; and the consideration  
29 given or performed in exchange for the compensation; ~~((and))~~

30 (g) The name of any corporation, partnership, joint venture,  
31 association, union, or other entity in which is held any office,  
32 directorship, or any general partnership interest, or an ownership  
33 interest of ten percent or more; the name or title of that office,  
34 directorship, or partnership; the nature of ownership interest; and  
35 ~~((with respect to each such entity))~~: (i) With respect to a  
36 governmental unit in which the official seeks or holds any office or  
37 position, if the entity has received compensation in any form during  
38 the preceding twelve months from the governmental unit, the value of

1 the compensation and the consideration given or performed in exchange  
2 for the compensation; and (ii) the name of each governmental unit,  
3 corporation, partnership, joint venture, sole proprietorship,  
4 association, union, or other business or commercial entity from which  
5 the entity has received compensation in any form in the amount of (~~two~~  
6 ~~thousand five hundred~~) ten thousand dollars or more during the  
7 preceding twelve months and the consideration given or performed in  
8 exchange for the compensation(~~(:—PROVIDED, That the term)~~). As used  
9 in (g)(ii) of this subsection, "compensation" (~~(for purposes of this~~  
10 ~~subsection (1)(g)(ii))~~) does not include payment for water and other  
11 utility services at rates approved by the Washington state utilities  
12 and transportation commission or the legislative authority of the  
13 public entity providing the service(~~(:—PROVIDED, FURTHER, That)~~).  
14 With respect to any bank or commercial lending institution in which is  
15 held any office, directorship, partnership interest, or ownership  
16 interest, it shall only be necessary to report either the name,  
17 address, and occupation of every director and officer of the bank or  
18 commercial lending institution and the average monthly balance of each  
19 account held during the preceding twelve months by the bank or  
20 commercial lending institution from the governmental entity for which  
21 the individual is an official or candidate or professional staff  
22 member, or all interest paid by a borrower on loans from and all  
23 interest paid to a depositor by the bank or commercial lending  
24 institution if the interest exceeds (~~(six)~~) two thousand four hundred  
25 dollars; (~~and~~)

26 (h) A list, including legal or other sufficient descriptions as  
27 prescribed by the commission, of all real property in the state of  
28 Washington, the assessed valuation of which exceeds (~~two thousand five~~  
29 ~~hundred~~) ten thousand dollars in which any direct financial interest  
30 was acquired during the preceding calendar year, and a statement of the  
31 amount and nature of the financial interest and of the consideration  
32 given in exchange for that interest; (~~and~~)

33 (i) A list, including legal or other sufficient descriptions as  
34 prescribed by the commission, of all real property in the state of  
35 Washington, the assessed valuation of which exceeds (~~two thousand five~~  
36 ~~hundred~~) ten thousand dollars in which any direct financial interest  
37 was divested during the preceding calendar year, and a statement of the

1 amount and nature of the consideration received in exchange for that  
2 interest, and the name and address of the person furnishing the  
3 consideration; ((and))

4 (j) A list, including legal or other sufficient descriptions as  
5 prescribed by the commission, of all real property in the state of  
6 Washington, the assessed valuation of which exceeds ((two thousand five  
7 hundred)) ten thousand dollars in which a direct financial interest was  
8 held((: PROVIDED, That)). If a description of the property has been  
9 included in a report previously filed, the property may be listed, for  
10 purposes of this ((provision)) subsection (1)(j), by reference to the  
11 previously filed report; ((and))

12 (k) A list, including legal or other sufficient descriptions as  
13 prescribed by the commission, of all real property in the state of  
14 Washington, the assessed valuation of which exceeds ((five)) twenty  
15 thousand dollars, in which a corporation, partnership, firm,  
16 enterprise, or other entity had a direct financial interest, in which  
17 corporation, partnership, firm, or enterprise a ten percent or greater  
18 ownership interest was held; ((and))

19 (l) A list of each occasion, specifying date, donor, and amount, at  
20 which food and beverage in excess of fifty dollars was accepted under  
21 RCW 42.52.150(5); ((and))

22 (m) A list of each occasion, specifying date, donor, and amount, at  
23 which items specified in RCW 42.52.010(10) (d) and (f) were accepted;  
24 and

25 (n) Such other information as the commission may deem necessary in  
26 order to properly carry out the purposes and policies of this chapter,  
27 as the commission shall prescribe by rule.

28 (2) Where an amount is required to be reported under subsection  
29 (1)(a) through (m) of this section, it shall be sufficient to comply  
30 with the requirement to report whether the amount is less than ((one))  
31 four thousand dollars, at least ((one)) four thousand dollars but less  
32 than ((five)) twenty thousand dollars, at least ((five)) twenty  
33 thousand dollars but less than ((ten)) forty thousand dollars, at least  
34 ((ten)) forty thousand dollars but less than ((twenty-five)) one  
35 hundred thousand dollars, or ((twenty-five)) one hundred thousand  
36 dollars or more. An amount of stock may be reported by number of  
37 shares instead of by market value. No provision of this subsection may

1 be interpreted to prevent any person from filing more information or  
2 more detailed information than required.

3 (3) Items of value given to an official's or employee's spouse,  
4 domestic partner, or family member are attributable to the official or  
5 employee, except the item is not attributable if an independent  
6 business, family, or social relationship exists between the donor and  
7 the spouse, domestic partner, or family member.

8 **Sec. 904.** RCW 42.17.242 and 1977 ex.s. c 336 s 4 are each amended  
9 to read as follows:

10 No payment shall be made to any person required to report under RCW  
11 42.17.240 (as recodified by this act) and no payment shall be accepted  
12 by any such person, directly or indirectly, in a fictitious name,  
13 anonymously, or by one person through an agent, relative, or other  
14 person in such a manner as to conceal the identity of the source of the  
15 payment or in any other manner so as to effect concealment (~~except~~  
16 ~~that~~). The commission may issue categorical and specific exemptions  
17 to the reporting of the actual source when there is an undisclosed  
18 principal for recognized legitimate business purposes.

19 **PART 10**  
20 **ENFORCEMENT**

21 **Sec. 1001.** RCW 42.17.390 and 2006 c 315 s 2 are each amended to  
22 read as follows:

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

26 (1) If the court finds that the violation of any provision of this  
27 chapter by any candidate or political committee probably affected the  
28 outcome of any election, the result of (~~said~~) that election may be  
29 held void and a special election held within sixty days of (~~such~~) the  
30 finding. Any action to void an election shall be commenced within one  
31 year of the date of the election in question. It is intended that this  
32 remedy be imposed freely in all appropriate cases to protect the right  
33 of the electorate to an informed and knowledgeable vote.

34 (2) If any lobbyist or sponsor of any grass roots lobbying campaign  
35 violates any of the provisions of this chapter, his or her registration

1 may be revoked or suspended and he or she may be enjoined from  
2 receiving compensation or making expenditures for lobbying(~~(+~~  
3 ~~PROVIDED, HOWEVER, That~~)). The imposition of (~~(such)~~) a sanction shall  
4 not excuse (~~(said)~~) the lobbyist from filing statements and reports  
5 required by this chapter.

6 (3) (~~(Any)~~) A person who violates any of the provisions of this  
7 chapter may be subject to a civil penalty of not more than ten thousand  
8 dollars for each (~~(such)~~) violation. However, a person or entity who  
9 violates RCW 42.17.640 (as recodified by this act) may be subject to a  
10 civil penalty of ten thousand dollars or three times the amount of the  
11 contribution illegally made or accepted, whichever is greater.

12 (4) (~~(Any)~~) A person who fails to file a properly completed  
13 statement or report within the time required by this chapter may be  
14 subject to a civil penalty of ten dollars per day for each day each  
15 (~~(such)~~) delinquency continues.

16 (5) (~~(Any)~~) A person who fails to report a contribution or  
17 expenditure as required by this chapter may be subject to a civil  
18 penalty equivalent to the amount not reported as required.

19 (6) The court may enjoin any person to prevent the doing of any act  
20 herein prohibited, or to compel the performance of any act required  
21 herein.

22 **Sec. 1002.** RCW 42.17.395 and 2006 c 315 s 3 are each amended to  
23 read as follows:

24 (1) The commission may (a) determine whether an actual violation of  
25 this chapter has occurred; and (b) issue and enforce an appropriate  
26 order following such a determination.

27 (2) The commission, in cases where it chooses to determine whether  
28 an actual violation has occurred, shall hold a hearing pursuant to the  
29 administrative procedure act, chapter 34.05 RCW, to make (~~(such)~~) a  
30 determination. Any order that the commission issues under this section  
31 shall be pursuant to such a hearing.

32 (3) In lieu of holding a hearing or issuing an order under this  
33 section, the commission may refer the matter to the attorney general or  
34 other enforcement agency as provided in RCW 42.17.360 (as recodified by  
35 this act).

36 (4) The person against whom an order is directed under this section  
37 shall be designated as the respondent. The order may require the

1 respondent to cease and desist from the activity that constitutes a  
2 violation and in addition, or alternatively, may impose one or more of  
3 the remedies provided in RCW 42.17.390 (2) through (5) (as recodified  
4 by this act). No individual penalty assessed by the commission may  
5 exceed one thousand seven hundred dollars, and in any case where  
6 multiple violations are involved in a single complaint or hearing, the  
7 maximum aggregate penalty may not exceed four thousand two hundred  
8 dollars.

9 (5) An order issued by the commission under this section shall be  
10 subject to judicial review under the administrative procedure act,  
11 chapter 34.05 RCW. If the commission's order is not satisfied and no  
12 petition for review is filed within thirty days (~~(as provided in RCW~~  
13 ~~34.05.542)~~), the commission may petition a court of competent  
14 jurisdiction of any county in which a petition for review could be  
15 filed under that section, for an order of enforcement. Proceedings in  
16 connection with the commission's petition shall be in accordance with  
17 RCW 42.17.397 (as recodified by this act).

18 **Sec. 1003.** RCW 42.17.397 and 1989 c 175 s 92 are each amended to  
19 read as follows:

20 The following procedure shall apply in all cases where the  
21 commission has petitioned a court of competent jurisdiction for  
22 enforcement of any order it has issued pursuant to this chapter:

23 (1) A copy of the petition shall be served by certified mail  
24 directed to the respondent at his or her last known address. The court  
25 shall issue an order directing the respondent to appear at a time  
26 designated in the order, not less than five days from the date thereof,  
27 and show cause why the commission's order should not be enforced  
28 according to its terms.

29 (2) The commission's order shall be enforced by the court if the  
30 respondent does not appear, or if the respondent appears and the court  
31 finds, pursuant to a hearing held for that purpose:

- 32 (a) That the commission's order is unsatisfied; (~~and~~)
- 33 (b) That the order is regular on its face; and
- 34 (c) That the respondent's answer discloses no valid reason why the  
35 commission's order should not be enforced or that the respondent had an  
36 appropriate remedy by review under RCW 34.05.570(3) and failed to avail  
37 himself or herself of that remedy without valid excuse.

1 (3) Upon appropriate application by the respondent, the court may,  
2 after hearing and for good cause, alter, amend, revise, suspend, or  
3 postpone all or part of the commission's order. In any case where the  
4 order is not enforced by the court according to its terms, the reasons  
5 for the court's actions shall be clearly stated in writing, and  
6 (~~such~~) the action shall be subject to review by the appellate courts  
7 by certiorari or other appropriate proceeding.

8 (4) The court's order of enforcement, when entered, shall have the  
9 same force and effect as a civil judgment.

10 (5) Notwithstanding RCW 34.05.578 through 34.05.590, this section  
11 is the exclusive method for enforcing an order of the commission.

12 **Sec. 1004.** RCW 42.17.400 and 2007 c 455 s 1 are each amended to  
13 read as follows:

14 (1) The attorney general and the prosecuting authorities of  
15 political subdivisions of this state may bring civil actions in the  
16 name of the state for any appropriate civil remedy, including but not  
17 limited to the special remedies provided in RCW 42.17.390 (as  
18 recodified by this act).

19 (2) The attorney general and the prosecuting authorities of  
20 political subdivisions of this state may investigate or cause to be  
21 investigated the activities of any person who there is reason to  
22 believe is or has been acting in violation of this chapter, and may  
23 require any such person or any other person reasonably believed to have  
24 information concerning the activities of such person to appear at a  
25 time and place designated in the county in which such person resides or  
26 is found, to give such information under oath and to produce all  
27 accounts, bills, receipts, books, paper and documents which may be  
28 relevant or material to any investigation authorized under this  
29 chapter.

30 (3) When the attorney general or the prosecuting authority of any  
31 political subdivision of this state requires the attendance of any  
32 person to obtain such information or (~~the production of~~) produce the  
33 accounts, bills, receipts, books, papers, and documents (~~which~~) that  
34 may be relevant or material to any investigation authorized under this  
35 chapter, he or she shall issue an order setting forth the time when and  
36 the place where attendance is required and shall cause the same to be  
37 delivered to or sent by registered mail to the person at least fourteen

1 days before the date fixed for attendance. (~~Such~~) The order shall  
2 have the same force and effect as a subpoena, shall be effective  
3 statewide, and, upon application of the attorney general or (~~said~~)  
4 the prosecuting authority, obedience to the order may be enforced by  
5 any superior court judge in the county where the person receiving it  
6 resides or is found, in the same manner as though the order were a  
7 subpoena. The court, after hearing, for good cause, and upon  
8 application of any person aggrieved by the order, shall have the right  
9 to alter, amend, revise, suspend, or postpone all or any part of its  
10 provisions. In any case where the order is not enforced by the court  
11 according to its terms, the reasons for the court's actions shall be  
12 clearly stated in writing, and (~~such~~) the action shall be subject to  
13 review by the appellate courts by certiorari or other appropriate  
14 proceeding.

15 (4) (~~Any~~) A person who has notified the attorney general and the  
16 prosecuting attorney in the county in which the violation occurred in  
17 writing that there is reason to believe that some provision of this  
18 chapter is being or has been violated may himself or herself bring in  
19 the name of the state any of the actions (hereinafter referred to as a  
20 citizen's action) authorized under this chapter.

21 (a) This citizen action may be brought only if:

22 (i) The attorney general and the prosecuting attorney have failed  
23 to commence an action hereunder within forty-five days after (~~such~~)  
24 the notice;

25 (ii) (~~Such~~) The person has thereafter further notified the  
26 attorney general and prosecuting attorney that (~~said~~) the person will  
27 commence a citizen's action within ten days upon their failure (~~so~~)  
28 to do so;

29 (iii) The attorney general and the prosecuting attorney have in  
30 fact failed to bring such action within ten days of receipt of said  
31 second notice; and

32 (iv) The citizen's action is filed within two years after the date  
33 when the alleged violation occurred.

34 (b) If the person who brings the citizen's action prevails, the  
35 judgment awarded shall escheat to the state, but he or she shall be  
36 entitled to be reimbursed by the state of Washington for costs and  
37 (~~attorney's~~) attorneys' fees he or she has incurred(~~(:—PROVIDED,~~  
38 ~~That)).~~ In the case of a citizen's action (~~which~~) that is dismissed



1 and (~~which~~) that the court also finds was brought without reasonable  
2 cause, the court may order the person commencing the action to pay all  
3 costs of trial and reasonable (~~attorney's~~) attorneys' fees incurred  
4 by the defendant.

5 (5) In any action brought under this section, the court may award  
6 to the state all costs of investigation and trial, including ((a))  
7 reasonable (~~attorney's~~) attorneys' fees to be fixed by the court. If  
8 the violation is found to have been intentional, the amount of the  
9 judgment, which shall for this purpose include the costs, may be  
10 trebled as punitive damages. If damages or trebled damages are awarded  
11 in such an action brought against a lobbyist, the judgment may be  
12 awarded against the lobbyist, and the lobbyist's employer or employers  
13 joined as defendants, jointly, severally, or both. If the defendant  
14 prevails, he or she shall be awarded all costs of trial, and may be  
15 awarded ((a)) reasonable (~~attorney's~~) attorneys' fees to be fixed by  
16 the court to be paid by the state of Washington.

17 **Sec. 1005.** RCW 42.56.010 and 2007 c 197 s 1 are each amended to  
18 read as follows:

19 The definitions in this section apply throughout this chapter  
20 unless the context clearly requires otherwise.

21 (1) "Agency" includes all state agencies and all local agencies.  
22 "State agency" includes every state office, department, division,  
23 bureau, board, commission, or other state agency. "Local agency"  
24 includes every county, city, town, municipal corporation, quasi-  
25 municipal corporation, or special purpose district, or any office,  
26 department, division, bureau, board, commission, or agency thereof, or  
27 other local public agency.

28 (2) "Person in interest" means the person who is the subject of a  
29 record or any representative designated by that person, except that if  
30 that person is under a legal disability, "person in interest" means and  
31 includes the parent or duly appointed legal representative.

32 (3) "Public record" includes any writing containing information  
33 relating to the conduct of government or the performance of any  
34 governmental or proprietary function prepared, owned, used, or retained  
35 by any state or local agency regardless of physical form or  
36 characteristics. For the office of the secretary of the senate and the  
37 office of the chief clerk of the house of representatives, public

1 records means legislative records as defined in RCW 40.14.100 and also  
2 means the following: All budget and financial records; personnel  
3 leave, travel, and payroll records; records of legislative sessions;  
4 reports submitted to the legislature; and any other record designated  
5 a public record by any official action of the senate or the house of  
6 representatives.

7 ((+3)) (4) "Writing" means handwriting, typewriting, printing,  
8 photostating, photographing, and every other means of recording any  
9 form of communication or representation including, but not limited to,  
10 letters, words, pictures, sounds, or symbols, or combination thereof,  
11 and all papers, maps, magnetic or paper tapes, photographic films and  
12 prints, motion picture, film and video recordings, magnetic or punched  
13 cards, discs, drums, diskettes, sound recordings, and other documents  
14 including existing data compilations from which information may be  
15 obtained or translated.

16 **PART 11**  
17 **MISCELLANEOUS PROVISIONS**

18 NEW SECTION. **Sec. 1101.** When RCW 42.17.2401 (as recodified by  
19 this act) is codified, the code reviser shall arrange the names of the  
20 agencies in each subsection in alphabetical order, arranged according  
21 to the first distinctive word of each agency's name.

22 NEW SECTION. **Sec. 1102.** The following sections are recodified as  
23 a new chapter in Title 42 RCW, to be codified as chapter 42.17A RCW, in  
24 the following order with the following subchapter headings:

- 25 GENERAL PROVISIONS
- 26 RCW 42.17.010
- 27 RCW 42.17.020
- 28 RCW 42.17.035
- 29 RCW 42.17.440
- 30 ELECTRONIC ACCESS
- 31 RCW 42.17.367
- 32 RCW 42.17.369
- 33 RCW 42.17.460
- 34 RCW 42.17.461
- 35 RCW 42.17.463

1 ADMINISTRATION  
2 RCW 42.17.350  
3 RCW 42.17.360  
4 RCW 42.17.370  
5 Section 304 of this act  
6 RCW 42.17.690  
7 RCW 42.17.380  
8 RCW 42.17.405  
9 RCW 42.17.420  
10 RCW 42.17.430  
11 RCW 42.17.450  
12 CAMPAIGN FINANCE REPORTING  
13 RCW 42.17.030  
14 RCW 42.17.040  
15 RCW 42.17.050  
16 Section 404 of this act  
17 RCW 42.17.060  
18 RCW 42.17.065  
19 RCW 42.17.067  
20 RCW 42.17.080  
21 RCW 42.17.090  
22 RCW 42.17.3691  
23 RCW 42.17.093  
24 RCW 42.17.100  
25 RCW 42.17.103  
26 RCW 42.17.105  
27 RCW 42.17.550  
28 RCW 42.17.135  
29 POLITICAL ADVERTISING AND ELECTIONEERING COMMUNICATIONS  
30 RCW 42.17.561  
31 RCW 42.17.565  
32 RCW 42.17.570  
33 RCW 42.17.575  
34 RCW 42.17.510  
35 RCW 42.17.520  
36 RCW 42.17.530  
37 RCW 42.17.540  
38 RCW 42.17.110

1 CAMPAIGN CONTRIBUTION LIMITS AND OTHER RESTRICTIONS  
2 RCW 42.17.610  
3 RCW 42.17.640  
4 RCW 42.17.645  
5 RCW 42.17.700  
6 Section 604 of this act  
7 RCW 42.17.070  
8 RCW 42.17.095  
9 RCW 42.17.120  
10 Section 607 of this act  
11 RCW 42.17.125  
12 RCW 42.17.650  
13 RCW 42.17.660  
14 RCW 42.17.670  
15 RCW 42.17.720  
16 RCW 42.17.730  
17 RCW 42.17.740  
18 RCW 42.17.770  
19 RCW 42.17.780  
20 RCW 42.17.790  
21 RCW 42.17.680  
22 RCW 42.17.760  
23 PUBLIC OFFICIALS, EMPLOYEES, AND AGENCIES CAMPAIGN RESTRICTIONS AND  
24 PROHIBITIONS--REPORTING  
25 RCW 42.17.128  
26 RCW 42.17.130  
27 RCW 42.17.710  
28 RCW 42.17.750  
29 RCW 42.17.245  
30 Section 703 of this act  
31 LOBBYING DISCLOSURE AND RESTRICTIONS  
32 RCW 42.17.150  
33 RCW 42.17.155  
34 RCW 42.17.160  
35 RCW 42.17.170  
36 RCW 42.17.172  
37 RCW 42.17.175  
38 RCW 42.17.180

1 RCW 42.17.190  
2 RCW 42.17.200  
3 RCW 42.17.210  
4 RCW 42.17.220  
5 RCW 42.17.230  
6 PERSONAL FINANCIAL AFFAIRS REPORTING BY CANDIDATES AND PUBLIC OFFICIALS  
7 RCW 42.17.240  
8 RCW 42.17.2401  
9 RCW 42.17.241  
10 RCW 42.17.242  
11 ENFORCEMENT  
12 RCW 42.17.390  
13 RCW 42.17.395  
14 RCW 42.17.397  
15 RCW 42.17.400  
16 RCW 42.17.410  
17 TECHNICAL PROVISIONS  
18 RCW 42.17.900  
19 RCW 42.17.910  
20 RCW 42.17.911  
21 RCW 42.17.912  
22 RCW 42.17.920  
23 RCW 42.17.930  
24 RCW 42.17.940  
25 RCW 42.17.945  
26 RCW 42.17.950  
27 RCW 42.17.955  
28 RCW 42.17.960  
29 RCW 42.17.961  
30 RCW 42.17.962  
31 RCW 42.17.963  
32 RCW 42.17.964  
33 RCW 42.17.965  
34 RCW 42.17.966

35 NEW SECTION. **Sec. 1103.** The following acts or parts of acts, as  
36 now existing or hereafter amended, are each repealed:

- 1 (1) RCW 42.17.131 (Exemption from RCW 42.17.130) and 1994 c 154 s  
2 317;
- 3 (2) RCW 42.17.362 (Toll-free telephone number) and 2000 c 237 s 6;
- 4 (3) RCW 42.17.365 (Audits and investigations) and 1999 c 401 s 8 &  
5 1993 c 2 s 29;
- 6 (4) RCW 42.17.375 (Reports filed with county elections official--  
7 Rules governing) and 1983 c 294 s 1;
- 8 (5) RCW 42.17.465 (Information technology plan--Contents) and 1999  
9 c 401 s 4;
- 10 (6) RCW 42.17.467 (Information technology plan--Consultation) and  
11 1999 c 401 s 5;
- 12 (7) RCW 42.17.469 (Information technology plan--Submission) and  
13 1999 c 401 s 6;
- 14 (8) RCW 42.17.471 (Access performance reports) and 1999 c 401 s 7;
- 15 (9) RCW 42.17.562 (Intent) and 2005 c 445 s 2;
- 16 (10) RCW 42.17.620 (Intent) and 1993 c 2 s 2; and
- 17 (11) RCW 42.17.647 (Rules) and 2006 c 348 s 3.

18 NEW SECTION. **Sec. 1104.** Sections 505, 602, and 703 of this act  
19 are necessary for the immediate preservation of the public peace,  
20 health, or safety, or support of the state government and its existing  
21 public institutions, and take effect immediately.

22 NEW SECTION. **Sec. 1105.** Sections 101 through 504, 506 through  
23 601, and 603 through 1103 of this act take effect January 1, 2012."

**2SHB 2016** - S COMM AMD

By Committee on Government Operations & Elections

**ADOPTED 03/02/2010**

24 On page 1, line 1 of the title, after "laws;" strike the remainder  
25 of the title and insert "amending RCW 42.17.020, 42.17.367, 42.17.369,  
26 42.17.461, 42.17.463, 42.17.350, 42.17.360, 42.17.370, 42.17.690,  
27 42.17.380, 42.17.405, 42.17.420, 42.17.450, 42.17.030, 42.17.040,  
28 42.17.050, 42.17.060, 42.17.065, 42.17.067, 42.17.080, 42.17.090,

1 42.17.3691, 42.17.093, 42.17.100, 42.17.103, 42.17.105, 42.17.550,  
2 42.17.135, 42.17.561, 42.17.565, 42.17.570, 42.17.575, 42.17.510,  
3 42.17.520, 42.17.540, 42.17.110, 42.17.610, 42.17.640, 42.17.645,  
4 42.17.070, 42.17.095, 42.17.125, 42.17.660, 42.17.720, 42.17.740,  
5 42.17.790, 42.17.680, 42.17.130, 42.17.245, 42.17.150, 42.17.155,  
6 42.17.160, 42.17.170, 42.17.172, 42.17.175, 42.17.180, 42.17.190,  
7 42.17.200, 42.17.210, 42.17.220, 42.17.230, 42.17.240, 42.17.241,  
8 42.17.242, 42.17.390, 42.17.395, 42.17.397, 42.17.400, and 42.56.010;  
9 reenacting and amending RCW 42.17.2401; adding a new chapter to Title  
10 42 RCW; creating new sections; recodifying RCW 42.17.010, 42.17.020,  
11 42.17.035, 42.17.440, 42.17.367, 42.17.369, 42.17.460, 42.17.461,  
12 42.17.463, 42.17.350, 42.17.360, 42.17.370, 42.17.690, 42.17.380,  
13 42.17.405, 42.17.420, 42.17.430, 42.17.450, 42.17.030, 42.17.040,  
14 42.17.050, 42.17.060, 42.17.065, 42.17.067, 42.17.080, 42.17.090,  
15 42.17.3691, 42.17.093, 42.17.100, 42.17.103, 42.17.105, 42.17.550,  
16 42.17.135, 42.17.561, 42.17.565, 42.17.570, 42.17.575, 42.17.510,  
17 42.17.520, 42.17.530, 42.17.540, 42.17.110, 42.17.610, 42.17.640,  
18 42.17.645, 42.17.700, 42.17.070, 42.17.095, 42.17.120, 42.17.125,  
19 42.17.650, 42.17.660, 42.17.670, 42.17.720, 42.17.730, 42.17.740,  
20 42.17.770, 42.17.780, 42.17.790, 42.17.680, 42.17.760, 42.17.128,  
21 42.17.130, 42.17.710, 42.17.750, 42.17.245, 42.17.150, 42.17.155,  
22 42.17.160, 42.17.170, 42.17.172, 42.17.175, 42.17.180, 42.17.190,  
23 42.17.200, 42.17.210, 42.17.220, 42.17.230, 42.17.240, 42.17.2401,  
24 42.17.241, 42.17.242, 42.17.390, 42.17.395, 42.17.397, 42.17.400,  
25 42.17.410, 42.17.900, 42.17.910, 42.17.911, 42.17.912, 42.17.920,  
26 42.17.930, 42.17.940, 42.17.945, 42.17.950, 42.17.955, 42.17.960,  
27 42.17.961, 42.17.962, 42.17.963, 42.17.964, 42.17.965, and 42.17.966;  
28 repealing RCW 42.17.131, 42.17.362, 42.17.365, 42.17.375, 42.17.465,  
29 42.17.467, 42.17.469, 42.17.471, 42.17.562, 42.17.620, and 42.17.647;  
30 providing an effective date; and declaring an emergency."

--- END ---