
SUBSTITUTE HOUSE BILL 1919

State of Washington

67th Legislature

2022 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Valdez, Thai, Ramel, and Pollet; by request of Public Disclosure Commission)

READ FIRST TIME 02/03/22.

1 AN ACT Relating to recommendations by the public disclosure
2 commission; amending RCW 42.17A.005, 42.17A.105, 42.17A.120,
3 42.17A.205, 42.17A.207, 42.17A.225, 42.17A.235, 42.17A.255,
4 42.17A.260, 42.17A.265, 42.17A.345, 42.17A.405, 42.17A.420,
5 42.17A.700, 42.17A.705, 42.17A.710, and 42.17A.785; adding a new
6 section to chapter 42.17A RCW; providing effective dates; and
7 declaring an emergency.

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

9 **Sec. 1.** RCW 42.17A.005 and 2020 c 152 s 2 are each amended to
10 read as follows:

11 The definitions in this section apply throughout this chapter
12 unless the context clearly requires otherwise.

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

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

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

5 (4) "Ballot proposition" means any (~~"measure" as defined by RCW~~
6 ~~29A.04.091, or any initiative, recall, or referendum~~) proposition
7 proposed to be submitted to the voters (~~of the state or any~~
8 ~~municipal corporation, political subdivision, or other voting~~
9 ~~constituency from and after~~). For purposes of this chapter, a
10 proposition is considered proposed at the time when (~~the proposition~~
11 ~~has been~~) it is initially filed with the appropriate election
12 (~~officer of that constituency before its circulation for~~
13 ~~signatures~~) official, or is initially circulated for signatures,
14 whichever occurs first. Reporting requirements apply to expenditures
15 made from the point at which a proposition is considered proposed.

16 (5) "Benefit" means a commercial, proprietary, financial,
17 economic, or monetary advantage, or the avoidance of a commercial,
18 proprietary, financial, economic, or monetary disadvantage.

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

20 (a) An organization that has been recognized as a minor political
21 party by the secretary of state;

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

26 (c) The county central committee or legislative district
27 committee of a major political party. There may be only one
28 legislative district committee for each party in each legislative
29 district.

30 (7) "Books of account" means:

31 (a) In the case of a campaign or political committee, a ledger or
32 similar listing of contributions, expenditures, and debts, such as a
33 campaign or committee is required to file regularly with the
34 commission, current as of the most recent business day; or

35 (b) In the case of a commercial advertiser, details of political
36 advertising or electioneering communications provided by the
37 advertiser, including the names and addresses of persons from whom it
38 accepted political advertising or electioneering communications, the
39 exact nature and extent of the services rendered and the total cost
40 and the manner of payment for the services.

1 (8) "Candidate" means any individual who seeks nomination for
2 election or election to public office. An individual seeks nomination
3 or election when the individual first:

4 (a) Receives contributions or makes expenditures or reserves
5 space or facilities with intent to promote the individual's candidacy
6 for office;

7 (b) Announces publicly or files for office;

8 (c) Purchases commercial advertising space or broadcast time to
9 promote the individual's candidacy; or

10 (d) Gives consent to another person to take on behalf of the
11 individual any of the actions in (a) or (c) of this subsection.

12 (9) "Caucus political committee" means a political committee
13 organized and maintained by the members of a major political party in
14 the state senate or state house of representatives.

15 (10) "Commercial advertiser" means any person that sells the
16 service of communicating messages or producing material for broadcast
17 or distribution to the general public or segments of the general
18 public whether through brochures, fliers, newspapers, magazines,
19 television, radio, billboards, direct mail advertising, printing,
20 paid internet or digital communications, or any other means of mass
21 communications used for the purpose of appealing, directly or
22 indirectly, for votes or for financial or other support in any
23 election campaign.

24 (11) "Commission" means the agency established under RCW
25 42.17A.100.

26 (12) "Committee" unless the context indicates otherwise, includes
27 a political committee such as a candidate, ballot proposition,
28 recall, political, or continuing political committee.

29 (13) "Compensation" unless the context requires a narrower
30 meaning, includes payment in any form for real or personal property
31 or services of any kind. For the purpose of compliance with RCW
32 42.17A.710, "compensation" does not include per diem allowances or
33 other payments made by a governmental entity to reimburse a public
34 official for expenses incurred while the official is engaged in the
35 official business of the governmental entity.

36 (14) "Continuing political committee" means a political committee
37 that is an organization of continuing existence not limited to
38 participation in any particular election campaign or election cycle.

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

1 (i) A loan, gift, deposit, subscription, forgiveness of
2 indebtedness, donation, advance, pledge, payment, transfer of funds,
3 or anything of value, including personal and professional services
4 for less than full consideration;

5 (ii) An expenditure made by a person in cooperation,
6 consultation, or concert with, or at the request or suggestion of, a
7 candidate, a political or incidental committee, the person or persons
8 named on the candidate's or committee's registration form who direct
9 expenditures on behalf of the candidate or committee, or their
10 agents;

11 (iii) The financing by a person of the dissemination,
12 distribution, or republication, in whole or in part, of broadcast,
13 written, graphic, digital, or other form of political advertising or
14 electioneering communication prepared by a candidate, a political or
15 incidental committee, or its authorized agent;

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

19 (b) "Contribution" does not include:

20 (i) Accrued interest on money deposited in a political or
21 incidental committee's account;

22 (ii) Ordinary home hospitality;

23 (iii) A contribution received by a candidate or political or
24 incidental committee that is returned to the contributor within ten
25 business days of the date on which it is received by the candidate or
26 political or incidental committee;

27 (iv) A news item, feature, commentary, or editorial in a
28 regularly scheduled news medium that is of interest to the public,
29 that is in a news medium controlled by a person whose business is
30 that news medium, and that is not controlled by a candidate or a
31 political or incidental committee;

32 (v) An internal political communication primarily limited to the
33 members of or contributors to a political party organization or
34 political or incidental committee, or to the officers, management
35 staff, or stockholders of a corporation or similar enterprise, or to
36 the members of a labor organization or other membership organization;

37 (vi) The rendering of personal services of the sort commonly
38 performed by volunteer campaign workers, or incidental expenses
39 personally incurred by volunteer campaign workers not in excess of
40 fifty dollars personally paid for by the worker. "Volunteer

1 services," for the purposes of this subsection, means services or
2 labor for which the individual is not compensated by any person;

3 (vii) Messages in the form of reader boards, banners, or yard or
4 window signs displayed on a person's own property or property
5 occupied by a person. However, a facility used for such political
6 advertising for which a rental charge is normally made must be
7 reported as an in-kind contribution and counts toward any applicable
8 contribution limit of the person providing the facility;

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

10 (A) A political party or caucus political committee if the person
11 paying for the services is the regular employer of the person
12 rendering such services; or

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

17 (ix) The performance of ministerial functions by a person on
18 behalf of two or more candidates or political or incidental
19 committees either as volunteer services defined in (b)(vi) of this
20 subsection or for payment by the candidate or political or incidental
21 committee for whom the services are performed as long as:

22 (A) The person performs solely ministerial functions;

23 (B) A person who is paid by two or more candidates or political
24 or incidental committees is identified by the candidates and
25 political committees on whose behalf services are performed as part
26 of their respective statements of organization under RCW 42.17A.205;
27 and

28 (C) The person does not disclose, except as required by law, any
29 information regarding a candidate's or committee's plans, projects,
30 activities, or needs, or regarding a candidate's or committee's
31 contributions or expenditures that is not already publicly available
32 from campaign reports filed with the commission, or otherwise engage
33 in activity that constitutes a contribution under (a)(ii) of this
34 subsection.

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

39 (c) Contributions other than money or its equivalent are deemed
40 to have a monetary value equivalent to the fair market value of the

1 contribution. Services or property or rights furnished at less than
2 their fair market value for the purpose of assisting any candidate or
3 political committee are deemed a contribution. Such a contribution
4 must be reported as an in-kind contribution at its fair market value
5 and counts towards any applicable contribution limit of the provider.

6 (16) "Depository" means a bank, mutual savings bank, savings and
7 loan association, or credit union doing business in this state.

8 (17) "Elected official" means any person elected at a general or
9 special election to any public office, and any person appointed to
10 fill a vacancy in any such office.

11 (18) "Election" includes any primary, general, or special
12 election for public office and any election in which a ballot
13 proposition is submitted to the voters. An election in which the
14 qualifications for voting include other than those requirements set
15 forth in Article VI, section 1 (Amendment 63) of the Constitution of
16 the state of Washington shall not be considered an election for
17 purposes of this chapter.

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

21 (20) "Election cycle" means the period beginning on the first day
22 of January after the date of the last previous general election for
23 the office that the candidate seeks and ending on December 31st after
24 the next election for the office. In the case of a special election
25 to fill a vacancy in an office, "election cycle" means the period
26 beginning on the day the vacancy occurs and ending on December 31st
27 after the special election.

28 (21)(a) "Electioneering communication" means any broadcast,
29 cable, or satellite television, radio transmission, digital
30 communication, United States postal service mailing, billboard,
31 newspaper, or periodical that:

32 (i) Clearly identifies a candidate for a state, local, or
33 judicial office either by specifically naming the candidate, or
34 identifying the candidate without using the candidate's name;

35 (ii) Is broadcast, transmitted electronically or by other means,
36 mailed, erected, distributed, or otherwise published within sixty
37 days before any election for that office in the jurisdiction in which
38 the candidate is seeking election; and

39 (iii) Either alone, or in combination with one or more
40 communications identifying the candidate by the same sponsor during

1 the sixty days before an election, has a fair market value or cost of
2 one thousand dollars or more.

3 (b) "Electioneering communication" does not include:

4 (i) Usual and customary advertising of a business owned by a
5 candidate, even if the candidate is mentioned in the advertising when
6 the candidate has been regularly mentioned in that advertising
7 appearing at least twelve months preceding the candidate becoming a
8 candidate;

9 (ii) Advertising for candidate debates or forums when the
10 advertising is paid for by or on behalf of the debate or forum
11 sponsor, so long as two or more candidates for the same position have
12 been invited to participate in the debate or forum;

13 (iii) A news item, feature, commentary, or editorial in a
14 regularly scheduled news medium that is:

15 (A) Of interest to the public;

16 (B) In a news medium controlled by a person whose business is
17 that news medium; and

18 (C) Not a medium controlled by a candidate or a political or
19 incidental committee;

20 (iv) Slate cards and sample ballots;

21 (v) Advertising for books, films, dissertations, or similar works
22 (A) written by a candidate when the candidate entered into a contract
23 for such publications or media at least twelve months before becoming
24 a candidate, or (B) written about a candidate;

25 (vi) Public service announcements;

26 (vii) An internal political communication primarily limited to
27 the members of or contributors to a political party organization or
28 political or incidental committee, or to the officers, management
29 staff, or stockholders of a corporation or similar enterprise, or to
30 the members of a labor organization or other membership organization;

31 (viii) An expenditure by or contribution to the authorized
32 committee of a candidate for state, local, or judicial office; or

33 (ix) Any other communication exempted by the commission through
34 rule consistent with the intent of this chapter.

35 (22) "Expenditure" includes a payment, contribution,
36 subscription, distribution, loan, advance, deposit, or gift of money
37 or anything of value, and includes a contract, promise, or agreement,
38 whether or not legally enforceable, to make an expenditure.
39 "Expenditure" also includes a promise to pay, a payment, or a
40 transfer of anything of value in exchange for goods, services,

1 property, facilities, or anything of value for the purpose of
2 assisting, benefiting, or honoring any public official or candidate,
3 or assisting in furthering or opposing any election campaign. For the
4 purposes of this chapter, agreements to make expenditures, contracts,
5 and promises to pay may be reported as estimated obligations until
6 actual payment is made. "Expenditure" shall not include the partial
7 or complete repayment by a candidate or political or incidental
8 committee of the principal of a loan, the receipt of which loan has
9 been properly reported.

10 (23) "Final report" means the report described as a final report
11 in RCW 42.17A.235(11) (a).

12 (24) "Foreign national" means:

13 (a) An individual who is not a citizen of the United States and
14 is not lawfully admitted for permanent residence;

15 (b) A government, or subdivision, of a foreign country;

16 (c) A foreign political party; and

17 (d) Any entity, such as a partnership, association, corporation,
18 organization, or other combination of persons, that is organized
19 under the laws of or has its principal place of business in a foreign
20 country.

21 (25) "General election" for the purposes of RCW 42.17A.405 means
22 the election that results in the election of a person to a state or
23 local office. It does not include a primary.

24 (26) "Gift" has the definition in RCW 42.52.010.

25 (27) "Immediate family" includes the spouse or domestic partner,
26 dependent children, and other dependent relatives, if living in the
27 household. For the purposes of the definition of "intermediary" in
28 this section, "immediate family" means an individual's spouse or
29 domestic partner, and child, stepchild, grandchild, parent,
30 stepparent, grandparent, brother, half brother, sister, or half
31 sister of the individual and the spouse or the domestic partner of
32 any such person and a child, stepchild, grandchild, parent,
33 stepparent, grandparent, brother, half brother, sister, or half
34 sister of the individual's spouse or domestic partner and the spouse
35 or the domestic partner of any such person.

36 (28) "Incidental committee" means any nonprofit organization not
37 otherwise defined as a political committee but that may incidentally
38 make a contribution or an expenditure in excess of the reporting
39 thresholds in RCW 42.17A.235, directly or through a political
40 committee. Any nonprofit organization is not an incidental committee

1 if it is only remitting payments through the nonprofit organization
2 in an aggregated form and the nonprofit organization is not required
3 to report those payments in accordance with this chapter.

4 (29) "Incumbent" means a person who is in present possession of
5 an elected office.

6 (30)(a) "Independent expenditure" means an expenditure that has
7 each of the following elements:

8 (i) It is made in support of or in opposition to a candidate for
9 office by a person who is not:

10 (A) A candidate for that office;

11 (B) An authorized committee of that candidate for that office;

12 and

13 (C) A person who has received the candidate's encouragement or
14 approval to make the expenditure, if the expenditure pays in whole or
15 in part for political advertising supporting that candidate or
16 promoting the defeat of any other candidate or candidates for that
17 office;

18 (ii) It is made in support of or in opposition to a candidate for
19 office by a person with whom the candidate has not collaborated for
20 the purpose of making the expenditure, if the expenditure pays in
21 whole or in part for political advertising supporting that candidate
22 or promoting the defeat of any other candidate or candidates for that
23 office;

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

28 (iv) The expenditure, alone or in conjunction with another
29 expenditure or other expenditures of the same person in support of or
30 opposition to that candidate, has a value of one thousand dollars or
31 more. A series of expenditures, each of which is under one thousand
32 dollars, constitutes one independent expenditure if their cumulative
33 value is one thousand dollars or more.

34 (b) "Independent expenditure" does not include: Ordinary home
35 hospitality; communications with journalists or editorial staff
36 designed to elicit a news item, feature, commentary, or editorial in
37 a regularly scheduled news medium that is of primary interest to the
38 general public, controlled by a person whose business is that news
39 medium, and not controlled by a candidate or a political committee;
40 participation in the creation of a publicly funded voters' pamphlet

1 statement in written or video form; an internal political
2 communication primarily limited to contributors to a political party
3 organization or political action committee, the officers, management
4 staff, and stockholders of a corporation or similar enterprise, or
5 the members of a labor organization or other membership organization;
6 or the rendering of personal services of the sort commonly performed
7 by volunteer campaign workers or incidental expenses personally
8 incurred by volunteer campaign workers not in excess of two hundred
9 fifty dollars personally paid for by the worker.

10 (31) (a) "Intermediary" means an individual who transmits a
11 contribution to a candidate or committee from another person unless
12 the contribution is from the individual's employer, immediate family,
13 or an association to which the individual belongs.

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

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

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

21 (32) "Legislation" means bills, resolutions, motions, amendments,
22 nominations, and other matters pending or proposed in either house of
23 the state legislature, and includes any other matter that may be the
24 subject of action by either house or any committee of the legislature
25 and all bills and resolutions that, having passed both houses, are
26 pending approval by the governor.

27 (33) "Legislative office" means the office of a member of the
28 state house of representatives or the office of a member of the state
29 senate.

30 (34) "Lobby" and "lobbying" each mean attempting to influence the
31 passage or defeat of any legislation by the legislature of the state
32 of Washington, or the adoption or rejection of any rule, standard,
33 rate, or other legislative enactment of any state agency under the
34 state administrative procedure act, chapter 34.05 RCW. Neither
35 "lobby" nor "lobbying" includes an association's or other
36 organization's act of communicating with the members of that
37 association or organization.

38 (35) "Lobbyist" includes any person who lobbies either on the
39 person's own or another's behalf.

1 (36) "Lobbyist's employer" means the person or persons by whom a
2 lobbyist is employed and all persons by whom the lobbyist is
3 compensated for acting as a lobbyist.

4 (37) "Ministerial functions" means an act or duty carried out as
5 part of the duties of an administrative office without exercise of
6 personal judgment or discretion.

7 (38) "Participate" means that, with respect to a particular
8 election, an entity:

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

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

13 (c) Endorses a candidate before contributions are made by a
14 subsidiary corporation or local unit with respect to that candidate
15 or that candidate's opponent;

16 (d) Makes a recommendation regarding whether a candidate should
17 be supported or opposed before a contribution is made by a subsidiary
18 corporation or local unit with respect to that candidate or that
19 candidate's opponent; or

20 (e) Directly or indirectly collaborates or consults with a
21 subsidiary corporation or local unit on matters relating to the
22 support of or opposition to a candidate, including, but not limited
23 to, the amount of a contribution, when a contribution should be
24 given, and what assistance, services or independent expenditures, or
25 electioneering communications, if any, will be made or should be made
26 in support of or opposition to a candidate.

27 (39) "Person" includes an individual, partnership, joint venture,
28 public or private corporation, association, federal, state, or local
29 governmental entity or agency however constituted, candidate,
30 committee, political committee, political party, executive committee
31 thereof, or any other organization or group of persons, however
32 organized.

33 (40) "Political advertising" includes any advertising displays,
34 newspaper ads, billboards, signs, brochures, articles, tabloids,
35 flyers, letters, radio or television presentations, digital
36 communication, or other means of mass communication, used for the
37 purpose of appealing, directly or indirectly, for votes or for
38 financial or other support or opposition in any election campaign.

39 (41) "Political committee" means any person (except a candidate
40 or an individual dealing with the candidate's or individual's own

1 funds or property) having the expectation of receiving contributions
2 or making expenditures in support of, or opposition to, any candidate
3 or any ballot proposition.

4 (42) "Primary" for the purposes of RCW 42.17A.405 means the
5 procedure for nominating a candidate to state or local office under
6 chapter 29A.52 RCW or any other primary for an election that uses, in
7 large measure, the procedures established in chapter 29A.52 RCW.

8 (43) "Public office" means any federal, state, judicial, county,
9 city, town, school district, port district, special district, or
10 other state political subdivision elective office.

11 (44) "Public record" has the definition in RCW 42.56.010.

12 (45) "Recall campaign" means the period of time beginning on the
13 date of the filing of recall charges under RCW 29A.56.120 and ending
14 thirty days after the recall election.

15 (46) "Remediable violation" means any violation of this chapter
16 that:

17 (a) Involved expenditures or contributions totaling no more than
18 the contribution limits set out under RCW 42.17A.405(2) per election,
19 or one thousand dollars if there is no statutory limit;

20 (b) Occurred:

21 (i) More than thirty days before an election, where the
22 commission entered into an agreement to resolve the matter; or

23 (ii) At any time where the violation did not constitute a
24 material violation because it was inadvertent and minor or otherwise
25 has been cured and, after consideration of all the circumstances,
26 further proceedings would not serve the purposes of this chapter;

27 (c) Does not materially harm the public interest, beyond the harm
28 to the policy of this chapter inherent in any violation; and

29 (d) Involved:

30 (i) A person who:

31 (A) Took corrective action within five business days after the
32 commission first notified the person of noncompliance, or where the
33 commission did not provide notice and filed a required report within
34 twenty-one days after the report was due to be filed; and

35 (B) Substantially met the filing deadline for all other required
36 reports within the immediately preceding twelve-month period; or

37 (ii) A candidate who:

38 (A) Lost the election in question; and

1 (B) Did not receive contributions over one hundred times the
2 contribution limit in aggregate per election during the campaign in
3 question.

4 (47)(a) "Sponsor" for purposes of an electioneering
5 communications, independent expenditures, or political advertising
6 means the person paying for the electioneering communication,
7 independent expenditure, or political advertising. If a person acts
8 as an agent for another or is reimbursed by another for the payment,
9 the original source of the payment is the sponsor.

10 (b) "Sponsor," for purposes of a political or incidental
11 committee, means any person, except an authorized committee, to whom
12 any of the following applies:

13 (i) The committee receives eighty percent or more of its
14 contributions either from the person or from the person's members,
15 officers, employees, or shareholders;

16 (ii) The person collects contributions for the committee by use
17 of payroll deductions or dues from its members, officers, or
18 employees.

19 (48) "Sponsored committee" means a committee, other than an
20 authorized committee, that has one or more sponsors.

21 (49) "State office" means state legislative office or the office
22 of governor, lieutenant governor, secretary of state, attorney
23 general, commissioner of public lands, insurance commissioner,
24 superintendent of public instruction, state auditor, or state
25 treasurer.

26 (50) "State official" means a person who holds a state office.

27 (51) "Surplus funds" mean, in the case of a political committee
28 or candidate, the balance of contributions that remain in the
29 possession or control of that committee or candidate subsequent to
30 the election for which the contributions were received, and that are
31 in excess of the amount necessary to pay remaining debts or expenses
32 incurred by the committee or candidate with respect to that election.
33 In the case of a continuing political committee, "surplus funds" mean
34 those contributions remaining in the possession or control of the
35 committee that are in excess of the amount necessary to pay all
36 remaining debts or expenses when it makes its final report under RCW
37 42.17A.255.

38 (52) "Technical correction" means the correction of a minor or
39 ministerial error in a required report that does not materially harm

1 the public interest and needs to be corrected for the report to be in
2 full compliance with the requirements of this chapter.

3 (53) "Treasurer" and "deputy treasurer" mean the individuals
4 appointed by a candidate or political or incidental committee,
5 pursuant to RCW 42.17A.210, to perform the duties specified in that
6 section.

7 (54) "Violation" means a violation of this chapter that is not a
8 remediable violation, minor violation, or an error classified by the
9 commission as appropriate to address by a technical correction.

10 **Sec. 2.** RCW 42.17A.105 and 2010 c 204 s 302 are each amended to
11 read as follows:

12 The commission shall:

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

15 (2) (~~Prepare and publish a manual setting forth~~) Provide
16 recommended uniform methods of bookkeeping and reporting for use by
17 persons required to make reports and statements under this chapter;

18 (3) Compile and maintain a current list of all filed reports and
19 statements;

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

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

25 (6) Conduct a sufficient number of audits and field
26 investigations, as staff capacity permits without impacting the
27 timeliness of addressing alleged violations, to provide a
28 statistically valid finding regarding the degree of compliance with
29 the provisions of this chapter by all required filers. Any documents,
30 records, reports, computer files, papers, or materials provided to
31 the commission for use in conducting audits and investigations must
32 be returned to the candidate, campaign, or political committee from
33 which they were received within one week of the commission's
34 completion of an audit or field investigation;

35 (7) Prepare and publish an annual report to the governor as to
36 the effectiveness of this chapter and (~~its enforcement by~~
37 ~~appropriate law enforcement authorities~~) the work of the commission;

38 (8) Enforce this chapter according to the powers granted it by
39 law;

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

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

5 ~~(b) Include, but not be limited to, requirements for indexing the~~
6 ~~reports by the names of candidates or political committees and by the~~
7 ~~ballot proposition for or against which a political committee is~~
8 ~~receiving contributions or making expenditures;~~

9 ~~(10))~~ Adopt rules to carry out the policies of chapter 348, Laws
10 of 2006. The adoption of these rules is not subject to the time
11 restrictions of RCW 42.17A.110(1);

12 ~~((11))~~ (10) Adopt administrative rules establishing
13 requirements for filer participation in any system designed and
14 implemented by the commission for the electronic filing of reports;

15 ~~(and~~

16 ~~(12))~~ (11) Maintain and make available to the public and
17 political committees of this state a toll-free telephone number; and

18 (12) Maintain a website to facilitate public access to
19 information in reports filed with the commission, and sending
20 electronic communications to the commission.

21 **Sec. 3.** RCW 42.17A.120 and 2019 c 428 s 10 are each amended to
22 read as follows:

23 (1) The commission may suspend or modify any of the reporting
24 requirements of this chapter if it finds that literal application of
25 this chapter works a manifestly unreasonable hardship in a particular
26 case and the suspension or modification will not frustrate the
27 purposes of this chapter. The commission may suspend or modify
28 reporting requirements only to the extent necessary to substantially
29 relieve the hardship and only after a hearing is held and the
30 suspension or modification receives approval. A suspension or
31 modification of the financial affairs reporting requirements in RCW
32 42.17A.710 may be approved for an elected official's term of office
33 or for up to three years for an executive state officer. If a
34 material change in the applicant's circumstances or relevant
35 information occurs or has occurred, the applicant must request a
36 modification at least one month prior to the next filing deadline
37 rather than at the conclusion of the term.

38 (2) ~~((A manifestly unreasonable hardship exists if reporting the~~
39 ~~name of an entity required to be reported under RCW~~

1 ~~42.17A.710(1)(g)(ii) would be likely to adversely affect the~~
2 ~~competitive position of any entity in which the person filing the~~
3 ~~report, or any member of the person's immediate family, holds any~~
4 ~~office, directorship, general partnership interest, or an ownership~~
5 ~~interest of ten percent or more.~~

6 ~~(3))~~ Requests for reporting modifications may be heard in a
7 brief adjudicative proceeding as set forth in RCW 34.05.482 through
8 34.05.494 and in accordance with the standards established in this
9 section. The commission, the commission chair acting as presiding
10 officer, or another commissioner appointed by the chair to serve as
11 presiding officer, may preside over a brief adjudicatory proceeding.
12 If a modification is requested by a filer because of a concern for
13 personal safety, the information submitted regarding that safety
14 concern shall not be made public prior to, or at, the hearing on the
15 request. Any information provided or prepared for the modification
16 hearing shall remain exempt from public disclosure under this chapter
17 and chapter 42.56 RCW to the extent it is determined at the hearing
18 that disclosure of such information would present a personal safety
19 risk to a reasonable person.

20 ~~((4))~~ (3) If the commission, or presiding officer, grants a
21 modification request, the commission or presiding officer may apply
22 the modification retroactively to previously filed reports. In that
23 event, previously reported information of the kind that is no longer
24 being reported is confidential and exempt from public disclosure
25 under this chapter and chapter 42.56 RCW.

26 ~~((5))~~ (4) Any citizen has standing to bring an action in
27 Thurston county superior court to contest the propriety of any order
28 entered under this section within one year from the date of the entry
29 of the order.

30 ~~((6))~~ (5) The commission shall adopt rules governing the
31 proceedings.

32 **Sec. 4.** RCW 42.17A.205 and 2019 c 428 s 14 are each amended to
33 read as follows:

34 (1) Every political committee shall file a statement of
35 organization with the commission. The statement must be filed within
36 two weeks after organization or within two weeks after the date the
37 committee first has the expectation of receiving contributions or
38 making expenditures in any election campaign, whichever is earlier. A
39 political committee organized within ~~((the last three weeks))~~ the

1 period beginning the first day of the last full month before an
2 election and having the expectation of receiving contributions or
3 making expenditures during and for that election campaign shall file
4 a statement of organization within three business days after its
5 organization or when it first has the expectation of receiving
6 contributions or making expenditures in the election campaign.

7 (2) The statement of organization shall include but not be
8 limited to:

9 (a) The name, address, and electronic contact information of the
10 committee;

11 (b) The names, addresses, and electronic contact information of
12 all related or affiliated committees or other persons, and the nature
13 of the relationship or affiliation;

14 (c) The names, addresses, and titles of its officers; or if it
15 has no officers, the names, addresses, and titles of its responsible
16 leaders;

17 (d) The name, address, and electronic contact information of its
18 treasurer and depository;

19 (e) A statement whether the committee is a continuing one;

20 (f) The name, office sought, and party affiliation of each
21 candidate whom the committee is supporting or opposing, and, if the
22 committee is supporting the entire ticket of any party, the name of
23 the party;

24 (g) The ballot proposition concerned, if any, and whether the
25 committee is in favor of or opposed to such proposition;

26 (h) What distribution of surplus funds will be made, in
27 accordance with RCW 42.17A.430, in the event of dissolution;

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

30 (j) The name, address, and title of any person who authorizes
31 expenditures or makes decisions on behalf of the candidate or
32 committee; and

33 (k) The name, address, and title of any person who is paid by or
34 is a volunteer for a candidate or political committee to perform
35 ministerial functions and who performs ministerial functions on
36 behalf of two or more candidates or committees.

37 (3) No two political committees may have the same name.

38 (4) Any material change in information previously submitted in a
39 statement of organization shall be reported to the commission within
40 the ten days following the change.

1 (5) As used in this section, the "name" of a sponsored committee
2 must include the name of the person who is the sponsor of the
3 committee. If more than one person meets the definition of sponsor,
4 the name of the committee must include the name of at least one
5 sponsor, but may include the names of other sponsors. A person may
6 sponsor only one political committee for the same elected office or
7 same ballot proposition per election cycle.

8 **Sec. 5.** RCW 42.17A.207 and 2019 c 428 s 15 are each amended to
9 read as follows:

10 (1)(a) An incidental committee must file a statement of
11 organization with the commission within two weeks after the date the
12 committee first:

13 (i) Has the expectation of making any expenditures aggregating at
14 least twenty-five thousand dollars in a calendar year in any election
15 campaign, or to a political committee; and

16 (ii) Is required to disclose a payment received under RCW
17 42.17A.240(2)(d).

18 (b) If an incidental committee first meets the criteria requiring
19 filing a statement of organization as specified in (a) of this
20 subsection (~~in the last three weeks~~) within the period beginning
21 the first day of the last full month before an election, then it must
22 file the statement of organization within three business days.

23 (2) The statement of organization must include but is not limited
24 to:

25 (a) The name, address, and electronic contact information of the
26 committee;

27 (b) The names and addresses of all related or affiliated
28 political or incidental committees or other persons, and the nature
29 of the relationship or affiliation;

30 (c) The names, addresses, and titles of its officers; or if it
31 has no officers, the names, addresses, and titles of its responsible
32 leaders and the name of the person designated as the treasurer of the
33 incidental committee;

34 (d) The name, office sought, and party affiliation of each
35 candidate whom the committee is supporting or opposing if the
36 committee contributes directly to a candidate and, if donating to a
37 political committee, the name and address of that political
38 committee;

1 (e) The ballot proposition concerned, if any, and whether the
2 committee is in favor of or opposed to such proposition; and

3 (f) Such other information as the commission may by rule
4 prescribe, in keeping with the policies and purposes of this chapter.

5 (3) Any material change in information previously submitted in a
6 statement of organization must be reported to the commission within
7 the ten days following the change.

8 **Sec. 6.** RCW 42.17A.225 and 2019 c 428 s 18 are each amended to
9 read as follows:

10 (1) In addition to the provisions of this section, a continuing
11 political committee shall file and report on the same conditions and
12 at the same times as any other committee in accordance with the
13 provisions of RCW 42.17A.205, 42.17A.210, and 42.17A.220.

14 (2) A continuing political committee shall file with the
15 commission a report on the tenth day of each month detailing
16 expenditures made and contributions received for the preceding
17 calendar month. This report need only be filed if either the total
18 contributions received or total expenditures made since the last such
19 report exceed two hundred dollars. The report shall be on a form
20 supplied by the commission and shall include the following
21 information:

22 (a) The information required by RCW 42.17A.240;

23 (b) Each expenditure made to retire previously accumulated debts
24 of the committee identified by recipient, amount, and date of
25 payments;

26 (c) Other information the commission shall prescribe by rule.

27 (3) If a continuing political committee makes a contribution in
28 support of or in opposition to a candidate or ballot proposition
29 within sixty days before the date that the candidate or ballot
30 proposition will be voted upon, the committee shall report pursuant
31 to RCW 42.17A.235.

32 (4)(a) A continuing political committee shall file reports as
33 required by this chapter until the committee has ceased to function
34 and intends to dissolve, at which time, when there is no outstanding
35 debt or obligation and the committee is concluded in all respects, a
36 final report shall be filed. Upon submitting a final report, the
37 continuing political committee so intending to dissolve must file
38 notice of intent to dissolve with the commission and the commission
39 must post the notice on its website.

1 (b) The continuing political committee may dissolve sixty days
2 after it files its notice to dissolve, only if:

3 (i) The continuing political committee does not make any
4 expenditures other than those related to the dissolution process or
5 engage in any political activity or any other activities that
6 generate additional reporting requirements under this chapter after
7 filing such notice;

8 (ii) No complaint or court action, pursuant to this chapter, is
9 pending against the continuing political committee; and

10 (iii) All penalties assessed by the commission or court order
11 have been paid by the continuing political committee.

12 (c) The continuing political committee must continue to report
13 regularly as required under this chapter until all the conditions
14 under (b) of this subsection are resolved.

15 (d) Upon dissolution, the commission must issue an acknowledgment
16 of dissolution, the duties of the treasurer shall cease, and there
17 shall be no further obligations under this chapter. Dissolution does
18 not absolve the candidate or board of the committee from
19 responsibility for any future obligations resulting from the finding
20 after dissolution of a violation committed prior to dissolution.

21 (5) The treasurer shall maintain books of account, current within
22 five business days, that accurately reflect all contributions and
23 expenditures. During the ~~((ten))~~ 14 calendar days immediately
24 preceding the date of any election that the committee has received
25 any contributions or made any expenditures, and from the 18th
26 calendar day before such election through the day immediately before
27 the election for a committee that has been relieved from reporting
28 obligations pursuant to rules adopted under the authority of RCW
29 42.17A.110(8), the books of account shall be kept current within one
30 business day and shall be open for public inspection in the same
31 manner as provided for candidates and other political committees in
32 RCW 42.17A.235(6).

33 (6) All reports filed pursuant to this section shall be certified
34 as correct by the treasurer.

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

1 **Sec. 7.** RCW 42.17A.235 and 2019 c 428 s 20 are each amended to
2 read as follows:

3 (1) (a) In addition to the information required under RCW
4 42.17A.205 and 42.17A.210, each candidate or political committee must
5 file with the commission a report of all contributions received and
6 expenditures made as a political committee on the next reporting date
7 pursuant to the timeline established in this section.

8 (b) In addition to the information required under RCW 42.17A.207
9 and 42.17A.210, on the day an incidental committee files a statement
10 of organization with the commission, each incidental committee must
11 file with the commission a report of any election campaign
12 expenditures under RCW 42.17A.240 (~~((+6))~~) (7), as well as the source
13 of the ten largest cumulative payments of ten thousand dollars or
14 greater it received in the current calendar year from a single
15 person, including any persons tied as the tenth largest source of
16 payments it received, if any.

17 (2) Each treasurer of a candidate or political committee, or an
18 incidental committee, required to file a statement of organization
19 under this chapter, shall file with the commission a report, for each
20 election in which (~~(a candidate, political committee, or incidental~~
21 ~~committee)) it is participating, containing the information required
22 by RCW 42.17A.240 at the following intervals:~~

23 (a) On the (~~(twenty-first))~~ 27th day, the 20th day, and the
24 (~~(seventh))~~ 6th day immediately preceding the date (~~(on which))~~ of
25 the election (~~(is held))~~; and

26 (b) On the tenth day of the first full month after the election.

27 (3) (a) Each treasurer of a candidate or political committee shall
28 file with the commission a report on the tenth day of each month
29 during which the candidate or political committee is not
30 (~~(participating in an election campaign))~~ otherwise required to
31 report under subsection (2) of this section, only if the committee
32 has received a contribution or made an expenditure in the preceding
33 calendar month and either the total contributions received or total
34 expenditures made since the last such report exceed two hundred
35 dollars.

36 (b) Each incidental committee shall file with the commission a
37 report on the tenth day of each month during which the incidental
38 committee is not otherwise required to report under this section only
39 if the committee has:

1 (i) Received a payment that would change the information required
2 under RCW 42.17A.240(2)(d) as included in its last report; or

3 (ii) Made any election campaign expenditure reportable under RCW
4 42.17A.240(~~((6))~~) (7) since its last report, and the total election
5 campaign expenditures made since the last report exceed two hundred
6 dollars.

7 (4) The reports filed (~~((twenty-one))~~) 27 days, 20 days, and 6 days
8 before the election shall report all contributions received and
9 expenditures made as of the end of (~~((one business day))~~) two calendar
10 days before the date of the report. (~~((The report filed seven days~~
11 ~~before the election shall report all contributions received and~~
12 ~~expenditures made as of the end of one business day before the date~~
13 ~~of the report.))~~) Reports filed on the tenth day of the month shall
14 report all contributions received and expenditures made from the
15 closing date of the last report filed through the last day of the
16 month preceding the date of the current report.

17 (5) For the period beginning the first day of the fourth month
18 preceding the date of the special election, or for the period
19 beginning the first day of the fifth month before the date of the
20 general election, and ending on the date of that special or general
21 election, each Monday the treasurer for a candidate or a political
22 committee shall file with the commission a report of each bank
23 deposit made during the previous seven calendar days. The report
24 shall contain the name of each person contributing the funds and the
25 amount contributed by each person. However, persons who contribute no
26 more than twenty-five dollars in the aggregate are not required to be
27 identified in the report. A copy of the report shall be retained by
28 the treasurer for the treasurer's records. In the event of deposits
29 made by candidates, political committee members, or paid staff other
30 than the treasurer, the copy shall be immediately provided to the
31 treasurer for the treasurer's records. Each report shall be certified
32 as correct by the treasurer.

33 (6)(a) The treasurer for a candidate or a political committee
34 shall maintain books of account accurately reflecting all
35 contributions and expenditures on a current basis within five
36 business days of receipt or expenditure. During the (~~((ten))~~) 14
37 calendar days immediately preceding the date of the election, and
38 from the 18th calendar day before such election through the day
39 immediately before the election for a committee that has been
40 relieved from reporting obligations pursuant to rules adopted under

1 the authority of RCW 42.17A.110(8), the books of account shall be
2 kept current within one business day. As specified in the political
3 committee's statement of organization filed under RCW 42.17A.205, the
4 books of account must be open for public inspection by appointment at
5 a place agreed upon by both the treasurer and the requestor, for
6 inspections between 9:00 a.m. and 5:00 p.m. on any day from the
7 (~~tenth calendar~~) 14th calendar day immediately before the election
8 through the day immediately before the election, other than Saturday,
9 Sunday, or a legal holiday, and from the 18th calendar day before
10 such election through the day immediately before the election other
11 than Saturday, Sunday, or a legal holiday for a committee that has
12 been relieved from reporting obligations pursuant to rules adopted
13 under the authority of RCW 42.17A.110(8). It is a violation of this
14 chapter for a candidate or political committee to refuse to allow and
15 keep an appointment for an inspection to be conducted during these
16 authorized times and days. The appointment must be allowed at an
17 authorized time and day for such inspections that is within forty-
18 eight hours of the time and day that is requested for the inspection.
19 The treasurer may provide digital access or copies of the books of
20 account in lieu of scheduling an appointment at a designated place
21 for inspection. If the treasurer and requestor are unable to agree on
22 a location and the treasurer has not provided digital access to the
23 books of account, the default location for an appointment shall be a
24 place of public accommodation selected by the treasurer within a
25 reasonable distance from the treasurer's office.

26 (b) At the time of making the appointment, a person wishing to
27 inspect the books of account must provide the treasurer the name and
28 telephone number of the person wishing to inspect the books of
29 account. The person inspecting the books of account must show photo
30 identification before the inspection begins.

31 (c) A treasurer may refuse to show the books of account to any
32 person who does not make an appointment or provide the required
33 identification. The commission may issue limited rules to modify the
34 requirements set forth in this section in consideration of other
35 technology and best practices.

36 (7) Copies of all reports filed pursuant to this section shall be
37 readily available for public inspection by appointment, pursuant to
38 subsection (6) of this section.

39 (8) The treasurer or candidate shall preserve books of account,
40 bills, receipts, and all other financial records of the campaign or

1 political committee for not less than five calendar years following
2 the year during which the transaction occurred or for any longer
3 period as otherwise required by law.

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

7 (10) Where there is not a pending complaint concerning a report,
8 it is not evidence of a violation of this section to submit an
9 amended report within twenty-one days of filing an initial report if:

10 (a) The report is accurately amended;

11 (b) The amended report is filed more than thirty days before an
12 election;

13 (c) The total aggregate dollar amount of the adjustment for the
14 amended report is within three times the contribution limit per
15 election or two hundred dollars, whichever is greater; and

16 (d) The committee reported all information that was available to
17 it at the time of filing, or made a good faith effort to do so, or if
18 a refund of a contribution or expenditure is being reported.

19 (11)(a) When there is no outstanding debt or obligation, the
20 campaign fund is closed, the campaign is concluded in all respects,
21 and the political committee has ceased to function and intends to
22 dissolve, the treasurer shall file a final report. Upon submitting a
23 final report, the political committee so intending to dissolve must
24 file notice of intent to dissolve with the commission and the
25 commission must post the notice on its website.

26 (b) Any political committee may dissolve sixty days after it
27 files its notice to dissolve, only if:

28 (i) The political committee does not make any expenditures other
29 than those related to the dissolution process or engage in any
30 political activity or any other activities that generate additional
31 reporting requirements under this chapter after filing such notice;

32 (ii) No complaint or court action under this chapter is pending
33 against the political committee; and

34 (iii) All penalties assessed by the commission or court order
35 have been paid by the political committee.

36 (c) The political committee must continue to report regularly as
37 required under this chapter until all the conditions under (b) of
38 this subsection are resolved.

39 (d) Upon dissolution, the commission must issue an acknowledgment
40 of dissolution, the duties of the treasurer shall cease, and there

1 shall be no further obligations under this chapter. Dissolution does
2 not absolve the candidate or board of the committee from
3 responsibility for any future obligations resulting from the finding
4 after dissolution of a violation committed prior to dissolution.

5 (12) The commission must adopt rules for the dissolution of
6 incidental committees.

7 **Sec. 8.** RCW 42.17A.255 and 2020 c 152 s 5 are each amended to
8 read as follows:

9 (1) For the purposes of this section the term "independent
10 expenditure" means any expenditure that is made in support of or in
11 opposition to any candidate or ballot proposition and is not
12 otherwise required to be reported pursuant to RCW 42.17A.225,
13 42.17A.235, and 42.17A.240. "Independent expenditure" does not
14 include: An internal political communication primarily limited to the
15 contributors to a political party organization or political action
16 committee, or the officers, management staff, and stockholders of a
17 corporation or similar enterprise, or the members of a labor
18 organization or other membership organization; or the rendering of
19 personal services of the sort commonly performed by volunteer
20 campaign workers, or incidental expenses personally incurred by
21 volunteer campaign workers not in excess of fifty dollars personally
22 paid for by the worker. "Volunteer services," for the purposes of
23 this section, means services or labor for which the individual is not
24 compensated by any person.

25 (2) Within five days after the date of making an independent
26 expenditure that by itself or when added to all other such
27 independent expenditures made during the same election campaign by
28 the same person equals one hundred dollars or more, or within five
29 days after the date of making an independent expenditure for which no
30 reasonable estimate of monetary value is practicable, whichever
31 occurs first, the person who made the independent expenditure shall
32 file with the commission an initial report of all independent
33 expenditures made during the campaign prior to and including such
34 date.

35 (3) At the following intervals each person who is required to
36 file an initial report pursuant to subsection (2) of this section
37 shall file with the commission a further report of the independent
38 expenditures made since the date of the last report:

1 (a) On the (~~twenty-first~~) 27th day, the 20th day, and the
2 (~~seventh~~) 6th day preceding the date on which the election is held;
3 (~~and~~)

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

5 (c) On the tenth day of each month in which no other reports are
6 required to be filed pursuant to this section. (~~However, the~~)

7 (4) The further reports required by (~~this~~) subsection (3) of
8 this section shall only be filed if the reporting person has made an
9 independent expenditure since the date of the last previous report
10 filed.

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

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

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

26 (a) The name, address, and electronic contact information of the
27 person filing the report;

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

36 (c) The total sum of all independent expenditures made during the
37 campaign to date;

38 (d) A statement from the person making an independent expenditure
39 that:

1 (i) The expenditure is not financed in any part by a foreign
2 national; and

3 (ii) Foreign nationals are not involved in making decisions
4 regarding the expenditure in any way; and

5 (e) Such other information as shall be required by the commission
6 by rule in conformance with the policies and purposes of this
7 chapter.

8 **Sec. 9.** RCW 42.17A.260 and 2020 c 152 s 6 are each amended to
9 read as follows:

10 (1) The sponsor of political advertising shall file a special
11 report to the commission within twenty-four hours of, or on the first
12 working day after, the date the political advertising is first
13 published, mailed, or otherwise presented to the public, if the
14 political advertising:

15 (a) Is published, mailed, or otherwise presented to the public
16 within (~~(twenty-one)~~) 60 days of an election; and

17 (b) Either:

18 (i) Qualifies as an independent expenditure with a fair market
19 value or actual cost of one thousand dollars or more, for political
20 advertising supporting or opposing a candidate; or

21 (ii) Has a fair market value or actual cost of one thousand
22 dollars or more, for political advertising supporting or opposing a
23 ballot proposition, and is not otherwise required to be reported
24 pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240, supporting or
25 opposing the same ballot proposition.

26 (2) If a sponsor is required to file a special report under this
27 section, the sponsor shall also deliver to the commission within the
28 delivery period established in subsection (1) of this section a
29 special report for (~~each~~):

30 (a) Each subsequent independent expenditure of any size
31 supporting or opposing the same candidate who was the subject of the
32 previous independent expenditure, supporting or opposing that
33 candidate's opponent (~~(, or, in the case of a)~~); or

34 (b) Each subsequent expenditure of any size made in support of or
35 in opposition to ((a)) the same ballot proposition that was the
36 subject of the previous expenditure, and is not otherwise required to
37 be reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240 (~~(,~~
38 ~~supporting or opposing the same ballot proposition that was the~~
39 ~~subject of the previous expenditure)~~).

1 (3) The special report must include:

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

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

5 (c) A detailed description of the expenditure;

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

8 (e) The amount of the expenditure;

9 (f) The name of the candidate supported or opposed by the
10 expenditure, the office being sought by the candidate, and whether
11 the expenditure supports or opposes the candidate; or the name of the
12 ballot proposition supported or opposed by the expenditure and
13 whether the expenditure supports or opposes the ballot proposition;

14 (g) A statement from the sponsor that:

15 (i) The political advertising is not financed in any part by a
16 foreign national; and

17 (ii) Foreign nationals are not involved in making decisions
18 regarding the political advertising in any way; and

19 (h) Any other information the commission may require by rule.

20 (4) All persons required to report under RCW 42.17A.225,
21 42.17A.235, 42.17A.240, 42.17A.255, and 42.17A.305 are subject to the
22 requirements of this section, except as provided in this section. The
23 commission may determine that reports filed pursuant to this section
24 also satisfy the requirements of RCW 42.17A.255.

25 (5) The sponsor of independent expenditures supporting a
26 candidate or opposing that candidate's opponent required to report
27 under this section shall file with each required report an affidavit
28 or declaration of the person responsible for making the independent
29 expenditure that the expenditure was not made in cooperation,
30 consultation, or concert with, or at the request or suggestion of,
31 the candidate, the candidate's authorized committee, or the
32 candidate's agent, or with the encouragement or approval of the
33 candidate, the candidate's authorized committee, or the candidate's
34 agent.

35 **Sec. 10.** RCW 42.17A.265 and 2020 c 152 s 7 are each amended to
36 read as follows:

37 (1) Treasurers shall prepare and deliver to the commission a
38 special report when a contribution or aggregate of contributions
39 totals (~~one thousand dollars or more~~) more than the contribution

1 limit to a candidate for state office other than legislative office,
2 as provided in RCW 42.17A.405(2), is from a single person or entity,
3 and is received during (~~(a special reporting period)~~) the period from
4 the beginning of the last full month preceding an election in which
5 the treasurer's committee is participating, and concluding the day
6 before that election.

7 (2) A political committee shall prepare and deliver to the
8 commission a special report when it makes a contribution or an
9 aggregate of contributions to a single entity that totals (~~(one~~
10 ~~thousand dollars or more)~~) more than the contribution limit to a
11 candidate for state office other than legislative office, as provided
12 in RCW 42.17A.405(2) during ((a special reporting period)) the same
13 period as set forth in subsection (1) of this section.

14 (3) An aggregate of contributions includes only those
15 contributions made to or received from a single entity during any one
16 (~~(special)~~) reporting period. Any subsequent contribution of any size
17 made to or received from the same person or entity during the
18 (~~(special)~~) reporting period must also be reported.

19 (4) (~~(Special reporting periods, for purposes of this section,~~
20 ~~include:~~

21 ~~(a) The period beginning on the day after the last report~~
22 ~~required by RCW 42.17A.235 and 42.17A.240 to be filed before a~~
23 ~~primary and concluding on the end of the day before that primary;~~

24 ~~(b) The period twenty-one days preceding a general election; and~~

25 ~~(c) An aggregate of contributions includes only those~~
26 ~~contributions received from a single entity during any one special~~
27 ~~reporting period or made by the contributing political committee to a~~
28 ~~single entity during any one special reporting period.~~

29 ~~(5) If a campaign treasurer files)~~ Treasurers and political
30 committees that file a special report under this section for one or
31 more contributions received or made from a single entity during a
32 (~~(special)~~) reporting period(~~(, the treasurer shall)~~) must also file
33 a special report under this section for each subsequent contribution
34 of any size which is received or made, respectively, from that entity
35 during the (~~(special)~~) same reporting period. (~~(If a political~~
36 ~~committee files a special report under this section for a~~
37 ~~contribution or contributions made to a single entity during a~~
38 ~~special reporting period, the political committee shall also file a~~
39 ~~special report for each subsequent contribution of any size which is~~
40 ~~made to that entity during the special reporting period.~~

1 ~~(6))~~ (5) Special reports required by this section shall be
2 delivered electronically, or in written form if an electronic
3 alternative is not available.

4 (a) The special report required of a contribution recipient under
5 subsection (1) of this section shall be delivered to the commission
6 within forty-eight hours of the time, or on the first working day
7 after:

8 (i) The qualifying contribution (~~(of one thousand dollars or~~
9 ~~more))~~ as provided in subsection (1) of this section is received by
10 the candidate or treasurer; (~~the~~)

11 (ii) The aggregate received by the candidate or treasurer first
12 equals (~~one thousand dollars or more~~) the qualifying amount; or
13 (~~any~~)

14 (iii) Any subsequent contribution from the same source is
15 received by the candidate or treasurer.

16 (b) The special report required of a contributor under subsection
17 (2) of this section or RCW 42.17A.625 shall be delivered to the
18 commission, and the candidate or political committee to whom the
19 contribution or contributions are made, within twenty-four hours of
20 the time, or on the first working day after:

21 (i) The qualifying contribution is made; (~~the~~)

22 (ii) The aggregate of contributions made first equals (~~one~~
23 ~~thousand dollars or more~~) the qualifying amount; or (~~any~~)

24 (iii) Any subsequent contribution to the same person or entity is
25 made.

26 (~~(7))~~ (6) The special report shall include:

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

28 (b) The date or dates of receipt;

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

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

31 (e) A statement that the candidate or political committee has
32 received a certification from any partnership, association,
33 corporation, organization, or other combination of persons making a
34 contribution reportable under this section that:

35 (i) The contribution is not financed in any part by a foreign
36 national; and

37 (ii) Foreign nationals are not involved in making decisions
38 regarding the contribution in any way; and

39 (f) Any other information the commission may by rule require.

1 ~~((8))~~ (7) Contributions reported under this section shall also
2 be reported as required by other provisions of this chapter.

3 ~~((9))~~ (8) The commission shall prepare daily a summary of the
4 special reports made under this section and RCW 42.17A.625.

5 ~~((10))~~ (9) Contributions governed by this section include, but
6 are not limited to, contributions made or received indirectly through
7 a third party or entity whether the contributions are or are not
8 reported to the commission as earmarked contributions under RCW
9 42.17A.270.

10 **Sec. 11.** RCW 42.17A.345 and 2019 c 428 s 26 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 current books of account and related
15 materials as provided by rule that shall be open for public
16 inspection during normal business hours during the campaign and for a
17 period of no less than five years after the date of the applicable
18 election. The documents and books of account 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 total cost and the manner of payment for the services.

23 (2) At the request of the commission, each commercial advertiser
24 required to comply with subsection (1) of this section shall provide
25 to the commission copies of the information that must be maintained
26 and be open for public inspection pursuant to subsection (1) of this
27 section.

28 (3) Any person who purchases political advertising or an
29 electioneering communication from a commercial advertiser must
30 disclose upon request from the commercial advertiser:

31 (a) That the purchase includes political advertising or an
32 electioneering communication;

33 (b) The name of the sponsor, if different than the person making
34 the purchase; and

35 (c) Any other information required for the commercial advertiser
36 to maintain for inspection, as provided by this section or rule.

37 (4) Any failure to provide the required information in subsection
38 (3) of this section upon request is a violation under this chapter,

1 but such failure may not relieve a commercial advertiser of any of
2 the requirements under this section.

3 NEW SECTION. **Sec. 12.** A new section is added to chapter 42.17A
4 RCW to read as follows:

5 (1) All advertising related to an election that encourages,
6 directly or indirectly, people to vote for a person who, as of the
7 date the advertisement is first presented to the public, is not a
8 candidate for that office must include the following statement: "This
9 ad encourages you to vote for a person who is not a candidate for
10 this office as of (the date the advertising is first
11 presented to the public)."

12 (2) All advertising related to an election that incorrectly
13 conveys, directly or indirectly, that a person has the endorsement of
14 an entity or individual for an office in an election, when that
15 person does not have that endorsement for that office in that
16 election, must include the following statement: "As of (the
17 date the advertising is first presented to the public) this person
18 does not actually have the endorsement of (list individuals
19 or entities whose endorsement was stated or implied) for this office
20 in this election."

21 (3) For the purposes of this section, "candidate" means:

22 (a) Prior to the end of the filing period under RCW 29A.24.050
23 for an election, a person who is a candidate for that election as
24 defined in RCW 42.17A.005; and

25 (b) After the end of the filing period under RCW 29A.24.050 for
26 an election, a person who has filed a declaration of candidacy for
27 office in that election in accordance with chapter 29A.24 RCW.

28 (4) In a written communication, the information required by
29 subsections (1) and (2) of this section must:

30 (a) Appear in a size equal to or greater than the largest size
31 type otherwise used in the communication, adjacent to the text that:

32 (i) Encourages a vote, for the disclaimer in subsection (1) of
33 this section; or

34 (ii) Conveys an endorsement, for the disclaimer in subsection (2)
35 of this section;

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

37 (c) Be set apart from any other printed matter. Except as
38 provided in (a) of this subsection, no text may be before, after, or

1 immediately adjacent to the information required by subsections (1)
2 and (2) of this section.

3 (5) In a communication that is being transmitted by television or
4 other medium that includes a visual image, the information required
5 by subsections (1) and (2) of this section must either:

6 (a) Be clearly spoken; or

7 (b) Appear in print and be visible for at least four seconds, in
8 letters greater than four percent of the visual screen height, with a
9 reasonable color contrast with the background.

10 (6) In a communication that does not include a visual image, the
11 information required by subsections (1) and (2) of this section must
12 be clearly spoken.

13 **Sec. 13.** RCW 42.17A.405 and 2019 c 100 s 1 are each amended to
14 read as follows:

15 (1) The contribution limits in this section apply to:

16 (a) Candidates for legislative office;

17 (b) Candidates for state office other than legislative office;

18 (c) Candidates for county office;

19 (d) Candidates for port district office;

20 (e) Candidates for city council office;

21 (f) Candidates for mayoral office;

22 (g) Candidates for school board office;

23 (h) Candidates for public hospital district board of
24 commissioners in districts with a population over one hundred fifty
25 thousand;

26 (i) Persons holding an office in (a) through (h) of this
27 subsection against whom recall charges have been filed or to a
28 political committee having the expectation of making expenditures in
29 support of the recall of a person holding the office;

30 (j) Caucus political committees;

31 (k) Bona fide political parties.

32 (2) No person, other than a bona fide political party or a caucus
33 political committee, may make contributions to a candidate for a
34 legislative office, county office, city council office, mayoral
35 office, school board office, or public hospital district board of
36 commissioners that in the aggregate exceed eight hundred dollars or
37 to a candidate for a public office in a port district or a state
38 office other than a legislative office that in the aggregate exceed
39 one thousand six hundred dollars for each election in which the

1 candidate is on the ballot or appears as a write-in candidate.
2 Contributions to candidates subject to the limits in this section
3 made with respect to a primary may not be made after the date of the
4 primary. However, contributions to a candidate or a candidate's
5 authorized committee may be made with respect to a primary until
6 thirty days after the primary, subject to the following limitations:
7 (a) The candidate lost the primary; (b) the candidate's authorized
8 committee has insufficient funds to pay debts outstanding as of the
9 date of the primary; and (c) the contributions may only be raised and
10 spent to satisfy the outstanding debt. Contributions to candidates
11 subject to the limits in this section made with respect to a general
12 election may not be made after the final day of the applicable
13 election cycle.

14 (3) No person, other than a bona fide political party or a caucus
15 political committee, may make contributions to a state official, a
16 county official, a city official, a school board member, a public
17 hospital district commissioner, or a public official in a port
18 district against whom recall charges have been filed, or to a
19 political committee having the expectation of making expenditures in
20 support of the recall of the state official, county official, city
21 official, school board member, public hospital district commissioner,
22 or public official in a port district during a recall campaign that
23 in the aggregate exceed eight hundred dollars if for a legislative
24 office, county office, school board office, public hospital district
25 office, or city office, or one thousand six hundred dollars if for a
26 port district office or a state office other than a legislative
27 office.

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

38 (b) No candidate may accept contributions from a county central
39 committee or a legislative district committee during an election
40 cycle that when combined with contributions from other county central

1 committees or legislative district committees would in the aggregate
2 exceed forty cents times the number of registered voters in the
3 jurisdiction from which the candidate is elected.

4 (5)(a) Notwithstanding subsection (3) of this section, no bona
5 fide political party or caucus political committee may make
6 contributions to a state official, county official, city official,
7 school board member, public hospital district commissioner, or a
8 public official in a port district against whom recall charges have
9 been filed, or to a political committee having the expectation of
10 making expenditures in support of the state official, county
11 official, city official, school board member, public hospital
12 district commissioner, or a public official in a port district during
13 a recall campaign that in the aggregate exceed (i) eighty cents
14 multiplied by the number of eligible registered voters in the
15 jurisdiction entitled to recall the state official if the contributor
16 is a caucus political committee or the governing body of a state
17 organization, or (ii) forty cents multiplied by the number of
18 registered voters in the jurisdiction from which the candidate is
19 elected if the contributor is a county central committee or a
20 legislative district committee.

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

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

35 (7) Notwithstanding subsections (2) through (5) of this section,
36 no person other than an individual, bona fide political party, or
37 caucus political committee may make contributions reportable under
38 this chapter to a caucus political committee that in the aggregate
39 exceed eight hundred dollars in a calendar year or to a bona fide
40 political party that in the aggregate exceed four thousand dollars in

1 a calendar year. This subsection does not apply to loans made in the
2 ordinary course of business.

3 (8) For the purposes of RCW 42.17A.125, 42.17A.405 through
4 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560,
5 and 42.17A.565, a contribution to the authorized political committee
6 of a candidate or of an official specified in subsection (1) of this
7 section against whom recall charges have been filed is considered to
8 be a contribution to the candidate or official.

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

14 (10) The contributions allowed by subsection (3) of this section
15 are in addition to those allowed by subsection (2) of this section,
16 and the contributions allowed by subsection (5) of this section are
17 in addition to those allowed by subsection (4) of this section.

18 (11) RCW 42.17A.125, 42.17A.405 through 42.17A.415, 42.17A.450
19 through 42.17A.495, 42.17A.500, 42.17A.560, and 42.17A.565 apply to a
20 special election conducted to fill a vacancy in an office specified
21 in subsection (1) of this section. However, the contributions made to
22 a candidate or received by a candidate for a primary or special
23 election conducted to fill such a vacancy shall not be counted toward
24 any of the limitations that apply to the candidate or to
25 contributions made to the candidate for any other primary or
26 election.

27 (12) Notwithstanding the other subsections of this section, no
28 corporation or business entity not doing business in Washington
29 state, no labor union with fewer than ten members who reside in
30 Washington state, and no political committee that has not received
31 contributions of ten dollars or more from at least ten persons
32 registered to vote in Washington state during the preceding one
33 hundred eighty days may make contributions reportable under this
34 chapter to a state office candidate, to a state official against whom
35 recall charges have been filed, or to a political committee having
36 the expectation of making expenditures in support of the recall of
37 the official. This subsection does not apply to loans made in the
38 ordinary course of business.

39 (13) Notwithstanding the other subsections of this section, no
40 county central committee or legislative district committee may make

1 contributions reportable under this chapter to a candidate specified
2 in subsection (1) of this section, or an official specified in
3 subsection (1) of this section against whom recall charges have been
4 filed, or political committee having the expectation of making
5 expenditures in support of the recall of an official specified in
6 subsection (1) of this section if the county central committee or
7 legislative district committee is outside of the jurisdiction
8 entitled to elect the candidate or recall the official.

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

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

13 (a) An expenditure or contribution earmarked for voter
14 registration, for absentee ballot information, for precinct caucuses,
15 for get-out-the-vote campaigns, for precinct judges or inspectors,
16 for sample ballots, or for ballot counting, all without promotion of
17 or political advertising for individual candidates;

18 (b) An expenditure by a political committee for its own internal
19 organization or fund-raising without direct association with
20 individual candidates; ~~((~~or~~))~~

21 (c) An expenditure or contribution for independent expenditures
22 as defined in RCW 42.17A.005 or electioneering communications as
23 defined in RCW 42.17A.005; or

24 (d) A contribution to a political committee having the
25 expectation of making expenditures in support of the recall of a
26 person holding an office under subsection (1) of this section, only
27 to the extent that the committee:

28 (i) Does not coordinate with a known or potential candidate for
29 such office, any affiliated committee in support or opposition to any
30 such candidate, or any person with the appointing authority for such
31 office;

32 (ii) Does not solicit or accept a contribution from a known or
33 potential candidate for such office, any affiliated campaign in
34 support or opposition to the candidate, or any person with the
35 appointing authority for such office; and

36 (iii) Submits with any report, for which a contribution over the
37 applicable limits set forth in this section is required to be
38 reported under RCW 42.17A.240, a sworn declaration attesting that it
39 has not and will not engage in the activities proscribed under (d)(i)
40 and (ii) of this subsection.

1 **Sec. 14.** RCW 42.17A.420 and 2019 c 428 s 27 are each amended to
2 read as follows:

3 (1) It is a violation of this chapter for any person to make, or
4 for any candidate or political committee to accept from any one
5 person, contributions reportable under RCW 42.17A.240 in the
6 aggregate exceeding fifty thousand dollars for any campaign for
7 statewide office or exceeding five thousand dollars for any other
8 campaign subject to the provisions of this chapter within (~~twenty-~~
9 ~~one~~) 30 days of a general election. This subsection does not apply
10 to:

11 (a) Contributions made by, or accepted from, a bona fide
12 political party as defined in this chapter, excluding the county
13 central committee or legislative district committee;

14 (b) Contributions made to, or received by, a ballot proposition
15 committee; or

16 (c) Payments received by an incidental committee.

17 (2) Contributions governed by this section include, but are not
18 limited to, contributions made or received indirectly through a third
19 party or entity whether the contributions are or are not reported to
20 the commission as earmarked contributions under RCW 42.17A.270.

21 **Sec. 15.** RCW 42.17A.700 and 2019 c 428 s 35 are each amended to
22 read as follows:

23 (1) After January 1st and before April 15th of each year, every
24 elected official and every executive state officer (~~who served for~~
25 ~~any portion of the preceding year~~) shall electronically file with
26 the commission a statement of financial affairs for the preceding
27 calendar year (~~or for that portion of the year served~~). Any
28 official or officer in office for any period of time in a calendar
29 year, but not in office as of January 1st of the following year,
30 (~~may~~) must electronically file either within sixty days of leaving
31 office or during the January 1st through April 15th reporting period
32 of that following year. Such filing must include information for the
33 portion of the current calendar year for which the official or
34 officer was in office.

35 (2) Within two weeks of becoming a candidate, every candidate
36 shall file with the commission a statement of financial affairs for
37 the preceding twelve months. However, a candidate who already has an
38 existing obligation to file a statement for the preceding year must
39 report for that period.

1 (3) Within two weeks of appointment, every person appointed to a
2 vacancy in an elective office or executive state officer position
3 during the months of January through November shall file with the
4 commission a statement of financial affairs for the preceding twelve
5 months (~~(, except as provided in subsection (4) of this section)~~). For
6 appointments made in December, the appointee must file the statement
7 of financial affairs between January 1st and January 15th of the
8 immediate following year for the preceding twelve-month period ending
9 on December 31st.

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

16 ~~(5))~~ No individual may be required to file more than once in any
17 calendar year.

18 ~~((6))~~ (5) Each statement of financial affairs filed under this
19 section shall be sworn as to its truth and accuracy.

20 ~~((7))~~ (6) Every elected official and every executive state
21 officer shall file with their statement of financial affairs a
22 statement certifying that they have read and are familiar with RCW
23 42.17A.555 or 42.52.180, whichever is applicable.

24 ~~((8))~~ (7) For the purposes of this section, the term "executive
25 state officer" includes those listed in RCW 42.17A.705.

26 ~~((9))~~ (8) This section does not apply to incumbents or
27 candidates for a federal office or the office of precinct committee
28 officer.

29 **Sec. 16.** RCW 42.17A.705 and 2017 3rd sp.s. c 6 s 111 are each
30 amended to read as follows:

31 For the purposes of RCW 42.17A.700, "executive state officer"
32 includes:

33 (1) The chief administrative law judge, the director of
34 agriculture, the director of the department of services for the
35 blind, the secretary of children, youth, and families, the director
36 of the state system of community and technical colleges, the director
37 of commerce, the director of the consolidated technology services
38 agency, the secretary of corrections, the director of ecology, the
39 commissioner of employment security, the chair of the energy facility

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

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

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

28 (4) Washington state charter school commission, each director of
29 a charter school board, Central Washington University board of
30 trustees, the boards of trustees of each community college and each
31 technical college, each member of the state board for community and
32 technical colleges, state convention and trade center board of
33 directors, Eastern Washington University board of trustees,
34 Washington economic development finance authority, Washington energy
35 northwest executive board, The Evergreen State College board of
36 trustees, executive ethics board, fish and wildlife commission,
37 forest practices appeals board, forest practices board, gambling
38 commission, Washington health care facilities authority, student
39 achievement council, higher education facilities authority, horse
40 racing commission, state housing finance commission, human rights

1 commission, indeterminate sentence review board, board of industrial
2 insurance appeals, state investment board, commission on judicial
3 conduct, legislative ethics board, life sciences discovery fund
4 authority board of trustees, state liquor and cannabis board, lottery
5 commission, Pacific Northwest electric power and conservation
6 planning council, parks and recreation commission, Washington
7 personnel resources board, board of pilotage commissioners, pollution
8 control hearings board, public disclosure commission, public
9 employees' benefits board, recreation and conservation funding board,
10 salmon recovery funding board, shorelines hearings board, board of
11 tax appeals, transportation commission, University of Washington
12 board of regents, utilities and transportation commission, Washington
13 State University board of regents, and Western Washington University
14 board of trustees.

15 **Sec. 17.** RCW 42.17A.710 and 2019 c 428 s 36 are each amended to
16 read as follows:

17 ~~((1) The statement of financial affairs required by RCW~~
18 ~~42.17A.700 shall disclose the following information for the reporting~~
19 ~~individual and each member of the reporting individual's immediate~~
20 ~~family:~~

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

22 ~~(b) Each bank account, savings account, and insurance policy in~~
23 ~~which a direct financial interest was held that exceeds twenty~~
24 ~~thousand dollars at any time during the reporting period; each other~~
25 ~~item of intangible personal property in which a direct financial~~
26 ~~interest was held that exceeds two thousand dollars during the~~
27 ~~reporting period; the name, address, and nature of the entity; and~~
28 ~~the nature and highest value of each direct financial interest during~~
29 ~~the reporting period;~~

30 ~~(c) The name and address of each creditor to whom the value of~~
31 ~~two thousand dollars or more was owed; the original amount of each~~
32 ~~debt to each creditor; the amount of each debt owed to each creditor~~
33 ~~as of the date of filing; the terms of repayment of each debt; and~~
34 ~~the security given, if any, for each such debt. Debts arising from a~~
35 ~~"retail installment transaction" as defined in chapter 63.14 RCW~~
36 ~~(retail installment sales act) need not be reported;~~

37 ~~(d) Every public or private office, directorship, and position~~
38 ~~held as trustee; except that an elected official or executive state~~
39 ~~officer need not report the elected official's or executive state~~

1 ~~officer's service on a governmental board, commission, association,~~
2 ~~or functional equivalent, when such service is part of the elected~~
3 ~~official's or executive state officer's official duties;~~

4 ~~(e) All persons for whom any legislation, rule, rate, or standard~~
5 ~~has been prepared, promoted, or opposed for current or deferred~~
6 ~~compensation. For the purposes of this subsection, "compensation"~~
7 ~~does not include payments made to the person reporting by the~~
8 ~~governmental entity for which the person serves as an elected~~
9 ~~official or state executive officer or professional staff member for~~
10 ~~the person's service in office; the description of such actual or~~
11 ~~proposed legislation, rules, rates, or standards; and the amount of~~
12 ~~current or deferred compensation paid or promised to be paid;~~

13 ~~(f) The name and address of each governmental entity,~~
14 ~~corporation, partnership, joint venture, sole proprietorship,~~
15 ~~association, union, or other business or commercial entity from whom~~
16 ~~compensation has been received in any form of a total value of two~~
17 ~~thousand dollars or more; the value of the compensation; and the~~
18 ~~consideration given or performed in exchange for the compensation;~~

19 ~~(g) The name of any corporation, partnership, joint venture,~~
20 ~~association, union, or other entity in which is held any office,~~
21 ~~directorship, or any general partnership interest, or an ownership~~
22 ~~interest of ten percent or more; the name or title of that office,~~
23 ~~directorship, or partnership; the nature of ownership interest; and:~~

24 ~~(i) With respect to a governmental unit in which the official seeks~~
25 ~~or holds any office or position, if the entity has received~~
26 ~~compensation in any form during the preceding twelve months from the~~
27 ~~governmental unit, the value of the compensation and the~~
28 ~~consideration given or performed in exchange for the compensation;~~

29 ~~and (ii) the name of each governmental unit, corporation,~~
30 ~~partnership, joint venture, sole proprietorship, association, union,~~
31 ~~or other business or commercial entity from which the entity has~~
32 ~~received compensation in any form in the amount of ten thousand~~
33 ~~dollars or more during the preceding twelve months and the~~
34 ~~consideration given or performed in exchange for the compensation. As~~

35 ~~used in (g) (ii) of this subsection, "compensation" does not include~~
36 ~~payment for water and other utility services at rates approved by the~~
37 ~~Washington state utilities and transportation commission or the~~
38 ~~legislative authority of the public entity providing the service.~~
39 ~~With respect to any bank or commercial lending institution in which~~
40 ~~is held any office, directorship, partnership interest, or ownership~~

1 interest, it shall only be necessary to report either the name,
2 address, and occupation of every director and officer of the bank or
3 commercial lending institution and the average monthly balance of
4 each account held during the preceding twelve months by the bank or
5 commercial lending institution from the governmental entity for which
6 the individual is an official or candidate or professional staff
7 member, or all interest paid by a borrower on loans from and all
8 interest paid to a depositor by the bank or commercial lending
9 institution if the interest exceeds two thousand four hundred
10 dollars;

11 (h) A list, including legal or other sufficient descriptions as
12 prescribed by the commission, of all real property in the state of
13 Washington, the assessed valuation of which exceeds ten thousand
14 dollars in which any direct financial interest was acquired during
15 the preceding calendar year, and a statement of the amount and nature
16 of the financial interest and of the consideration given in exchange
17 for that interest;

18 (i) A list, including legal or other sufficient descriptions as
19 prescribed by the commission, of all real property in the state of
20 Washington, the assessed valuation of which exceeds ten thousand
21 dollars in which any direct financial interest was divested during
22 the preceding calendar year, and a statement of the amount and nature
23 of the consideration received in exchange for that interest, and the
24 name and address of the person furnishing the consideration;

25 (j) A list, including legal or other sufficient descriptions as
26 prescribed by the commission, of all real property in the state of
27 Washington, the assessed valuation of which exceeds ten thousand
28 dollars in which a direct financial interest was held. If a
29 description of the property has been included in a report previously
30 filed, the property may be listed, for purposes of this subsection
31 (1)(j), by reference to the previously filed report;

32 (k) A list, including legal or other sufficient descriptions as
33 prescribed by the commission, of all real property in the state of
34 Washington, the assessed valuation of which exceeds twenty thousand
35 dollars, in which a corporation, partnership, firm, enterprise, or
36 other entity had a direct financial interest, in which corporation,
37 partnership, firm, or enterprise a ten percent or greater ownership
38 interest was held;

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

4 ~~(m) A list of each occasion, specifying date, donor, and amount,~~
5 ~~at which items specified in RCW 42.52.010(9) (d) and (f) were~~
6 ~~accepted; and~~

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

10 ~~(2) (a) When judges, prosecutors, sheriffs, or their immediate~~
11 ~~family members are required to disclose real property that is the~~
12 ~~personal residence of the judge, prosecutor, or sheriff, the~~
13 ~~requirements of subsection (1) (h) through (k) of this section may be~~
14 ~~satisfied for that property by substituting:~~

- 15 ~~(i) The city or town;~~
- 16 ~~(ii) The type of residence, such as a single-family or~~
17 ~~multifamily residence, and the nature of ownership; and~~
- 18 ~~(iii) Such other identifying information the commission~~
19 ~~prescribes by rule for the mailing address where the property is~~
20 ~~located.~~

21 ~~(b) Nothing in this subsection relieves the judge, prosecutor, or~~
22 ~~sheriff of any other applicable obligations to disclose potential~~
23 ~~conflicts or to recuse oneself.~~

24 ~~(3) (a) Where an amount is required to be reported under~~
25 ~~subsection (1) (a) through (m) of this section, it may be reported~~
26 ~~within a range as provided in (b) of this subsection.~~

27 ~~(b)~~

Code A	Less than thirty thousand dollars;
Code B	At least thirty thousand dollars, but less than sixty thousand dollars;
Code C	At least sixty thousand dollars, but less than one hundred thousand dollars;
Code D	At least one hundred thousand dollars, but less than two hundred thousand dollars;
Code E	At least two hundred thousand dollars, but less than five hundred thousand dollars;

Code F	At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;
Code G	At least seven hundred fifty thousand dollars, but less than one million dollars; or
Code H	One million dollars or more.

~~(c) An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection may be interpreted to prevent any person from filing more information or more detailed information than required.~~

~~(4) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.)~~ The statement of financial affairs that an elected official and executive state officer must file under RCW 42.17A.700 is for the purpose of providing necessary information to the public for transparency and accountability about an official's personal financial interests to help ensure that the official is making decisions in the best interest of the public, not enhancing a personal financial interest, and to help identify potential conflicts of interest. The financial affairs statement, known as an "F-1," requires the disclosure of personal financial information of the filer and the immediate family members of the filer, which means spouse, or registered domestic partner, and dependents. The commission shall establish rules for the information that must be reported in the statement of financial affairs, and shall provide an electronic filing application.

(1) The statement of financial affairs must disclose financial information for the applicable reporting period within certain categories, as provided in this subsection. The commission shall detail in rules the type of information required for each category, and any additional information as necessary to carry out the purpose and policies of this chapter.

(a) **Assets held.** The statement must include information regarding the assets in which the filer or immediate family members held a direct financial interest, including:

1 (i) Each bank account and insurance policy with a value of
2 \$25,000 or more; and

3 (ii) Other intangible personal property with a value of \$10,000
4 or more, such as business ownership, securities, and retirement
5 accounts.

6 (b) Sources of income. The statement must include information
7 regarding the sources of income received by the filer or immediate
8 family members with a value of \$2,500 or more. Such information
9 includes:

10 (i) Payments received, including compensation for employment or
11 other consideration;

12 (ii) Government benefits received;

13 (iii) Pensions or other retirement income received; and

14 (iv) Income earned or provided from assets held by the filer or
15 immediate family member.

16 (c) Debt. The statement must include information regarding the
17 debt owed by the filer or immediate family members with a value of
18 \$2,500 or more, including the creditor's name, the original and
19 present amount owed, the security given, and the terms of repayment.
20 Debts arising from a "retail installment transaction" as defined in
21 chapter 63.14 RCW, the retail installment sales act, are not required
22 to be reported.

23 (d) Real property. The statement must include information
24 regarding the direct financial interest in real property with a value
25 of \$15,000 or more that the filer or immediate family members
26 acquired, sold, or held during the reporting period.

27 (i) A judge, prosecutor, sheriff, or their immediate family
28 members is not required to disclose the address or legal description
29 of real property that is the personal residence of the judge,
30 prosecutor, or sheriff. It is sufficient to disclose the following
31 information regarding the personal residence of a judge, prosecutor,
32 or sheriff:

33 (A) The city or town;

34 (B) The type of residence, such as a single-family or multifamily
35 residence, and the nature of ownership; and

36 (C) Such other identifying information the commission prescribes
37 by rule for the mailing address where the property is located.

38 (ii) The limitation on reporting information regarding personal
39 residence may not be used to relieve a judge, prosecutor, or sheriff

1 of any other applicable obligations to disclose potential conflicts
2 or to recuse oneself.

3 (e) **Gifts and other payments.** The statement must include
4 information regarding gifts received by the filer, including:

5 (i) Food and beverages with a value of \$50 or more, which were
6 accepted in the ordinary course of meals where attendance is related
7 to the performance of official duties, as provided under RCW
8 42.52.150(5);

9 (ii) Payments for reasonable expenses incurred in connection with
10 a speech, presentation, appearance, or trade mission made in an
11 official capacity, as provided under RCW 42.52.010(9)(d);

12 (iii) Items accepted for which the filer was authorized to accept
13 by law, as provided in RCW 42.52.010(9)(e); and

14 (iv) Payment attributable to attending seminars and educational
15 programs sponsored by a bona fide governmental or nonprofit
16 professional, educational, trade, or charitable association or
17 institution, as provided under RCW 42.52.010(9)(f).

18 (f) **Lobbying activities.** The statement must include information
19 regarding:

20 (i) Any individual or entity who provided compensation to the
21 filer or immediate family members to lobby, as defined in this
22 chapter, or otherwise outside the state, except in the filer's or
23 immediate family member's official service to a government entity;
24 and

25 (ii) Any affiliated entity under (g) of this subsection that
26 provided compensation to persons to lobby, as defined in this
27 chapter, or otherwise outside the state.

28 (g) **Businesses interests and associations.** The statement must
29 include information identifying each business, association, or other
30 entity with which the filer or immediate family member holds an
31 office or director position, or ownership interest of at least 10
32 percent. In addition, the information must include:

33 (i) The compensation of \$15,000 or more provided to each
34 identified entity;

35 (ii) The real property interest in the state of Washington of
36 \$25,000 or more held by each identified entity with which the filer
37 or immediate family member holds at least a 10 percent ownership
38 interest; and

39 (iii) The value of any payment to each identified entity from the
40 government unit in which the filer or immediate family member holds

1 or seeks an office or position, except for payment for water and
2 other utility services at rates approved by the authority of the
3 public entity providing the service.

4 (2) Where the disclosure of an amount is required within a
5 category of financial information, the commission may establish value
6 codes that allow for reporting monetary amounts within certain
7 ranges, instead of disclosing the actual amount.

8 **Sec. 18.** RCW 42.17A.785 and 2018 c 304 s 18 are each amended to
9 read as follows:

10 (1) The public disclosure transparency account is created in the
11 ((state treasury)) custody of the state treasurer. All receipts from
12 penalties collected pursuant to enforcement actions or settlements
13 under this chapter, including any fees or costs, must be deposited
14 into the account. ((Moneys in the account may be spent only after
15 appropriation. Moneys in the account may be used only for the
16 implementation of chapter 304, Laws of 2018 and duties under this
17 chapter, and may not be used to supplant general fund appropriations
18 to the commission.))

19 (2) Moneys in the account may be used only for the development
20 and implementation of projects designated by the commission for the
21 purpose of improving the usability, transparency, and accessibility
22 of systems and information regarding campaign financing, lobbying
23 activities, and the financial affairs of public officials and
24 candidates, consistent with the purposes of this chapter. The
25 commission shall approve and update the list of designated projects
26 and include a description, the purpose, and projected cost of each
27 project as part of the commission's regular review of its technology
28 and related business projects strategic priorities plan.

29 (3) Moneys in the account may not be used for ongoing operating
30 or enforcement expenses and are not intended to be and shall not be
31 used to supplant general fund appropriations to the commission.

32 (4) Only the commission may authorize expenditures from the
33 account. The account is not subject to appropriation.

34 NEW SECTION. **Sec. 19.** Except for section 11 of this act, this
35 act takes effect January 1, 2023.

36 NEW SECTION. **Sec. 20.** Section 11 of this act is necessary for
37 the immediate preservation of the public peace, health, or safety, or

1 support of the state government and its existing public institutions,
2 and takes effect June 1, 2022.

--- **END** ---