

**ESSB 5207** - H AMD TO SGOV COMM AMD (H-1720.1/23) **508**  
By Representative Ramos

**NOT CONSIDERED 01/02/2024**

1 On page 2, line 1, after "(5)" insert "It is the responsibility  
2 of any person or entity who makes a contribution subject to this  
3 chapter to ensure that their contributions, when attributed to or  
4 aggregated with affiliated persons or entities under this section and  
5 related rules adopted by the commission, do not exceed the  
6 contribution limits in RCW 42.17A.405.

7 (6) The commission shall adopt procedures related to enforcement  
8 of the attribution and aggregation requirements in this section and  
9 related rules.

10 (7)"

11 On page 2, after line 19, insert the following:

12 "**Sec. 3.** RCW 42.17A.405 and 2019 c 100 s 1 are each amended to  
13 read as follows:

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

15 (a) Candidates for legislative office;

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

17 (c) Candidates for county office;

18 (d) Candidates for port district office;

19 (e) Candidates for city council office;

20 (f) Candidates for mayoral office;

21 (g) Candidates for school board office;

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

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

29 (j) Caucus political committees;

30 (k) Bona fide political parties.

31 (2) No person, other than a bona fide political party or a caucus  
32 political committee, may make contributions to a candidate for a

1 legislative office, county office, city council office, mayoral  
2 office, school board office, or public hospital district board of  
3 commissioners that in the aggregate exceed eight hundred dollars or  
4 to a candidate for a public office in a port district or a state  
5 office other than a legislative office that in the aggregate exceed  
6 one thousand six hundred dollars for each election in which the  
7 candidate is on the ballot or appears as a write-in candidate.  
8 Contributions to candidates subject to the limits in this section  
9 made with respect to a primary may not be made after the date of the  
10 primary. However, contributions to a candidate or a candidate's  
11 authorized committee may be made with respect to a primary until  
12 thirty days after the primary, subject to the following limitations:  
13 (a) The candidate lost the primary; (b) the candidate's authorized  
14 committee has insufficient funds to pay debts outstanding as of the  
15 date of the primary; and (c) the contributions may only be raised and  
16 spent to satisfy the outstanding debt. Contributions to candidates  
17 subject to the limits in this section made with respect to a general  
18 election may not be made after the final day of the applicable  
19 election cycle.

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

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

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

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

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

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

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

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

9 (8) For the purposes of RCW 42.17A.125, 42.17A.405 through  
10 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560,  
11 and 42.17A.565, a contribution to the authorized political committee  
12 of a candidate or of an official specified in subsection (1) of this  
13 section against whom recall charges have been filed is considered to  
14 be a contribution to the candidate or official.

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

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

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

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

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

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

15 (14) No person may accept contributions that exceed the  
16 contribution limitations provided in this section. However, a person  
17 does not violate this subsection by receiving contributions that  
18 exceed these limitations solely because they are attributable to or  
19 aggregated with the contributions of another person or entity under  
20 RCW 42.17A.455 and related rules adopted by the commission, unless  
21 the person knows that the contributions of the persons or entities  
22 must be aggregated with each other. A person who learns that a  
23 contribution exceeds the limitations under the attribution and  
24 aggregation rules after having accepted the contribution must return  
25 the contribution within seven days of learning that it may not be  
26 accepted.

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

29 (a) An expenditure or contribution earmarked for voter  
30 registration, for absentee ballot information, for precinct caucuses,  
31 for get-out-the-vote campaigns, for precinct judges or inspectors,  
32 for sample ballots, or for ballot counting, all without promotion of  
33 or political advertising for individual candidates;

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

37 (c) An expenditure or contribution for independent expenditures  
38 as defined in RCW 42.17A.005 or electioneering communications as  
39 defined in RCW 42.17A.005."

EFFECT: (1) Specifies that it is the responsibility of a person or entity who makes a contribution related to an election to ensure that their contributions do not exceed contribution limits when attributed to or aggregated with other affiliated persons or entities as provided under law.

(2) Provides that a person does not violate the prohibition on accepting contributions in excess of contribution limits solely because they are attributable to or aggregated with the contributions of another person or entity as provided by law, unless the person knows that the contributions must be aggregated.

(3) Requires a candidate to return any contributions that exceed the contribution limits under the attribution and aggregation rules within seven days of learning that the contribution may not be accepted.

(4) Requires the Public Disclosure Commission to adopt procedures related to enforcement of the attribution and aggregation requirements.

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