
SUBSTITUTE SENATE BILL 5284

State of Washington

68th Legislature

2023 Regular Session

By Senate State Government & Elections (originally sponsored by Senators Nguyen, Billig, Frame, Hunt, Keiser, Kuderer, Shewmake, and C. Wilson; by request of Public Disclosure Commission)

READ FIRST TIME 02/01/23.

1 AN ACT Relating to improving transparency in campaign finance
2 disclosure; amending RCW 42.17A.005, 42.17A.205, 42.17A.207,
3 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260,
4 42.17A.265, 42.17A.305, and 42.17A.345; adding a new section to
5 chapter 42.17A RCW; and repealing RCW 42.17A.418.

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

7 **Sec. 1.** RCW 42.17A.005 and 2022 c 71 s 14 are each amended to
8 read as follows:

9 The definitions in this section apply throughout this chapter
10 unless the context clearly requires otherwise.

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

13 (2) "Agency" includes all state agencies and all local agencies.
14 "State agency" includes every state office, department, division,
15 bureau, board, commission, or other state agency. "Local agency"
16 includes every county, city, town, municipal corporation, quasi-
17 municipal corporation, or special purpose district, or any office,
18 department, division, bureau, board, commission, or agency thereof,
19 or other local public agency. "Agency" does not include a
20 comprehensive cancer center participating in a collaborative

1 arrangement as defined in RCW 28B.10.930 that is operated in
2 conformance with RCW 28B.10.930.

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

7 (4) "Ballot proposition" means any "measure" as defined by RCW
8 29A.04.091, or any initiative, recall, or referendum proposition
9 proposed to be submitted to the voters of the state or any municipal
10 corporation, political subdivision, or other voting constituency from
11 and after the time when the proposition has been initially filed with
12 the appropriate election officer of that constituency before its
13 circulation for signatures.

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

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

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

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

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

28 (7) "Books of account" means:

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

33 (b) In the case of a commercial advertiser, details of political
34 advertising or electioneering communications provided by the
35 advertiser, including the names and addresses of persons from whom it
36 accepted political advertising or electioneering communications, the
37 exact nature and extent of the services rendered and the total cost
38 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-influenced corporation" means a corporation for
13 which at least one of the following conditions is met:

14 (a) A single foreign owner holds, owns, controls, or otherwise
15 has direct or indirect beneficial ownership of one percent or more of
16 the total equity, outstanding voting shares, membership units, or
17 other applicable ownership interests of the corporation;

18 (b) Two or more foreign owners, in aggregate, hold, own, control,
19 or otherwise have direct or indirect beneficial ownership of five
20 percent or more of the total equity, outstanding voting shares,
21 membership units, or other applicable ownership interests of the
22 corporation; or

23 (c) A foreign owner participates directly or indirectly in the
24 corporation's decision-making process with respect to the
25 corporation's political activities in the United States.

26 (25) "Foreign investor" means a person or entity that:

27 (a) Holds, owns, controls, or otherwise has direct or indirect
28 beneficial ownership of equity, outstanding voting shares, membership
29 units, or other applicable ownership interests of a corporation; and

30 (b) Is a foreign national.

31 (26) "Foreign national" means:

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

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

35 (c) A foreign political party; and

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

40 ~~((25))~~ (27) "Foreign owner" means:

1 (a) A foreign investor; or

2 (b) A corporation where a foreign investor holds, owns, controls,
3 or otherwise has directly or indirectly acquired beneficial ownership
4 of equity or voting shares in an amount that is equal to or greater
5 than 50 percent of the total equity or outstanding voting shares.

6 (28) "General election" for the purposes of RCW 42.17A.405 means
7 the election that results in the election of a person to a state or
8 local office. It does not include a primary.

9 ~~((26))~~ (29) "Gift" has the definition in RCW 42.52.010.

10 ~~((27))~~ (30) "Immediate family" includes the spouse or domestic
11 partner, dependent children, and other dependent relatives, if living
12 in the household. For the purposes of the definition of
13 "intermediary" in this section, "immediate family" means an
14 individual's spouse or domestic partner, and child, stepchild,
15 grandchild, parent, stepparent, grandparent, brother, half brother,
16 sister, or half sister of the individual and the spouse or the
17 domestic partner of any such person and a child, stepchild,
18 grandchild, parent, stepparent, grandparent, brother, half brother,
19 sister, or half sister of the individual's spouse or domestic partner
20 and the spouse or the domestic partner of any such person.

21 ~~((28))~~ (31) "Incidental committee" means any nonprofit
22 organization not otherwise defined as a political committee but that
23 may incidentally make a contribution or an expenditure in excess of
24 the reporting thresholds in RCW 42.17A.235, directly or through a
25 political committee. Any nonprofit organization is not an incidental
26 committee if it is only remitting payments through the nonprofit
27 organization in an aggregated form and the nonprofit organization is
28 not required to report those payments in accordance with this
29 chapter.

30 ~~((29))~~ (32) "Incumbent" means a person who is in present
31 possession of an elected office.

32 ~~((30))~~ (33)(a) "Independent expenditure" means an expenditure
33 that has each of the following elements:

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

36 (A) A candidate for that office;

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

38 and

39 (C) A person who has received the candidate's encouragement or
40 approval to make the expenditure, if the expenditure pays in whole or

1 in part for political advertising supporting that candidate or
2 promoting the defeat of any other candidate or candidates for that
3 office;

4 (ii) It is made in support of or in opposition to a candidate for
5 office by a person with whom the candidate has not collaborated for
6 the purpose of making the expenditure, if the expenditure pays in
7 whole or in part for political advertising supporting that candidate
8 or promoting the defeat of any other candidate or candidates for that
9 office;

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

14 (iv) The expenditure, alone or in conjunction with another
15 expenditure or other expenditures of the same person in support of or
16 opposition to that candidate, has a value of one thousand dollars or
17 more. A series of expenditures, each of which is under one thousand
18 dollars, constitutes one independent expenditure if their cumulative
19 value is one thousand dollars or more.

20 (b) "Independent expenditure" does not include: Ordinary home
21 hospitality; communications with journalists or editorial staff
22 designed to elicit a news item, feature, commentary, or editorial in
23 a regularly scheduled news medium that is of primary interest to the
24 general public, controlled by a person whose business is that news
25 medium, and not controlled by a candidate or a political committee;
26 participation in the creation of a publicly funded voters' pamphlet
27 statement in written or video form; an internal political
28 communication primarily limited to contributors to a political party
29 organization or political action committee, the officers, management
30 staff, and stockholders of a corporation or similar enterprise, or
31 the members of a labor organization or other membership organization;
32 or the rendering of personal services of the sort commonly performed
33 by volunteer campaign workers or incidental expenses personally
34 incurred by volunteer campaign workers not in excess of two hundred
35 fifty dollars personally paid for by the worker.

36 (~~(31)~~) (34) (a) "Intermediary" means an individual who transmits
37 a contribution to a candidate or committee from another person unless
38 the contribution is from the individual's employer, immediate family,
39 or an association to which the individual belongs.

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

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

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

8 ~~((32))~~ (35) "Legislation" means bills, resolutions, motions,
9 amendments, nominations, and other matters pending or proposed in
10 either house of the state legislature, and includes any other matter
11 that may be the subject of action by either house or any committee of
12 the legislature and all bills and resolutions that, having passed
13 both houses, are pending approval by the governor.

14 ~~((33))~~ (36) "Legislative office" means the office of a member
15 of the state house of representatives or the office of a member of
16 the state senate.

17 ~~((34))~~ (37) "Lobby" and "lobbying" each mean attempting to
18 influence the passage or defeat of any legislation by the legislature
19 of the state of Washington, or the adoption or rejection of any rule,
20 standard, rate, or other legislative enactment of any state agency
21 under the state administrative procedure act, chapter 34.05 RCW.
22 Neither "lobby" nor "lobbying" includes an association's or other
23 organization's act of communicating with the members of that
24 association or organization.

25 ~~((35))~~ (38) "Lobbyist" includes any person who lobbies either
26 on the person's own or another's behalf.

27 ~~((36))~~ (39) "Lobbyist's employer" means the person or persons
28 by whom a lobbyist is employed and all persons by whom the lobbyist
29 is compensated for acting as a lobbyist.

30 ~~((37))~~ (40) "Ministerial functions" means an act or duty
31 carried out as part of the duties of an administrative office without
32 exercise of personal judgment or discretion.

33 ~~((38))~~ (41) "Participate" means that, with respect to a
34 particular election, an entity:

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

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

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

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

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

15 (~~(39)~~) (42) "Person" includes an individual, partnership, joint
16 venture, public or private corporation, association, federal, state,
17 or local governmental entity or agency however constituted,
18 candidate, committee, political committee, political party, executive
19 committee thereof, or any other organization or group of persons,
20 however organized.

21 (~~(40)~~) (43) "Political advertising" includes any advertising
22 displays, newspaper ads, billboards, signs, brochures, articles,
23 tabloids, flyers, letters, radio or television presentations, digital
24 communication, or other means of mass communication, used for the
25 purpose of appealing, directly or indirectly, for votes or for
26 financial or other support or opposition in any election campaign.

27 (~~(41)~~) (44) "Political committee" means any person (except a
28 candidate or an individual dealing with the candidate's or
29 individual's own funds or property) having the expectation of
30 receiving contributions or making expenditures in support of, or
31 opposition to, any candidate or any ballot proposition.

32 (~~(42)~~) (45) "Primary" for the purposes of RCW 42.17A.405 means
33 the procedure for nominating a candidate to state or local office
34 under chapter 29A.52 RCW or any other primary for an election that
35 uses, in large measure, the procedures established in chapter 29A.52
36 RCW.

37 (~~(43)~~) (46) "Public office" means any federal, state, judicial,
38 county, city, town, school district, port district, special district,
39 or other state political subdivision elective office.

1 (~~(44)~~) (47) "Public record" has the definition in RCW
2 42.56.010.

3 (~~(45)~~) (48) "Recall campaign" means the period of time
4 beginning on the date of the filing of recall charges under RCW
5 29A.56.120 and ending thirty days after the recall election.

6 (~~(46)~~) (49) "Remediable violation" means any violation of this
7 chapter that:

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

11 (b) Occurred:

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

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

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

20 (d) Involved:

21 (i) A person who:

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

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

28 (ii) A candidate who:

29 (A) Lost the election in question; and

30 (B) Did not receive contributions over one hundred times the
31 contribution limit in aggregate per election during the campaign in
32 question.

33 (~~(47)~~) (50)(a) "Sponsor" for purposes of an electioneering
34 communications, independent expenditures, or political advertising
35 means the person paying for the electioneering communication,
36 independent expenditure, or political advertising. If a person acts
37 as an agent for another or is reimbursed by another for the payment,
38 the original source of the payment is the sponsor.

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

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

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

10 ~~((48))~~ (51) "Sponsored committee" means a committee, other than
11 an authorized committee, that has one or more sponsors.

12 ~~((49))~~ (52) "State office" means state legislative office or
13 the office of governor, lieutenant governor, secretary of state,
14 attorney general, commissioner of public lands, insurance
15 commissioner, superintendent of public instruction, state auditor, or
16 state treasurer.

17 ~~((50))~~ (53) "State official" means a person who holds a state
18 office.

19 ~~((51))~~ (54) "Surplus funds" mean, in the case of a political
20 committee or candidate, the balance of contributions that remain in
21 the possession or control of that committee or candidate subsequent
22 to the election for which the contributions were received, and that
23 are in excess of the amount necessary to pay remaining debts or
24 expenses incurred by the committee or candidate with respect to that
25 election. In the case of a continuing political committee, "surplus
26 funds" mean those contributions remaining in the possession or
27 control of the committee that are in excess of the amount necessary
28 to pay all remaining debts or expenses when it makes its final report
29 under RCW 42.17A.255.

30 ~~((52))~~ (55) "Technical correction" means the correction of a
31 minor or ministerial error in a required report that does not
32 materially harm the public interest and needs to be corrected for the
33 report to be in full compliance with the requirements of this
34 chapter.

35 ~~((53))~~ (56) "Treasurer" and "deputy treasurer" mean the
36 individuals appointed by a candidate or political or incidental
37 committee, pursuant to RCW 42.17A.210, to perform the duties
38 specified in that section.

39 ~~((54))~~ (57) "Violation" means a violation of this chapter that
40 is not a remediable violation, minor violation, or an error

1 classified by the commission as appropriate to address by a technical
2 correction.

3 **Sec. 2.** RCW 42.17A.205 and 2019 c 428 s 14 are each amended to
4 read as follows:

5 (1) Every political committee shall file a statement of
6 organization with the commission. The statement must be filed within
7 two weeks after organization or within two weeks after the date the
8 committee first has the expectation of receiving contributions or
9 making expenditures in any election campaign, whichever is earlier. A
10 political committee organized within (~~the last three weeks~~) the
11 period beginning the first day of the last full month before an
12 election and having the expectation of receiving contributions or
13 making expenditures during and for that election campaign shall file
14 a statement of organization within three business days after its
15 organization or when it first has the expectation of receiving
16 contributions or making expenditures in the election campaign.

17 (2) The statement of organization shall include but not be
18 limited to:

19 (a) The name, address, and electronic contact information of the
20 committee;

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

24 (c) The names, addresses, and titles of its officers; or if it
25 has no officers, the names, addresses, and titles of its responsible
26 leaders;

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

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

30 (f) The name, office sought, and party affiliation of each
31 candidate whom the committee is supporting or opposing, and, if the
32 committee is supporting the entire ticket of any party, the name of
33 the party;

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

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

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

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

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

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

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

12 (5) As used in this section, the "name" of a sponsored committee
13 must include the name of the person who is the sponsor of the
14 committee. If more than one person meets the definition of sponsor,
15 the name of the committee must include the name of at least one
16 sponsor, but may include the names of other sponsors. A person may
17 sponsor only one political committee for the same elected office or
18 same ballot proposition per election cycle.

19 **Sec. 3.** RCW 42.17A.207 and 2019 c 428 s 15 are each amended to
20 read as follows:

21 (1)(a) An incidental committee must file a statement of
22 organization with the commission within two weeks after the date the
23 committee first:

24 (i) Has the expectation of making any expenditures aggregating at
25 least (~~(twenty-five thousand dollars)~~) \$25,000 in a calendar year in
26 any election campaign, or to a political committee; and

27 (ii) Is required to disclose a payment received under RCW
28 42.17A.240(2)(d).

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

34 (2) The statement of organization must include but is not limited
35 to:

36 (a) The name, address, and electronic contact information of the
37 committee;

1 (b) The names and addresses of all related or affiliated
2 political or incidental committees or other persons, and the nature
3 of the relationship or affiliation;

4 (c) The names, addresses, and titles of its officers; or if it
5 has no officers, the names, addresses, and titles of its responsible
6 leaders and the name of the person designated as the treasurer of the
7 incidental committee;

8 (d) The name, office sought, and party affiliation of each
9 candidate whom the committee is supporting or opposing if the
10 committee contributes directly to a candidate and, if donating to a
11 political committee, the name and address of that political
12 committee;

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

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

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

20 **Sec. 4.** RCW 42.17A.235 and 2019 c 428 s 20 are each amended to
21 read as follows:

22 (1)(a) In addition to the information required under RCW
23 42.17A.205 and 42.17A.210, each candidate or political committee must
24 file with the commission a report of all contributions received and
25 expenditures made as a political committee on the next reporting date
26 pursuant to the timeline established in this section.

27 (b) In addition to the information required under RCW 42.17A.207
28 and 42.17A.210, on the day an incidental committee files a statement
29 of organization with the commission, each incidental committee must
30 file with the commission a report of any election campaign
31 expenditures under RCW 42.17A.240(6), as well as the source of the
32 ((~~ten~~)) 10 largest cumulative payments of ((~~ten thousand dollars~~))
33 \$10,000 or greater it received in the current calendar year from a
34 single person, including any persons tied as the ((~~tenth~~)) 10th
35 largest source of payments it received, if any.

36 (2) Each treasurer of a candidate or political committee, or an
37 incidental committee, required to file a statement of organization
38 under this chapter, shall file with the commission a report, for each
39 election in which a candidate, political committee, or incidental

1 committee is participating, containing the information required by
2 RCW 42.17A.240 at the following intervals:

3 (a) On the ~~((twenty-first day and the seventh))~~ 34th day, the
4 20th day, and the sixth day immediately preceding the date ~~((on~~
5 ~~which))~~ of the general election ((is held)); ((and))

6 (b) On the 20th day and the sixth day immediately preceding the
7 date of the primary or special election; and

8 (c) On the ~~((tenth))~~ 10th day of the first full month after the
9 election.

10 (3)(a) Each treasurer of a candidate or political committee shall
11 file with the commission a report on the ~~((tenth))~~ 10th day of each
12 month during which the candidate or political committee is not
13 ~~((participating in an election campaign))~~ otherwise required to
14 report under subsection (2) of this section, only if the committee
15 has received a contribution or made an expenditure in the preceding
16 calendar month and either the total contributions received or total
17 expenditures made since the last such report exceed ~~((two hundred~~
18 ~~dollars))~~ \$200.

19 (b) Each incidental committee shall file with the commission a
20 report on the ~~((tenth))~~ 10th day of each month during which the
21 incidental committee is not otherwise required to report under this
22 section only if the committee has:

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

25 (ii) Made any election campaign expenditure reportable under RCW
26 42.17A.240(6) since its last report, and the total election campaign
27 expenditures made since the last report exceed ~~((two hundred~~
28 ~~dollars))~~ \$200.

29 (4) The ~~((report))~~ reports filed ~~((twenty-one))~~ 34 days, 20 days,
30 and six days before the general election and 20 days and 6 days
31 before a primary or special election shall report all contributions
32 received and expenditures made ~~((as of))~~ from the closing date of the
33 last report filed through the end of ~~((one business day))~~ two
34 calendar days before the date of ~~((the report))~~ each filing. ~~((The~~
35 ~~report filed seven days before the election shall report all~~
36 ~~contributions received and expenditures made as of the end of one~~
37 ~~business day before the date of the report.))~~ Reports filed on the
38 ~~((tenth))~~ 10th day of the month shall report all contributions
39 received and expenditures made from the closing date of the last

1 report filed through the last day of the month preceding the date of
2 the current report.

3 (5) For the period beginning the first day of the fourth month
4 preceding the date of the special election, or for the period
5 beginning the first day of the fifth month before the date of the
6 general election, and ending on the date of that special or general
7 election, each Monday the treasurer for a candidate or a political
8 committee shall file with the commission a report of each bank
9 deposit made during the previous seven calendar days. The report
10 shall contain the name of each person contributing the funds and the
11 amount contributed by each person. However, persons who contribute no
12 more than (~~twenty-five dollars~~) \$25 in the aggregate are not
13 required to be identified in the report. A copy of the report shall
14 be retained by the treasurer for the treasurer's records. In the
15 event of deposits made by candidates, political committee members, or
16 paid staff other than the treasurer, the copy shall be immediately
17 provided to the treasurer for the treasurer's records. Each report
18 shall be certified as correct by the treasurer.

19 (6) (a) The treasurer for a candidate or a political committee
20 shall maintain books of account accurately reflecting all
21 contributions and expenditures on a current basis within five
22 business days of receipt or expenditure. During the (~~ten~~) 10
23 calendar days immediately preceding the date of the election the
24 books of account shall be kept current within one business day. As
25 specified in the political committee's statement of organization
26 filed under RCW 42.17A.205, the books of account must be open for
27 public inspection by appointment at a place agreed upon by both the
28 treasurer and the requestor, for inspections between 9:00 a.m. and
29 5:00 p.m. on any day from the (~~tenth~~) 10th calendar day immediately
30 before the election through the day immediately before the election,
31 other than Saturday, Sunday, or a legal holiday. It is a violation of
32 this chapter for a candidate or political committee to refuse to
33 allow and keep an appointment for an inspection to be conducted
34 during these authorized times and days. The appointment must be
35 allowed at an authorized time and day for such inspections that is
36 within (~~forty-eight~~) 48 hours of the time and day that is requested
37 for the inspection. The treasurer may provide digital access or
38 copies of the books of account in lieu of scheduling an appointment
39 at a designated place for inspection. If the treasurer and requestor
40 are unable to agree on a location and the treasurer has not provided

1 digital access to the books of account, the default location for an
2 appointment shall be a place of public accommodation selected by the
3 treasurer within a reasonable distance from the treasurer's office.

4 (b) At the time of making the appointment, a person wishing to
5 inspect the books of account must provide the treasurer the name and
6 telephone number of the person wishing to inspect the books of
7 account. The person inspecting the books of account must show photo
8 identification before the inspection begins.

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

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

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

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

25 (10) Where there is not a pending complaint concerning a report,
26 it is not evidence of a violation of this section to submit an
27 amended report within (~~twenty-one~~) 21 days of filing an initial
28 report if:

29 (a) The report is accurately amended;

30 (b) The amended report is filed more than (~~thirty~~) 30 days
31 before an election;

32 (c) The total aggregate dollar amount of the adjustment for the
33 amended report is within three times the contribution limit per
34 election or (~~two hundred dollars~~) \$200, whichever is greater; and

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

38 (11)(a) When there is no outstanding debt or obligation, the
39 campaign fund is closed, the campaign is concluded in all respects,
40 and the political committee has ceased to function and intends to

1 dissolve, the treasurer shall file a final report. Upon submitting a
2 final report, the political committee so intending to dissolve must
3 file notice of intent to dissolve with the commission and the
4 commission must post the notice on its website.

5 (b) Any political committee may dissolve (~~(sixty)~~) 60 days after
6 it files its notice to dissolve, only if:

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

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

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

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

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

24 (12) The commission must adopt rules for the dissolution of
25 incidental committees.

26 **Sec. 5.** RCW 42.17A.240 and 2020 c 152 s 3 are each amended to
27 read as follows:

28 Each report required under RCW 42.17A.235 (1) through (4) must be
29 certified as correct by the treasurer and the candidate and shall
30 disclose the following, except an incidental committee only must
31 disclose and certify as correct the information required under
32 subsections (2)(d) and (~~((7))~~) (6) of this section:

33 (1) The funds on hand at the beginning of the period;

34 (2) The name and address of each person who has made one or more
35 contributions during the period, together with the money value and
36 date of each contribution and the aggregate value of all
37 contributions received from each person during the campaign, or in
38 the case of a continuing political committee, the current calendar
39 year, with the following exceptions:

1 (a) Pledges in the aggregate of less than one hundred dollars
2 from any one person need not be reported;

3 (b) Income that results from a fund-raising activity conducted in
4 accordance with RCW 42.17A.230 may be reported as one lump sum, with
5 the exception of that portion received from persons whose names and
6 addresses are required to be included in the report required by RCW
7 42.17A.230;

8 (c) Contributions of no more than twenty-five dollars in the
9 aggregate from any one person during the election campaign may be
10 reported as one lump sum if the treasurer maintains a separate and
11 private list of the name, address, and amount of each such
12 contributor;

13 (d) Payments received by an incidental committee from any one
14 person need not be reported unless the person is one of the
15 committee's ten largest sources of payments received, including any
16 persons tied as the tenth largest source of payments received, during
17 the current calendar year, and the value of the cumulative payments
18 received from that person during the current calendar year is ten
19 thousand dollars or greater. For payments to incidental committees
20 from multiple persons received in aggregated form, any payment of
21 more than ten thousand dollars from any single person must be
22 reported, but the aggregated payment itself may not be reported. The
23 commission may suspend or modify reporting requirements for payments
24 received by an incidental committee in cases of manifestly
25 unreasonable hardship under this chapter;

26 (e) Payments from private foundations organized under section
27 501(c)(3) of the internal revenue code to an incidental committee do
28 not have to be reported if:

29 (i) The private foundation is contracting with the incidental
30 committee for a specific purpose other than election campaign
31 purposes;

32 (ii) Use of the funds for election campaign purposes is
33 explicitly prohibited by contract; and

34 (iii) Funding from the private foundation represents less than
35 twenty-five percent of the incidental committee's total budget;

36 (f) Commentary or analysis on a ballot proposition by an
37 incidental committee is not considered a contribution if it does not
38 advocate specifically to vote for or against the ballot proposition;
39 and

1 (g) The money value of contributions of postage is the face value
2 of the postage;

3 (3) Each loan, promissory note, or security instrument to be used
4 by or for the benefit of the candidate or political committee made by
5 any person, including the names and addresses of the lender and each
6 person liable directly, indirectly or contingently and the date and
7 amount of each such loan, promissory note, or security instrument;

8 (4) All other contributions not otherwise listed or exempted;

9 (5) ~~((A statement that the candidate or political committee has
10 received a certification from any partnership, association,
11 corporation, organization, or other combination of persons making a
12 contribution to the candidate or political committee that:~~

13 ~~(a) The contribution is not financed in any part by a foreign
14 national; and~~

15 ~~(b) Foreign nationals are not involved in making decisions
16 regarding the contribution in any way;~~

17 ~~(6))~~ The name and address of each candidate or political
18 committee to which any transfer of funds was made, including the
19 amounts and dates of the transfers;

20 ~~((7))~~ (6) The name and address of each person to whom an
21 expenditure was made in the aggregate amount of more than fifty
22 dollars during the period covered by this report, the amount, date,
23 and purpose of each expenditure, and the total sum of all
24 expenditures. An incidental committee only must report on
25 expenditures, made and reportable as contributions as defined in RCW
26 42.17A.005, to election campaigns. For purposes of this subsection,
27 commentary or analysis on a ballot proposition by an incidental
28 committee is not considered an expenditure if it does not advocate
29 specifically to vote for or against the ballot proposition;

30 ~~((8))~~ (7) The name, address, and electronic contact information
31 of each person to whom an expenditure was made for soliciting or
32 procuring signatures on an initiative or referendum petition, the
33 amount of the compensation to each person, and the total expenditures
34 made for this purpose. Such expenditures shall be reported under this
35 subsection in addition to what is required to be reported under
36 subsection ~~((7))~~ (6) of this section;

37 ~~((9))~~ (8)(a) The name and address of any person and the amount
38 owed for any debt with a value of more than seven hundred fifty
39 dollars that has not been paid for any invoices submitted, goods
40 received, or services performed, within five business days during the

1 period within thirty days before an election, or within ten business
2 days during any other period.

3 (b) For purposes of this subsection, debt does not include
4 regularly recurring expenditures of the same amount that have already
5 been reported at least once and that are not late or outstanding;

6 ~~((10))~~ (9) The surplus or deficit of contributions over
7 expenditures;

8 ~~((11))~~ (10) The disposition made in accordance with RCW
9 42.17A.430 of any surplus funds; and

10 ~~((12))~~ (11) Any other information required by the commission by
11 rule in conformance with the policies and purposes of this chapter.

12 **Sec. 6.** RCW 42.17A.250 and 2020 c 152 s 4 are each amended to
13 read as follows:

14 (1) An out-of-state political committee organized for the purpose
15 of supporting or opposing candidates or ballot propositions in
16 another state that is not otherwise required to report under RCW
17 42.17A.205 through 42.17A.240 shall report as required in this
18 section when it makes an expenditure supporting or opposing a
19 Washington state candidate or political committee. The committee
20 shall file with the commission a statement disclosing:

21 (a) Its name and address;

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

23 (c) The names, addresses, and titles of its officers or, if it
24 has no officers, the names, addresses, and the titles of its
25 responsible leaders;

26 (d) The name, office sought, and party affiliation of each
27 candidate in the state of Washington whom the out-of-state committee
28 is supporting or opposing and, if the committee is supporting or
29 opposing the entire ticket of any party, the name of the party;

30 (e) The ballot proposition supported or opposed in the state of
31 Washington, if any, and whether the committee is in favor of or
32 opposed to that proposition;

33 (f) The name and address of each person residing in the state of
34 Washington or corporation that has a place of business in the state
35 of Washington who has made one or more contributions in the aggregate
36 of more than twenty-five dollars to the out-of-state committee during
37 the current calendar year, together with the money value and date of
38 the contributions;

1 (g) The name, address, and employer of each person or corporation
2 residing outside the state of Washington who has made one or more
3 contributions in the aggregate of more than two thousand five hundred
4 fifty dollars to the out-of-state committee during the current
5 calendar year, together with the money value and date of the
6 contributions. Annually, the commission must modify the two thousand
7 five hundred fifty dollar limit in this subsection based on
8 percentage change in the implicit price deflator for personal
9 consumption expenditures for the United States as published for the
10 most recent twelve-month period by the bureau of economic analysis of
11 the federal department of commerce;

12 (h) The name and address of each person in the state of
13 Washington to whom an expenditure was made by the out-of-state
14 committee with respect to a candidate or political committee in the
15 aggregate amount of more than fifty dollars, the amount, date, and
16 purpose of the expenditure, and the total sum of the expenditures;
17 and

18 ~~(i) ((A statement that the out-of-state committee has received a~~
19 ~~certification from any partnership, association, corporation,~~
20 ~~organization, or other combination of persons making a contribution~~
21 ~~reportable under this section that:~~

22 ~~(i) The contribution is not financed in any part by a foreign~~
23 ~~national; and~~

24 ~~(ii) Foreign nationals are not involved in making decisions~~
25 ~~regarding the contribution in any way; and~~

26 ~~(j)) Any other information as the commission may prescribe by~~
27 ~~rule in keeping with the policies and purposes of this chapter.~~

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

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

36 (1) For the purposes of this section the term "independent
37 expenditure" means any expenditure that is made in support of or in
38 opposition to any candidate or ballot proposition and is not
39 otherwise required to be reported pursuant to RCW 42.17A.225,

1 42.17A.235, and 42.17A.240. "Independent expenditure" does not
2 include: An internal political communication primarily limited to the
3 contributors to a political party organization or political action
4 committee, or the officers, management staff, and stockholders of a
5 corporation or similar enterprise, or the members of a labor
6 organization or other membership organization; or the rendering of
7 personal services of the sort commonly performed by volunteer
8 campaign workers, or incidental expenses personally incurred by
9 volunteer campaign workers not in excess of fifty dollars personally
10 paid for by the worker. "Volunteer services," for the purposes of
11 this section, means services or labor for which the individual is not
12 compensated by any person.

13 (2) Within five days after the date of making an independent
14 expenditure that by itself or when added to all other such
15 independent expenditures made during the same election campaign by
16 the same person equals (~~one hundred dollars~~) \$100 or more, or
17 within five days after the date of making an independent expenditure
18 for which no reasonable estimate of monetary value is practicable,
19 whichever occurs first, the person who made the independent
20 expenditure shall file with the commission an initial report of all
21 independent expenditures made during the campaign prior to and
22 including such date.

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

27 (~~(a)~~) (i) On the (~~twenty-first day and the seventh~~) 34th day,
28 the 20th day, and the sixth day preceding the date (~~on which~~) of
29 the general election (is held); (and

30 ~~(b)~~) (ii) On the 20th day and the sixth day preceding a primary
31 or special election;

32 (iii) On the (~~tenth~~) 10th day of the first month after the
33 election; and

34 (~~(c)~~) (iv) On the (~~tenth~~) 10th day of each month in which no
35 other reports are required to be filed pursuant to this section.
36 (However, the)

37 (b) (i) The further reports required by this subsection (3) shall
38 only be filed if the reporting person has made an independent
39 expenditure since the date of the last previous report filed.

1 (~~The report filed pursuant to (a) of this subsection (3))~~) (ii)
2 If no further reports are required to be filed, the last report
3 required to be filed shall be the final report, and upon submitting
4 such final report the duties of the reporting person shall cease, and
5 there shall be no obligation to make any further reports.

6 (4) All reports filed pursuant to this section shall be certified
7 as correct by the reporting person.

8 (5) Each report required by subsections (2) and (3) of this
9 section shall disclose for the period beginning at the end of the
10 period for the last previous report filed or, in the case of an
11 initial report, beginning at the time of the first independent
12 expenditure, and ending not more than (~~one~~) two business days
13 before the date the report is due:

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

16 (b) The name and address of each person to whom an independent
17 expenditure was made in the aggregate amount of more than (~~fifty~~
18 ~~dollars~~) \$50, and the amount, date, and purpose of each such
19 expenditure. If no reasonable estimate of the monetary value of a
20 particular independent expenditure is practicable, it is sufficient
21 to report instead a precise description of services, property, or
22 rights furnished through the expenditure and where appropriate to
23 attach a copy of the item produced or distributed by the expenditure;

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

26 (d) (~~A statement from the person making an independent~~
27 ~~expenditure that:~~

28 ~~(i) The expenditure is not financed in any part by a foreign~~
29 ~~national; and~~

30 ~~(ii) Foreign nationals are not involved in making decisions~~
31 ~~regarding the expenditure in any way; and~~

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

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

37 (1) The sponsor of political advertising shall file a special
38 report to the commission within (~~twenty-four~~) 24 hours of, or on
39 the first working day after, the date the political advertising is

1 first published, mailed, or otherwise presented to the public, if the
2 political advertising:

3 (a) Is published, mailed, or otherwise presented to the public
4 within (~~twenty-one~~) 21 days of an election; and

5 (b) Either:

6 (i) Qualifies as an independent expenditure with a fair market
7 value or actual cost of (~~one thousand dollars~~) \$1,000 or more, for
8 political advertising supporting or opposing a candidate; or

9 (ii) Has a fair market value or actual cost of (~~one thousand~~
10 ~~dollars~~) \$1,000 or more, for political advertising supporting or
11 opposing a ballot proposition, and is not otherwise required to be
12 reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240,
13 supporting or opposing the same ballot proposition.

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

18 (a) Each subsequent independent expenditure of any size
19 supporting or opposing the same candidate who was the subject of the
20 previous independent expenditure, supporting or opposing that
21 candidate's opponent (~~, or, in the case of a~~); or

22 (b) Each subsequent expenditure of any size made in support of or
23 in opposition to (a) the same ballot proposition that was the
24 subject of the previous expenditure, and is not otherwise required to
25 be reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240 (~~, or~~
26 ~~supporting or opposing the same ballot proposition that was the~~
27 ~~subject of the previous expenditure~~)).

28 (3) The special report must include:

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

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

32 (c) A detailed description of the expenditure;

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

35 (e) The amount of the expenditure;

36 (f) The name of the candidate supported or opposed by the
37 expenditure, the office being sought by the candidate, and whether
38 the expenditure supports or opposes the candidate; or the name of the
39 ballot proposition supported or opposed by the expenditure and

1 whether the expenditure supports or opposes the ballot proposition;
2 and

3 (g) (~~(A statement from the sponsor that:~~

4 ~~(i) The political advertising is not financed in any part by a~~
5 ~~foreign national; and~~

6 ~~(ii) Foreign nationals are not involved in making decisions~~
7 ~~regarding the political advertising in any way; and~~

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

9 (4) All persons required to report under RCW 42.17A.225,
10 42.17A.235, 42.17A.240, 42.17A.255, and 42.17A.305 are subject to the
11 requirements of this section, except as otherwise provided in this
12 section. The commission may determine that reports filed pursuant to
13 this section also satisfy the requirements of RCW 42.17A.255.

14 (5) The sponsor of independent expenditures supporting a
15 candidate or opposing that candidate's opponent required to report
16 under this section shall file with each required report an affidavit
17 or declaration of the person responsible for making the independent
18 expenditure that the expenditure was not made in cooperation,
19 consultation, or concert with, or at the request or suggestion of,
20 the candidate, the candidate's authorized committee, or the
21 candidate's agent, or with the encouragement or approval of the
22 candidate, the candidate's authorized committee, or the candidate's
23 agent.

24 **Sec. 9.** RCW 42.17A.265 and 2020 c 152 s 7 are each amended to
25 read as follows:

26 (1) Treasurers shall prepare and deliver to the commission a
27 special report when a contribution or aggregate of contributions
28 totals (~~(one thousand dollars or more)~~) more than the contribution
29 limit to a candidate for state officer other than legislative office,
30 as provided in RCW 42.17A.405(2), is from a single person or entity,
31 and is received during (~~(a special reporting period)~~) the period from
32 the beginning of the last full month preceding an election in which
33 the treasurer's committee is participating, and concluding the day
34 before that election.

35 (2) A political committee shall prepare and deliver to the
36 commission a special report when it makes a contribution or an
37 aggregate of contributions to a single entity that totals (~~(one~~
38 ~~thousand dollars or more during a special reporting period)~~) more
39 than the contribution limit to a candidate for state office other

1 than legislative office, as provided in RCW 42.17A.405(2), during the
2 same special reporting period as set forth in subsection (1) of this
3 section.

4 (3) An aggregate of contributions includes only those
5 contributions made to or received from a single entity during any one
6 special reporting period. ~~((Any))~~ After a special report is filed as
7 provided under subsection (1) or (2) of this section, an additional
8 special report must be filed for any subsequent contribution of any
9 size made to or received from the same person or entity during the
10 special reporting period ~~((must also be reported))~~.

11 ~~((Special reporting periods, for purposes of this section,~~
12 ~~include:~~

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

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

17 ~~(c) An aggregate of contributions includes only those~~
18 ~~contributions received from a single entity during any one special~~
19 ~~reporting period or made by the contributing political committee to a~~
20 ~~single entity during any one special reporting period.~~

21 ~~(5) If a campaign treasurer files a special report under this~~
22 ~~section for one or more contributions received from a single entity~~
23 ~~during a special reporting period, the treasurer shall also file a~~
24 ~~special report under this section for each subsequent contribution of~~
25 ~~any size which is received from that entity during the special~~
26 ~~reporting period. If a political committee files a special report~~
27 ~~under this section for a contribution or contributions made to a~~
28 ~~single entity during a special reporting period, the political~~
29 ~~committee shall also file a special report for each subsequent~~
30 ~~contribution of any size which is made to that entity during the~~
31 ~~special reporting period.~~

32 ~~(6))~~ Special reports required by this section shall be delivered
33 electronically, or in written form if an electronic alternative is
34 not available.

35 (a) The special report required of a contribution recipient under
36 subsection (1) of this section shall be delivered to the commission
37 within ~~((forty-eight))~~ 48 hours of the time, or on the first
38 ~~((working))~~ business day after:

39 (i) The qualifying contribution ~~((of one thousand dollars or~~
40 ~~more))~~ is received by the candidate or treasurer; ~~((the))~~

1 (ii) The aggregate received by the candidate or treasurer first
2 equals ~~((one thousand dollars or more))~~ the qualifying amount; or
3 ~~((any))~~

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

6 (b) The special report required of a contributor under subsection
7 (2) of this section or RCW 42.17A.625 shall be delivered to the
8 commission, and the candidate or political committee to whom the
9 contribution or contributions are made, within ~~((twenty-four))~~ 24
10 hours of the time, or on the first ~~((working))~~ business day after:

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

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

14 (iii) Any subsequent contribution to the same person or entity is
15 made.

16 ~~((7))~~ (5) The special report shall include:

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

18 (b) The date or dates of receipt;

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

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

21 ~~((A statement that the candidate or political committee has~~
22 ~~received a certification from any partnership, association,~~
23 ~~corporation, organization, or other combination of persons making a~~
24 ~~contribution reportable under this section that:~~

25 ~~(i) The contribution is not financed in any part by a foreign~~
26 ~~national; and~~

27 ~~(ii) Foreign nationals are not involved in making decisions~~
28 ~~regarding the contribution in any way; and~~

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

30 ~~((8))~~ (6) Contributions reported under this section shall also
31 be reported as required by other provisions of this chapter.

32 ~~((9))~~ (7) The commission shall prepare daily a summary of the
33 special reports made under this section and RCW 42.17A.625.

34 ~~((10))~~ (8) Contributions governed by this section include, but
35 are not limited to, contributions made or received indirectly through
36 a third party or entity whether the contributions are or are not
37 reported to the commission as earmarked contributions under RCW
38 42.17A.270.

1 **Sec. 10.** RCW 42.17A.305 and 2020 c 152 s 8 are each amended to
2 read as follows:

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

7 (a) Name and address of the sponsor;

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

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

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

23 (iii) (~~A statement from the sponsor that:~~

24 ~~(A) The electioneering communication is not financed in any part~~
25 ~~by a foreign national; and~~

26 ~~(B) Foreign nationals are not involved in making decisions~~
27 ~~regarding the electioneering communication in any way; and~~

28 ~~(iv))~~ Any other source information required or exempted by the
29 commission by rule;

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

32 (d) A detailed description of each expenditure of more than one
33 hundred dollars;

34 (e) The date the expenditure was made and the date the
35 electioneering communication was first broadcast, transmitted,
36 mailed, erected, distributed, or otherwise published;

37 (f) The amount of the expenditure;

38 (g) The name of each candidate clearly identified in the
39 electioneering communication, the office being sought by each

1 candidate, and the amount of the expenditure attributable to each
2 candidate; and

3 (h) Any other information the commission may require or exempt by
4 rule.

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

11 (3) Electioneering communications shall be reported
12 electronically by the sponsor using software provided or approved by
13 the commission. The commission may make exceptions on a case-by-case
14 basis for a sponsor who lacks the technological ability to file
15 reports using the electronic means provided or approved by the
16 commission.

17 (4) All persons required to report under RCW 42.17A.225,
18 42.17A.235, 42.17A.240, and 42.17A.255 are subject to the
19 requirements of this section, although the commission may determine
20 by rule that persons filing according to those sections may be exempt
21 from reporting some of the information otherwise required by this
22 section. The commission may determine that reports filed pursuant to
23 this section also satisfy the requirements of RCW 42.17A.255 and
24 42.17A.260.

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

27 **Sec. 11.** RCW 42.17A.345 and 2019 c 428 s 26 are each amended to
28 read as follows:

29 (1) Each commercial advertiser who has accepted or provided
30 political advertising or electioneering communications during the
31 election campaign shall maintain current books of account and related
32 materials as provided by rule that shall be open for public
33 inspection during normal business hours during the campaign and for a
34 period of no less than five years after the date of the applicable
35 election. The documents and books of account shall specify:

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

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

39 (c) The total cost and the manner of payment for the services.

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

6 (3) Any person who purchases political advertising or
7 electioneering communications from a commercial advertiser must
8 disclose upon request from the commercial advertiser:

9 (a) That the purchase includes political advertising or
10 electioneering communications;

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

13 (c) Any other information the commercial advertiser is required
14 to maintain, as provided by this section or rule.

15 (4) Any failure to provide the required information in subsection
16 (3) of this section upon request is a violation under this chapter,
17 but such failure shall not relieve a commercial advertiser of any of
18 the requirements under this section.

19 NEW SECTION. Sec. 12. A new section is added to chapter 42.17A
20 RCW to read as follows:

21 Any corporation making an independent expenditure or contributing
22 to a political committee, incidental committee, or candidate shall,
23 within seven business days after making the expenditure or
24 contribution, file with the commission a statement of certification
25 signed by its chief executive officer under penalty of perjury
26 avowing that after due inquiry, the corporation was not a foreign-
27 influenced corporation on the date the independent expenditure or
28 contribution was made. The corporation shall also provide a copy of
29 the statement of certification to any committee or candidate to which
30 it makes a contribution.

31 NEW SECTION. Sec. 13. RCW 42.17A.418 (Foreign nationals—
32 Contribution certification) and 2020 c 152 s 10 are each repealed.

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