

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5857

Chapter 164, Laws of 2024

68th Legislature
2024 Regular Session

CAMPAIGN DISCLOSURE AND CONTRIBUTION—STATUTORY REORGANIZATION

EFFECTIVE DATE: January 1, 2026

Passed by the Senate March 4, 2024
Yeas 49 Nays 0

DENNY HECK

President of the Senate

Passed by the House February 27, 2024
Yeas 95 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 18, 2024 3:32 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5857** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 19, 2024

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5857

AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By Senate State Government & Elections (originally sponsored by
Senators Hunt and Nobles)

READ FIRST TIME 01/29/24.

1 AN ACT Relating to reorganizing statutes on campaign disclosure
2 and contribution; amending RCW 42.17A.001, 42.17A.010, 42.17A.020,
3 42.17A.055, 42.17A.060, 42.17A.065, 42.17A.100, 42.17A.105,
4 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140,
5 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200, 42.17A.205,
6 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225,
7 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255,
8 42.17A.260, 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305,
9 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335,
10 42.17A.340, 42.17A.345, 42.17A.350, 42.17A.400, 42.17A.405,
11 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418, 42.17A.420,
12 42.17A.425, 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442,
13 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460, 42.17A.465,
14 42.17A.470, 42.17A.475, 42.17A.480, 42.17A.485, 42.17A.490,
15 42.17A.495, 42.17A.500, 42.17A.550, 42.17A.555, 42.17A.565,
16 42.17A.570, 42.17A.575, 42.17A.603, 42.17A.610, 42.17A.615,
17 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640,
18 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700, 42.17A.705,
19 42.17A.710, 42.17A.715, 42.17A.750, 42.17A.755, 42.17A.760,
20 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, 42.17A.785,
21 42.62.040, 15.89.070, 19.09.020, 28A.600.027, 28B.15.610,
22 28B.133.030, 29A.32.031, 29A.84.250, 35.02.130, 35.21.759,
23 36.70A.200, 42.36.040, 42.52.150, 42.52.180, 42.52.185, 42.52.380,

1 42.52.560, 42.52.806, 43.03.305, 43.17.320, 43.52A.030, 43.59.156,
2 43.60A.175, 43.166.030, 43.167.020, 43.384.060, 44.05.020, 44.05.080,
3 53.57.060, 68.52.220, 70A.02.120, 79A.25.830, and 82.04.759;
4 reenacting and amending RCW 42.17A.130, 42.17A.560, 42.17A.600,
5 42.17A.605, 15.65.280, 15.66.140, 15.115.140, and 42.52.010; adding a
6 new title to the Revised Code of Washington to be codified as Title
7 29B RCW; creating new sections; recodifying RCW 42.17A.001,
8 42.17A.010, 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065,
9 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125,
10 42.17A.130, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150,
11 42.17A.160, 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210,
12 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235,
13 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265,
14 42.17A.270, 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315,
15 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345,
16 42.17A.350, 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415,
17 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425, 42.17A.430,
18 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450,
19 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475,
20 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500,
21 42.17A.550, 42.17A.555, 42.17A.560, 42.17A.565, 42.17A.570,
22 42.17A.575, 42.17A.600, 42.17A.603, 42.17A.605, 42.17A.610,
23 42.17A.615, 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635,
24 42.17A.640, 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700,
25 42.17A.705, 42.17A.710, 42.17A.715, 42.17A.750, 42.17A.755,
26 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780,
27 42.17A.785, 42.62.020, 42.62.030, and 42.62.040; repealing RCW
28 42.17A.005 and 42.62.010; providing an effective date; and providing
29 an expiration date.

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

31 **PART I**
32 **NEW TITLE CREATED**

33 NEW SECTION. **Sec. 101.** This act is intended to make technical
34 amendments to certain codified statutes that involve campaign
35 disclosure and contribution. Any statutory changes made by this act
36 should be interpreted as technical in nature and not interpreted to
37 have any substantive, policy implications.

1 NEW SECTION. **Sec. 102.** A rule adopted under authority provided
2 in chapter 42.17A RCW remains valid and is not affected by the
3 recodification in this act.

4 NEW SECTION. **Sec. 103.** A new title is added to the Revised Code
5 of Washington to be codified as Title 29B RCW.

6 **PART II**
7 **DEFINITIONS SPLIT**

8 NEW SECTION. **Sec. 201.** Words and phrases as defined in this
9 chapter, wherever used in this title, shall have the meaning as in
10 this chapter ascribed to them, unless where used the context thereof
11 shall clearly indicate to the contrary or unless otherwise defined in
12 the chapter of which they are a part.

13 NEW SECTION. **Sec. 202.** "Actual malice" means to act with
14 knowledge of falsity or with reckless disregard as to truth or
15 falsity.

16 NEW SECTION. **Sec. 203.** "Agency" includes all state agencies and
17 all local agencies. "State agency" includes every state office,
18 department, division, bureau, board, commission, or other state
19 agency. "Local agency" includes every county, city, town, municipal
20 corporation, quasi-municipal corporation, or special purpose
21 district, or any office, department, division, bureau, board,
22 commission, or agency thereof, or other local public agency. "Agency"
23 does not include a comprehensive cancer center participating in a
24 collaborative arrangement as defined in RCW 28B.10.930 that is
25 operated in conformance with RCW 28B.10.930.

26 NEW SECTION. **Sec. 204.** "Authorized committee" means the
27 political committee authorized by a candidate, or by the public
28 official against whom recall charges have been filed, to accept
29 contributions or make expenditures on behalf of the candidate or
30 public official.

31 NEW SECTION. **Sec. 205.** "Ballot proposition" means any "measure"
32 as defined by RCW 29A.04.091, or any initiative, recall, or
33 referendum proposition proposed to be submitted to the voters of the

1 state or any municipal corporation, political subdivision, or other
2 voting constituency from and after the time when the proposition has
3 been initially filed with the appropriate election officer of that
4 constituency before its circulation for signatures.

5 NEW SECTION. **Sec. 206.** "Benefit" means a commercial,
6 proprietary, financial, economic, or monetary advantage, or the
7 avoidance of a commercial, proprietary, financial, economic, or
8 monetary disadvantage.

9 NEW SECTION. **Sec. 207.** "Bona fide political party" means:

10 (1) An organization that has been recognized as a minor political
11 party by the secretary of state;

12 (2) The governing body of the state organization of a major
13 political party, as defined in RCW 29A.04.086, that is the body
14 authorized by the charter or bylaws of the party to exercise
15 authority on behalf of the state party; or

16 (3) The county central committee or legislative district
17 committee of a major political party. There may be only one
18 legislative district committee for each party in each legislative
19 district.

20 NEW SECTION. **Sec. 208.** "Books of account" means:

21 (1) In the case of a campaign or political committee, a ledger or
22 similar listing of contributions, expenditures, and debts, such as a
23 campaign or committee is required to file regularly with the
24 commission, current as of the most recent business day; or

25 (2) In the case of a commercial advertiser, details of political
26 advertising or electioneering communications provided by the
27 advertiser, including the names and addresses of persons from whom it
28 accepted political advertising or electioneering communications, the
29 exact nature and extent of the services rendered, and the total cost
30 and the manner of payment for the services.

31 NEW SECTION. **Sec. 209.** "Candidate" means any individual who
32 seeks nomination for election or election to public office. An
33 individual seeks nomination or election when the individual first:

34 (1) Receives contributions or makes expenditures or reserves
35 space or facilities with intent to promote the individual's candidacy
36 for office;

- 1 (2) Announces publicly or files for office;
2 (3) Purchases commercial advertising space or broadcast time to
3 promote the individual's candidacy; or
4 (4) Gives consent to another person to take on behalf of the
5 individual any of the actions in subsection (1) or (3) of this
6 section.

7 NEW SECTION. **Sec. 210.** "Caucus political committee" means a
8 political committee organized and maintained by the members of a
9 major political party in the state senate or state house of
10 representatives.

11 NEW SECTION. **Sec. 211.** "Commercial advertiser" means any person
12 that sells the service of communicating messages or producing
13 material for broadcast or distribution to the general public or
14 segments of the general public whether through brochures, fliers,
15 newspapers, magazines, television, radio, billboards, direct mail
16 advertising, printing, paid internet or digital communications, or
17 any other means of mass communication used for the purpose of
18 appealing, directly or indirectly, for votes or for financial or
19 other support in any election campaign.

20 NEW SECTION. **Sec. 212.** "Commission" means the agency
21 established under RCW 42.17A.100 (as recodified by this act).

22 NEW SECTION. **Sec. 213.** "Committee" unless the context indicates
23 otherwise, includes a political committee such as a candidate, ballot
24 proposition, recall, political, or continuing political committee.

25 NEW SECTION. **Sec. 214.** "Compensation" unless the context
26 requires a narrower meaning, includes payment in any form for real or
27 personal property or services of any kind. For the purpose of
28 compliance with RCW 42.17A.710 (as recodified by this act),
29 "compensation" does not include per diem allowances or other payments
30 made by a governmental entity to reimburse a public official for
31 expenses incurred while the official is engaged in the official
32 business of the governmental entity.

33 NEW SECTION. **Sec. 215.** "Continuing political committee" means a
34 political committee that is an organization of continuing existence

1 not limited to participation in any particular election campaign or
2 election cycle.

3 NEW SECTION. **Sec. 216.** (1) "Contribution" includes:

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

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

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

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

21 (2) "Contribution" does not include:

22 (a) Accrued interest on money deposited in a political or
23 incidental committee's account;

24 (b) Ordinary home hospitality;

25 (c) A contribution received by a candidate or political or
26 incidental committee that is returned to the contributor within 10
27 business days of the date on which it is received by the candidate or
28 political or incidental committee;

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

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

1 (f) The rendering of personal services of the sort commonly
2 performed by volunteer campaign workers, or incidental expenses
3 personally incurred by volunteer campaign workers not in excess of
4 \$50 personally paid for by the worker. "Volunteer services," for the
5 purposes of this section, means services or labor for which the
6 individual is not compensated by any person;

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

13 (h) Legal or accounting services rendered to or on behalf of:

14 (i) A political party or caucus political committee if the person
15 paying for the services is the regular employer of the person
16 rendering such services; or

17 (ii) A candidate or an authorized committee if the person paying
18 for the services is the regular employer of the individual rendering
19 the services and if the services are solely for the purpose of
20 ensuring compliance with state election or public disclosure laws; or

21 (i) The performance of ministerial functions by a person on
22 behalf of two or more candidates or political or incidental
23 committees either as volunteer services defined in (f) of this
24 subsection or for payment by the candidate or political or incidental
25 committee for whom the services are performed as long as:

26 (i) The person performs solely ministerial functions;

27 (ii) A person who is paid by two or more candidates or political
28 or incidental committees is identified by the candidates and
29 political committees on whose behalf services are performed as part
30 of their respective statements of organization under RCW 42.17A.205
31 (as recodified by this act); and

32 (iii) The person does not disclose, except as required by law,
33 any information regarding a candidate's or committee's plans,
34 projects, activities, or needs, or regarding a candidate's or
35 committee's contributions or expenditures that is not already
36 publicly available from campaign reports filed with the commission,
37 or otherwise engage in activity that constitutes a contribution under
38 subsection (1)(b) of this section.

39 A person who performs ministerial functions under this subsection
40 (2)(i) is not considered an agent of the candidate or committee as

1 long as the person has no authority to authorize expenditures or make
2 decisions on behalf of the candidate or committee.

3 (3) Contributions other than money or its equivalent are deemed
4 to have a monetary value equivalent to the fair market value of the
5 contribution. Services or property or rights furnished at less than
6 their fair market value for the purpose of assisting any candidate or
7 political committee are deemed a contribution. Such a contribution
8 must be reported as an in-kind contribution at its fair market value
9 and counts towards any applicable contribution limit of the provider.

10 NEW SECTION. **Sec. 217.** "Depository" means a bank, mutual
11 savings bank, savings and loan association, or credit union doing
12 business in this state.

13 NEW SECTION. **Sec. 218.** "Elected official" means any person
14 elected at a general or special election to any public office, and
15 any person appointed to fill a vacancy in any such office.

16 NEW SECTION. **Sec. 219.** "Election" includes any primary,
17 general, or special election for public office and any election in
18 which a ballot proposition is submitted to the voters. An election in
19 which the qualifications for voting include other than those
20 requirements set forth in Article VI, section 1 (Amendment 63) of the
21 Constitution of the state of Washington shall not be considered an
22 election for purposes of this title.

23 NEW SECTION. **Sec. 220.** "Election campaign" means any campaign
24 in support of or in opposition to a candidate for election to public
25 office and any campaign in support of, or in opposition to, a ballot
26 proposition.

27 NEW SECTION. **Sec. 221.** "Election cycle" means the period
28 beginning on the first day of January after the date of the last
29 previous general election for the office that the candidate seeks and
30 ending on December 31st after the next election for the office. In
31 the case of a special election to fill a vacancy in an office,
32 "election cycle" means the period beginning on the day the vacancy
33 occurs and ending on December 31st after the special election.

1 NEW SECTION. **Sec. 222.** (1) "Electioneering communication" means
2 any broadcast, cable, or satellite television, radio transmission,
3 digital communication, United States postal service mailing,
4 billboard, newspaper, or periodical that:

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

8 (b) Is broadcast, transmitted electronically or by other means,
9 mailed, erected, distributed, or otherwise published within 60 days
10 before any election for that office in the jurisdiction in which the
11 candidate is seeking election; and

12 (c) Either alone, or in combination with one or more
13 communications identifying the candidate by the same sponsor during
14 the 60 days before an election, has a fair market value or cost of
15 \$1,000 or more.

16 (2) "Electioneering communication" does not include:

17 (a) Usual and customary advertising of a business owned by a
18 candidate, even if the candidate is mentioned in the advertising when
19 the candidate has been regularly mentioned in that advertising
20 appearing at least 12 months preceding the candidate becoming a
21 candidate;

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

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

28 (i) Of interest to the public;

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

31 (iii) Not a medium controlled by a candidate or a political or
32 incidental committee;

33 (d) Slate cards and sample ballots;

34 (e) Advertising for books, films, dissertations, or similar works
35 (i) written by a candidate when the candidate entered into a contract
36 for such publications or media at least 12 months before becoming a
37 candidate, or (ii) written about a candidate;

38 (f) Public service announcements;

39 (g) An internal political communication primarily limited to the
40 members of or contributors to a political party organization or

1 political or incidental committee, or to the officers, management
2 staff, or stockholders of a corporation or similar enterprise, or to
3 the members of a labor organization or other membership organization;

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

6 (i) Any other communication exempted by the commission through
7 rule consistent with the intent of this title.

8 NEW SECTION. **Sec. 223.** "Expenditure" includes a payment,
9 contribution, subscription, distribution, loan, advance, deposit, or
10 gift of money or anything of value, and includes a contract, promise,
11 or agreement, whether or not legally enforceable, to make an
12 expenditure. "Expenditure" also includes a promise to pay, a payment,
13 or a transfer of anything of value in exchange for goods, services,
14 property, facilities, or anything of value for the purpose of
15 assisting, benefiting, or honoring any public official or candidate,
16 or assisting in furthering or opposing any election campaign. For the
17 purposes of this title, agreements to make expenditures, contracts,
18 and promises to pay may be reported as estimated obligations until
19 actual payment is made. "Expenditure" shall not include the partial
20 or complete repayment by a candidate or political or incidental
21 committee of the principal of a loan, the receipt of which loan has
22 been properly reported.

23 NEW SECTION. **Sec. 224.** "Final report" means the report
24 described as a final report in RCW 42.17A.235(11)(a) (as recodified
25 by this act).

26 NEW SECTION. **Sec. 225.** "Foreign national" means:
27 (1) An individual who is not a citizen of the United States and
28 is not lawfully admitted for permanent residence;
29 (2) A government, or subdivision, of a foreign country;
30 (3) A foreign political party; and
31 (4) Any entity, such as a partnership, association, corporation,
32 organization, or other combination of persons, that is organized
33 under the laws of or has its principal place of business in a foreign
34 country.

35 NEW SECTION. **Sec. 226.** "General election," for the purposes of
36 RCW 42.17A.405 (as recodified by this act), means the election that

1 results in the election of a person to a state or local office. It
2 does not include a primary.

3 NEW SECTION. **Sec. 227.** "Gift" has the definition in RCW
4 42.52.010.

5 NEW SECTION. **Sec. 228.** "Immediate family" includes the spouse
6 or domestic partner, dependent children, and other dependent
7 relatives, if living in the household. For the purposes of the
8 definition of "intermediary" in section 232 of this act, "immediate
9 family" means an individual's spouse or domestic partner, and child,
10 stepchild, grandchild, parent, stepparent, grandparent, brother, half
11 brother, sister, or half sister of the individual and the spouse or
12 the domestic partner of any such person and a child, stepchild,
13 grandchild, parent, stepparent, grandparent, brother, half brother,
14 sister, or half sister of the individual's spouse or domestic partner
15 and the spouse or the domestic partner of any such person.

16 NEW SECTION. **Sec. 229.** "Incidental committee" means any
17 nonprofit organization not otherwise defined as a political committee
18 but that may incidentally make a contribution or an expenditure in
19 excess of the reporting thresholds in RCW 42.17A.235 (as recodified
20 by this act), directly or through a political committee. Any
21 nonprofit organization is not an incidental committee if it is only
22 remitting payments through the nonprofit organization in an
23 aggregated form and the nonprofit organization is not required to
24 report those payments in accordance with this title.

25 NEW SECTION. **Sec. 230.** "Incumbent" means a person who is in
26 present possession of an elected office.

27 NEW SECTION. **Sec. 231.** (1) "Independent expenditure" means an
28 expenditure that has each of the following elements:

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

31 (i) A candidate for that office;

32 (ii) An authorized committee of that candidate for that office;

33 and

34 (iii) A person who has received the candidate's encouragement or
35 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 (b) 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 (c) 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 (d) 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 \$1,000 or more. A series
17 of expenditures, each of which is under \$1,000, constitutes one
18 independent expenditure if their cumulative value is \$1,000 or more.

19 (2) "Independent expenditure" does not include: Ordinary home
20 hospitality; communications with journalists or editorial staff
21 designed to elicit a news item, feature, commentary, or editorial in
22 a regularly scheduled news medium that is of primary interest to the
23 general public, controlled by a person whose business is that news
24 medium, and not controlled by a candidate or a political committee;
25 participation in the creation of a publicly funded voters' pamphlet
26 statement in written or video form; an internal political
27 communication primarily limited to contributors to a political party
28 organization or political action committee, the officers, management
29 staff, and stockholders of a corporation or similar enterprise, or
30 the members of a labor organization or other membership organization;
31 or the rendering of personal services of the sort commonly performed
32 by volunteer campaign workers or incidental expenses personally
33 incurred by volunteer campaign workers not in excess of \$250
34 personally paid for by the worker.

35 NEW SECTION. **Sec. 232.** (1) "Intermediary" means an individual
36 who transmits a contribution to a candidate or committee from another
37 person unless the contribution is from the individual's employer,
38 immediate family, or an association to which the individual belongs.

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

3 (3) 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 (4) A volunteer hosting a fund-raising event at the individual's
7 home is not an intermediary for purposes of that event.

8 NEW SECTION. **Sec. 233.** "Legislation" means bills, resolutions,
9 motions, amendments, nominations, and other matters pending or
10 proposed in either house of the state legislature, and includes any
11 other matter that may be the subject of action by either house or any
12 committee of the legislature and all bills and resolutions that,
13 having passed both houses, are pending approval by the governor.

14 NEW SECTION. **Sec. 234.** "Legislative office" means the office of
15 a member of the state house of representatives or the office of a
16 member of the state senate.

17 NEW SECTION. **Sec. 235.** "Lobby" and "lobbying" each mean
18 attempting to influence the passage or defeat of any legislation by
19 the legislature of the state of Washington, or the adoption or
20 rejection of any rule, standard, rate, or other legislative enactment
21 of any state agency under the state administrative procedure act,
22 chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an
23 association's or other organization's act of communicating with the
24 members of that association or organization.

25 NEW SECTION. **Sec. 236.** "Lobbyist" includes any person who
26 lobbies either on the person's own or another's behalf.

27 NEW SECTION. **Sec. 237.** "Lobbyist's employer" means the person
28 or persons by whom a lobbyist is employed and all persons by whom the
29 lobbyist is compensated for acting as a lobbyist.

30 NEW SECTION. **Sec. 238.** "Ministerial functions" means an act or
31 duty carried out as part of the duties of an administrative office
32 without exercise of personal judgment or discretion.

1 NEW SECTION. **Sec. 239.** "Participate" means that, with respect
2 to a particular election, an entity:

3 (1) Makes either a monetary or in-kind contribution to a
4 candidate;

5 (2) Makes an independent expenditure or electioneering
6 communication in support of or opposition to a candidate;

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

10 (4) Makes a recommendation regarding whether a candidate should
11 be supported or opposed before a contribution is made by a subsidiary
12 corporation or local unit with respect to that candidate or that
13 candidate's opponent; or

14 (5) Directly or indirectly collaborates or consults with a
15 subsidiary corporation or local unit on matters relating to the
16 support of or opposition to a candidate including, but not limited
17 to, the amount of a contribution, when a contribution should be
18 given, and what assistance, services, or independent expenditures, or
19 electioneering communications, if any, will be made or should be made
20 in support of or opposition to a candidate.

21 NEW SECTION. **Sec. 240.** "Person" includes an individual,
22 partnership, joint venture, public or private corporation,
23 association, federal, state, or local governmental entity or agency
24 however constituted, candidate, committee, political committee,
25 political party, executive committee thereof, or any other
26 organization or group of persons, however organized.

27 NEW SECTION. **Sec. 241.** "Political advertising" includes any
28 advertising displays, newspaper ads, billboards, signs, brochures,
29 articles, tabloids, flyers, letters, radio or television
30 presentations, digital communication, or other means of mass
31 communication, used for the purpose of appealing, directly or
32 indirectly, for votes or for financial or other support or opposition
33 in any election campaign.

34 NEW SECTION. **Sec. 242.** "Political committee" means any person
35 (except a candidate or an individual dealing with the candidate's or
36 individual's own funds or property) having the expectation of

1 receiving contributions or making expenditures in support of, or
2 opposition to, any candidate or any ballot proposition.

3 NEW SECTION. **Sec. 243.** "Primary," for the purposes of RCW
4 42.17A.405 (as recodified by this act), means the procedure for
5 nominating a candidate to state or local office under chapter 29A.52
6 RCW or any other primary for an election that uses, in large measure,
7 the procedures established in chapter 29A.52 RCW.

8 NEW SECTION. **Sec. 244.** "Public office" means any federal,
9 state, judicial, county, city, town, school district, port district,
10 special district, or other state political subdivision elective
11 office.

12 NEW SECTION. **Sec. 245.** "Public record" has the definition in
13 RCW 42.56.010.

14 NEW SECTION. **Sec. 246.** "Recall campaign" means the period of
15 time beginning on the date of the filing of recall charges under RCW
16 29A.56.120 and ending 30 days after the recall election.

17 NEW SECTION. **Sec. 247.** "Remediable violation" means any
18 violation of this title that:

19 (1) Involved expenditures or contributions totaling no more than
20 the contribution limits set out under RCW 42.17A.405(2) (as
21 recodified by this act) per election, or \$1,000 if there is no
22 statutory limit;

23 (2) Occurred:

24 (a) More than 30 days before an election, where the commission
25 entered into an agreement to resolve the matter; or

26 (b) At any time where the violation did not constitute a material
27 violation because it was inadvertent and minor or otherwise has been
28 cured and, after consideration of all the circumstances, further
29 proceedings would not serve the purposes of this title;

30 (3) Does not materially harm the public interest, beyond the harm
31 to the policy of this title inherent in any violation; and

32 (4) Involved:

33 (a) A person who:

34 (i) Took corrective action within five business days after the
35 commission first notified the person of noncompliance, or where the

1 commission did not provide notice and filed a required report within
2 21 days after the report was due to be filed; and

3 (ii) Substantially met the filing deadline for all other required
4 reports within the immediately preceding 12-month period; or

5 (b) A candidate who:

6 (i) Lost the election in question; and

7 (ii) Did not receive contributions over 100 times the
8 contribution limit in aggregate per election during the campaign in
9 question.

10 NEW SECTION. **Sec. 248.** (1) "Sponsor," for purposes of an
11 electioneering communications, independent expenditures, or political
12 advertising, means the person paying for the electioneering
13 communication, independent expenditure, or political advertising. If
14 a person acts as an agent for another or is reimbursed by another for
15 the payment, the original source of the payment is the sponsor.

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

19 (a) The committee receives 80 percent or more of its
20 contributions either from the person or from the person's members,
21 officers, employees, or shareholders;

22 (b) The person collects contributions for the committee by use of
23 payroll deductions or dues from its members, officers, or employees.

24 NEW SECTION. **Sec. 249.** "Sponsored committee" means a committee,
25 other than an authorized committee, that has one or more sponsors.

26 NEW SECTION. **Sec. 250.** "State office" means state legislative
27 office or the office of governor, lieutenant governor, secretary of
28 state, attorney general, commissioner of public lands, insurance
29 commissioner, superintendent of public instruction, state auditor, or
30 state treasurer.

31 NEW SECTION. **Sec. 251.** "State official" means a person who
32 holds a state office.

33 NEW SECTION. **Sec. 252.** "Surplus funds" mean, in the case of a
34 political committee or candidate, the balance of contributions that
35 remain in the possession or control of that committee or candidate

1 subsequent to the election for which the contributions were received,
2 and that are in excess of the amount necessary to pay remaining debts
3 or expenses incurred by the committee or candidate with respect to
4 that election. In the case of a continuing political committee,
5 "surplus funds" mean those contributions remaining in the possession
6 or control of the committee that are in excess of the amount
7 necessary to pay all remaining debts or expenses when it makes its
8 final report under RCW 42.17A.255 (as recodified by this act).

9 NEW SECTION. **Sec. 253.** "Technical correction" means the
10 correction of a minor or ministerial error in a required report that
11 does not materially harm the public interest and needs to be
12 corrected for the report to be in full compliance with the
13 requirements of this title.

14 NEW SECTION. **Sec. 254.** "Treasurer" and "deputy treasurer" mean
15 the individuals appointed by a candidate or political or incidental
16 committee, pursuant to RCW 42.17A.210 (as recodified by this act), to
17 perform the duties specified in that section.

18 NEW SECTION. **Sec. 255.** "Violation" means a violation of this
19 title that is not a remediable violation, minor violation, or an
20 error classified by the commission as appropriate to address by a
21 technical correction.

22 NEW SECTION. **Sec. 256.** Sections 201 through 255 of this act are
23 each added to a new chapter in the new title created in section 103
24 of this act.

25 NEW SECTION. **Sec. 257.** RCW 42.17A.005 (Definitions) and 2022 c
26 71 s 14, 2020 c 152 s 2, & 2019 c 428 s 3 are each repealed.

27 **PART III**
28 **RECODIFICATION**

29 NEW SECTION. **Sec. 301.** GENERAL PROVISIONS. RCW 42.17A.001,
30 42.17A.010, and 42.17A.020 are recodified as a new chapter in the new
31 title created in section 103 of this act.

1 NEW SECTION. **Sec. 302.** ELECTRONIC ACCESS. RCW 42.17A.055,
2 42.17A.060, and 42.17A.065 are recodified as a new chapter in the new
3 title created in section 103 of this act.

4 NEW SECTION. **Sec. 303.** ADMINISTRATION. RCW 42.17A.100,
5 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.130,
6 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, and 42.17A.160 are
7 recodified as a new chapter in the new title created in section 103
8 of this act.

9 NEW SECTION. **Sec. 304.** CAMPAIGN FINANCE REPORTING.
10 RCW 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215,
11 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240,
12 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, and 42.17A.270 are
13 recodified as a new chapter in the new title created in section 103
14 of this act.

15 NEW SECTION. **Sec. 305.** POLITICAL ADVERTISING AND ELECTIONEERING
16 COMMUNICATIONS. RCW 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315,
17 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, and
18 42.17A.350 are recodified as a new chapter in the new title created
19 in section 103 of this act.

20 NEW SECTION. **Sec. 306.** CAMPAIGN CONTRIBUTION LIMITS AND OTHER
21 RESTRICTIONS. RCW 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415,
22 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425, 42.17A.430,
23 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450,
24 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475,
25 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500, and
26 42.17A.550 are recodified as a new chapter in the new title created
27 in section 103 of this act.

28 NEW SECTION. **Sec. 307.** PUBLIC OFFICIALS', EMPLOYEES', AND
29 AGENCIES' CAMPAIGN RESTRICTIONS AND PROHIBITIONS—REPORTING.
30 RCW 42.17A.555, 42.17A.560, 42.17A.565, 42.17A.570, and 42.17A.575
31 are recodified as a new chapter in the new title created in section
32 103 of this act.

33 NEW SECTION. **Sec. 308.** LOBBYING DISCLOSURE AND RESTRICTIONS.
34 RCW 42.17A.600, 42.17A.603, 42.17A.605, 42.17A.610, 42.17A.615,

1 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640,
2 42.17A.645, 42.17A.650, and 42.17A.655 are recodified as a new
3 chapter in the new title created in section 103 of this act.

4 NEW SECTION. **Sec. 309.** PERSONAL FINANCIAL AFFAIRS REPORTING BY
5 CANDIDATES AND PUBLIC OFFICIALS. RCW 42.17A.700, 42.17A.705,
6 42.17A.710, and 42.17A.715 are recodified as a new chapter in the new
7 title created in section 103 of this act.

8 NEW SECTION. **Sec. 310.** ENFORCEMENT. RCW 42.17A.750, 42.17A.755,
9 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, and
10 42.17A.785 are recodified as a new chapter in the new title created
11 in section 103 of this act.

12 NEW SECTION. **Sec. 311.** RCW 42.62.020, 42.62.030, and 42.62.040
13 are recodified as a new chapter in the new title created in section
14 103 of this act.

15 NEW SECTION. **Sec. 312.** RCW 42.62.010 and 2023 c 360 s 1 are
16 each repealed.

17 **PART IV**
18 **CONFORMING AMENDMENTS**

19 **Sec. 401.** RCW 42.17A.001 and 2019 c 428 s 2 are each amended to
20 read as follows:

21 It is hereby declared by the sovereign people to be the public
22 policy of the state of Washington:

23 (1) That political campaign and lobbying contributions and
24 expenditures be fully disclosed to the public and that secrecy is to
25 be avoided.

26 (2) That the people have the right to expect from their elected
27 representatives at all levels of government the utmost of integrity,
28 honesty, and fairness in their dealings.

29 (3) That the people shall be assured that the private financial
30 dealings of their public officials, and of candidates for those
31 offices, present no conflict of interest between the public trust and
32 private interest.

33 (4) That our representative form of government is founded on a
34 belief that those entrusted with the offices of government have

1 nothing to fear from full public disclosure of their financial and
2 business holdings, provided those officials deal honestly and fairly
3 with the people.

4 (5) That public confidence in government at all levels is
5 essential and must be promoted by all possible means.

6 (6) That public confidence in government at all levels can best
7 be sustained by assuring the people of the impartiality and honesty
8 of the officials in all public transactions and decisions.

9 (7) That the concept of attempting to increase financial
10 participation of individual contributors in political campaigns is
11 encouraged by the passage of the Revenue Act of 1971 by the Congress
12 of the United States, and in consequence thereof, it is desirable to
13 have implementing legislation at the state level.

14 (8) That the concepts of disclosure and limitation of election
15 campaign financing are established by the passage of the Federal
16 Election Campaign Act of 1971 by the Congress of the United States,
17 and in consequence thereof it is desirable to have implementing
18 legislation at the state level.

19 (9) That small contributions by individual contributors are to be
20 encouraged, and that not requiring the reporting of small
21 contributions may tend to encourage such contributions.

22 (10) That the public's right to know of the financing of
23 political campaigns and lobbying and the financial affairs of elected
24 officials and candidates far outweighs any right that these matters
25 remain secret and private.

26 (11) That, mindful of the right of individuals to privacy and of
27 the desirability of the efficient administration of government, full
28 access to information concerning the conduct of government on every
29 level must be assured as a fundamental and necessary precondition to
30 the sound governance of a free society.

31 The provisions of this (~~chapter~~) title shall be liberally
32 construed to promote complete disclosure of all information
33 respecting the financing of political campaigns and lobbying, and the
34 financial affairs of elected officials and candidates, and full
35 access to public records so as to assure continuing public confidence
36 of fairness of elections and governmental processes, and so as to
37 assure that the public interest will be fully protected. In promoting
38 such complete disclosure, however, this (~~chapter~~) title shall be
39 enforced so as to ensure that the information disclosed will not be
40 misused for arbitrary and capricious purposes and to ensure that all

1 persons reporting under this (~~chapter~~) title will be protected from
2 harassment and unfounded allegations based on information they have
3 freely disclosed.

4 **Sec. 402.** RCW 42.17A.010 and 2002 c 43 s 4 are each amended to
5 read as follows:

6 Elections of conservation district supervisors held pursuant to
7 chapter 89.08 RCW shall not be considered general or special
8 elections for purposes of the campaign disclosure and personal
9 financial affairs reporting requirements of this (~~chapter~~) title.
10 Elected conservation district supervisors are not considered elected
11 officials for purposes of the annual personal financial affairs
12 reporting requirement of this (~~chapter~~) title.

13 **Sec. 403.** RCW 42.17A.020 and 1973 c 1 s 44 are each amended to
14 read as follows:

15 All statements and reports filed under this (~~chapter~~) title
16 shall be public records of the agency where they are filed, and shall
17 be available for public inspection and copying during normal business
18 hours at the expense of the person requesting copies, provided that
19 the charge for such copies shall not exceed actual cost to the
20 agency.

21 **Sec. 404.** RCW 42.17A.055 and 2019 c 428 s 4 are each amended to
22 read as follows:

23 (1) For each required report, as technology permits, the
24 commission shall make an electronic reporting tool available to all
25 those who are required to file that report under this (~~chapter~~)
26 title.

27 (2) All persons required to file reports under this (~~chapter~~)
28 title must file them electronically where the commission has provided
29 an electronic option. The executive director may make exceptions on a
30 case-by-case basis for persons who lack the technological ability to
31 file reports electronically.

32 (3) If the electronic filing system provided by the commission is
33 inoperable for any period of time, the commission must keep a record
34 of the date and time of each instance and post outages on its
35 website. If a report is due on a day the electronic filing system is
36 inoperable, it is not late if filed the first business day the system

1 is back in operation. The commission must provide notice to all
2 reporting entities when the system is back in operation.

3 (4) All persons required to file reports under this (~~chapter~~)
4 title shall, at the time of initial filing, provide the commission an
5 email address, or other electronic contact information, that shall
6 constitute the official address for purposes of all communications
7 from the commission. The person required to file one or more reports
8 must provide any new electronic contact information to the commission
9 within (~~ten~~) 10 days, if the address has changed from that listed
10 on the most recent report. Committees must provide the committee
11 treasurer's electronic contact information to the commission.
12 Committees must also provide any new electronic contact information
13 for the committee's treasurer to the commission within (~~ten~~) 10
14 days of the change. The executive director may waive the electronic
15 contact information requirement and allow use of a postal address,
16 upon the showing of hardship.

17 **Sec. 405.** RCW 42.17A.060 and 2011 1st sp.s. c 43 s 732 are each
18 amended to read as follows:

19 It is the intent of the legislature to ensure that the commission
20 provide the general public timely access to all contribution and
21 expenditure reports submitted by candidates, continuing political
22 committees, bona fide political parties, lobbyists, and lobbyists'
23 employers. The legislature finds that failure to meet goals for full
24 and timely disclosure threatens to undermine our electoral process.

25 Furthermore, the legislature intends for the commission to
26 consult with the office of the chief information officer as it seeks
27 to implement chapter 401, Laws of 1999, and that the commission
28 follow the standards and procedures established by the office of the
29 chief information officer in chapter 43.105 RCW as they relate to
30 information technology.

31 **Sec. 406.** RCW 42.17A.065 and 2019 c 428 s 5 are each amended to
32 read as follows:

33 By July 1st of each year, the commission shall calculate the
34 following performance measures, provide a copy of the performance
35 measures to the governor and appropriate legislative committees, and
36 make the performance measures available to the public:

37 (1) The average number of days that elapse between the
38 commission's receipt of reports filed under RCW 42.17A.205 (as

1 recodified by this act), 42.17A.225 (as recodified by this act),
2 42.17A.235 (as recodified by this act), 42.17A.255 (as recodified by
3 this act), 42.17A.265 (as recodified by this act), 42.17A.600 (as
4 recodified by this act), 42.17A.615 (as recodified by this act),
5 42.17A.625 (as recodified by this act), and 42.17A.630 (as recodified
6 by this act) and the time that the report, a copy of the report, or a
7 copy of the data or information included in the report, is first
8 accessible to the general public (a) in the commission's office, and
9 (b) via the commission's website;

10 (2) The percentage of filers pursuant to RCW 42.17A.055 (as
11 recodified by this act) who have used: (a) Hard copy paper format; or
12 (b) electronic format.

13 **Sec. 407.** RCW 42.17A.100 and 2019 c 428 s 6 are each amended to
14 read as follows:

15 (1) The public disclosure commission is established. The
16 commission shall be composed of five commissioners appointed by the
17 governor, with the consent of the senate. The commission shall have
18 the authority and duties as set forth in this (~~chapter~~) title. All
19 appointees shall be persons of the highest integrity and
20 qualifications. No more than three commissioners shall have an
21 identification with the same political party.

22 (2) The term of each commissioner shall be five years, which may
23 continue until a successor is appointed, but may not exceed an
24 additional (~~twelve~~) 12 months. No commissioner is eligible for
25 appointment to more than one full term. Any commissioner may be
26 removed by the governor, but only upon grounds of neglect of duty or
27 misconduct in office.

28 (3)(a) During a commissioner's tenure, the commissioner is
29 prohibited from engaging in any of the following activities, either
30 within or outside the state of Washington:

- 31 (i) Holding or campaigning for elective office;
- 32 (ii) Serving as an officer of any political party or political
33 committee;
- 34 (iii) Permitting the commissioner's name to be used in support of
35 or in opposition to a candidate or proposition;
- 36 (iv) Soliciting or making contributions to a candidate or in
37 support of or in opposition to any candidate or proposition;
- 38 (v) Participating in any way in any election campaign; or

1 (vi) Lobbying, employing, or assisting a lobbyist, except that a
2 commissioner or the staff of the commission may lobby to the limited
3 extent permitted by RCW 42.17A.635 (as recodified by this act) on
4 matters directly affecting this (~~chapter~~) title.

5 (b) This subsection is not intended to prohibit a commissioner
6 from participating in or supporting nonprofit or other organizations,
7 in the commissioner's private capacity, to the extent such
8 participation is not prohibited under (a) of this subsection.

9 (c) The provisions of this subsection do not relieve a
10 commissioner of any applicable disqualification and recusal
11 requirements.

12 (4) A vacancy on the commission shall be filled within (~~thirty~~)
13 30 days of the vacancy by the governor, with the consent of the
14 senate, and the appointee shall serve for the remaining term of the
15 appointee's predecessor. A vacancy shall not impair the powers of the
16 remaining commissioners to exercise all of the powers of the
17 commission.

18 (5) Three commissioners shall constitute a quorum. The commission
19 shall elect its own chair and adopt its own rules of procedure in the
20 manner provided in chapter 34.05 RCW.

21 (6) Commissioners shall be compensated in accordance with RCW
22 43.03.250 and shall be reimbursed for travel expenses incurred while
23 engaged in the business of the commission as provided in RCW
24 43.03.050 and 43.03.060. The compensation provided pursuant to this
25 section shall not be considered salary for purposes of the provisions
26 of any retirement system created under the laws of this state.

27 **Sec. 408.** RCW 42.17A.105 and 2010 c 204 s 302 are each amended
28 to read as follows:

29 The commission shall:

30 (1) Develop and provide forms for the reports and statements
31 required to be made under this (~~chapter~~) title;

32 (2) Prepare and publish a manual setting forth recommended
33 uniform methods of bookkeeping and reporting for use by persons
34 required to make reports and statements under this (~~chapter~~) title;

35 (3) Compile and maintain a current list of all filed reports and
36 statements;

37 (4) Investigate whether properly completed statements and reports
38 have been filed within the times required by this (~~chapter~~) title;

1 (5) Upon complaint or upon its own motion, investigate and report
2 apparent violations of this ((chapter)) title to the appropriate law
3 enforcement authorities;

4 (6) Conduct a sufficient number of audits and field
5 investigations to provide a statistically valid finding regarding the
6 degree of compliance with the provisions of this ((chapter)) title by
7 all required filers. Any documents, records, reports, computer files,
8 papers, or materials provided to the commission for use in conducting
9 audits and investigations must be returned to the candidate,
10 campaign, or political committee from which they were received within
11 one week of the commission's completion of an audit or field
12 investigation;

13 (7) Prepare and publish an annual report to the governor as to
14 the effectiveness of this ((chapter)) title and its enforcement by
15 appropriate law enforcement authorities;

16 (8) Enforce this ((chapter)) title according to the powers
17 granted it by law;

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

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

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

27 (10) Adopt rules to carry out the policies of chapter 348, Laws
28 of 2006. The adoption of these rules is not subject to the time
29 restrictions of RCW 42.17A.110(1) (as recodified by this act);

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

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

35 **Sec. 409.** RCW 42.17A.110 and 2019 c 428 s 8 are each amended to
36 read as follows:

37 In addition to the duties in RCW 42.17A.105 (as recodified by
38 this act), the commission may:

1 (1) Adopt, amend, and rescind suitable administrative rules to
2 carry out the policies and purposes of this ((chapter)) title, which
3 rules shall be adopted under chapter 34.05 RCW. Any rule relating to
4 campaign finance, political advertising, or related forms that would
5 otherwise take effect after June 30th of a general election year
6 shall take effect no earlier than the day following the general
7 election in that year;

8 (2) Appoint an executive director and set, within the limits
9 established by the office of financial management under RCW
10 43.03.028, the executive director's compensation. The executive
11 director shall perform such duties and have such powers as the
12 commission may prescribe and delegate to implement and enforce this
13 ((chapter)) title efficiently and effectively. The commission shall
14 not delegate its authority to adopt, amend, or rescind rules nor may
15 it delegate authority to determine that a violation of this
16 ((chapter)) title has occurred or to assess penalties for such
17 violations;

18 (3) Prepare and publish reports and technical studies as in its
19 judgment will tend to promote the purposes of this ((chapter)) title,
20 including reports and statistics concerning campaign financing,
21 lobbying, financial interests of elected officials, and enforcement
22 of this ((chapter)) title;

23 (4) Conduct, as it deems appropriate, audits and field
24 investigations;

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

28 (6) Administer oaths and affirmations, issue subpoenas, and
29 compel attendance, take evidence, and require the production of any
30 records relevant to any investigation authorized under this
31 ((chapter)) title, or any other proceeding under this ((chapter))
32 title;

33 (7) Adopt a code of fair campaign practices;

34 (8) Adopt rules relieving candidates or political committees of
35 obligations to comply with election campaign provisions of this
36 ((chapter)) title, if they have not received contributions nor made
37 expenditures in connection with any election campaign of more than
38 five thousand dollars;

39 (9) Develop and provide to filers a system for certification of
40 reports required under this ((chapter)) title which are transmitted

1 electronically to the commission. Implementation of the program is
2 contingent on the availability of funds; and

3 (10) Make available and keep current on its website a glossary of
4 all defined terms in this (~~chapter~~) title and in rules adopted by
5 the commission.

6 **Sec. 410.** RCW 42.17A.120 and 2019 c 428 s 10 are each amended to
7 read as follows:

8 (1) The commission may suspend or modify any of the reporting
9 requirements of this (~~chapter~~) title if it finds that literal
10 application of this (~~chapter~~) title works a manifestly unreasonable
11 hardship in a particular case and the suspension or modification will
12 not frustrate the purposes of this (~~chapter~~) title. The commission
13 may suspend or modify reporting requirements only to the extent
14 necessary to substantially relieve the hardship and only after a
15 hearing is held and the suspension or modification receives approval.
16 A suspension or modification of the financial affairs reporting
17 requirements in RCW 42.17A.710 (as recodified by this act) may be
18 approved for an elected official's term of office or for up to three
19 years for an executive state officer. If a material change in the
20 applicant's circumstances or relevant information occurs or has
21 occurred, the applicant must request a modification at least one
22 month prior to the next filing deadline rather than at the conclusion
23 of the term.

24 (2) A manifestly unreasonable hardship exists if reporting the
25 name of an entity required to be reported under RCW
26 42.17A.710(1)(g)(ii) (as recodified by this act) would be likely to
27 adversely affect the competitive position of any entity in which the
28 person filing the report, or any member of the person's immediate
29 family, holds any office, directorship, general partnership interest,
30 or an ownership interest of (~~ten~~) 10 percent or more.

31 (3) Requests for reporting modifications may be heard in a brief
32 adjudicative proceeding as set forth in RCW 34.05.482 through
33 34.05.494 and in accordance with the standards established in this
34 section. The commission, the commission chair acting as presiding
35 officer, or another commissioner appointed by the chair to serve as
36 presiding officer, may preside over a brief adjudicatory proceeding.
37 If a modification is requested by a filer because of a concern for
38 personal safety, the information submitted regarding that safety
39 concern shall not be made public prior to, or at, the hearing on the

1 request. Any information provided or prepared for the modification
2 hearing shall remain exempt from public disclosure under this
3 (~~chapter~~) title and chapter 42.56 RCW to the extent it is
4 determined at the hearing that disclosure of such information would
5 present a personal safety risk to a reasonable person.

6 (4) If the commission, or presiding officer, grants a
7 modification request, the commission or presiding officer may apply
8 the modification retroactively to previously filed reports. In that
9 event, previously reported information of the kind that is no longer
10 being reported is confidential and exempt from public disclosure
11 under this (~~chapter~~) title and chapter 42.56 RCW.

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

16 (6) The commission shall adopt rules governing the proceedings.

17 **Sec. 411.** RCW 42.17A.125 and 2019 c 428 s 11 are each amended to
18 read as follows:

19 At least once every five years, but no more often than every two
20 years, the commission must consider whether to revise the monetary
21 contribution limits and reporting thresholds and code values of this
22 (~~chapter~~) title. If the commission chooses to make revisions, the
23 revisions shall be only for the purpose of recognizing economic
24 changes as reflected by an inflationary index recommended by the
25 office of financial management, and may be rounded off to amounts as
26 determined by the commission to be most accessible for public
27 understanding. The revisions shall be guided by the change in the
28 index for the period commencing with the month of December preceding
29 the last revision and concluding with the month of December preceding
30 the month the revision is adopted. As to each of the three general
31 categories of this (~~chapter~~) title, reports of campaign finance,
32 reports of lobbyist activity, and reports of the financial affairs of
33 elected and appointed officials, the revisions shall equally affect
34 all thresholds within each category. The revisions authorized by this
35 subsection shall reflect economic changes from the time of the last
36 legislative enactment affecting the respective code or threshold.

37 Revisions made in accordance with this section shall be adopted
38 as rules in accordance with chapter 34.05 RCW.

1 **Sec. 412.** RCW 42.17A.130 and 2010 c 205 s 8 and 2010 c 204 s 306
2 are each reenacted and amended to read as follows:

3 The attorney general, through his or her office, shall provide
4 assistance as required by the commission to carry out its
5 responsibilities under this (~~chapter~~) title. The commission may
6 employ attorneys who are neither the attorney general nor an
7 assistant attorney general to carry out any function of the attorney
8 general prescribed in this (~~chapter~~) title.

9 **Sec. 413.** RCW 42.17A.135 and 2019 c 428 s 12 are each amended to
10 read as follows:

11 (1) Except as provided in subsections (2), (3), and (7) of this
12 section, the reporting provisions of this (~~chapter~~) title do not
13 apply to:

14 (a) Candidates, elected officials, and agencies in political
15 subdivisions with fewer than (~~two thousand~~) 2,000 registered voters
16 as of the date of the most recent general election in the
17 jurisdiction;

18 (b) Political committees formed to support or oppose candidates
19 or ballot propositions in such political subdivisions; or

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

22 (2) The reporting provisions of this (~~chapter~~) title apply in
23 any exempt political subdivision from which a "petition for
24 disclosure" containing the valid signatures of (~~fifteen~~) 15 percent
25 of the number of registered voters, as of the date of the most recent
26 general election in the political subdivision, is filed with the
27 commission. The commission shall by rule prescribe the form of the
28 petition. After the signatures are gathered, the petition shall be
29 presented to the auditor or elections officer of the county, or
30 counties, in which the political subdivision is located. The auditor
31 or elections officer shall verify the signatures and certify to the
32 commission that the petition contains no less than the required
33 number of valid signatures. The commission, upon receipt of a valid
34 petition, shall order every known affected person in the political
35 subdivision to file the initially required statement and reports
36 within (~~fourteen~~) 14 days of the date of the order.

37 (3) The reporting provisions of this (~~chapter~~) title apply in
38 any exempt political subdivision that by ordinance, resolution, or
39 other official action has petitioned the commission to make the

1 provisions applicable to elected officials and candidates of the
2 exempt political subdivision. A copy of the action shall be sent to
3 the commission. If the commission finds the petition to be a valid
4 action of the appropriate governing body or authority, the commission
5 shall order every known affected person in the political subdivision
6 to file the initially required statement and reports within
7 ((fourteen)) 14 days of the date of the order.

8 (4) The commission shall void any order issued by it pursuant to
9 subsection (2) or (3) of this section when, at least four years after
10 issuing the order, the commission is presented a petition or official
11 action so requesting from the affected political subdivision. Such
12 petition or official action shall meet the respective requirements of
13 subsection (2) or (3) of this section.

14 (5) Any petition for disclosure, ordinance, resolution, or
15 official action of an agency petitioning the commission to void the
16 exemption in RCW 42.17A.200(3) (as recodified by this act) shall not
17 be considered unless it has been filed with the commission:

18 (a) In the case of a ballot proposition, at least ((sixty)) 60
19 days before the date of any election in which campaign finance
20 reporting is to be required;

21 (b) In the case of a candidate, at least ((sixty)) 60 days before
22 the first day on which a person may file a declaration of candidacy
23 for any election in which campaign finance reporting is to be
24 required.

25 (6) Any person exempted from reporting under this ((chapter))
26 title may at the person's option file the statement and reports.

27 (7) The reporting provisions of this ((chapter)) title apply to a
28 candidate in any political subdivision if the candidate receives or
29 expects to receive five thousand dollars or more in contributions.

30 **Sec. 414.** RCW 42.17A.140 and 2019 c 428 s 13 are each amended to
31 read as follows:

32 (1) Except as provided in subsection (2) of this section, the
33 date of receipt of any properly addressed application, report,
34 statement, notice, or payment required to be made under the
35 provisions of this ((chapter)) title is the date shown by the post
36 office cancellation mark on the envelope of the submitted material.
37 The provisions of this section do not apply to reports required to be
38 delivered under RCW 42.17A.265 (as recodified by this act) and
39 42.17A.625 (as recodified by this act).

1 (2) When a report is filed electronically with the commission, it
2 is deemed to have been received on the file transfer date. The
3 commission shall notify the filer of receipt of the electronically
4 filed report. Such notification may be sent by mail or
5 electronically. If the notification of receipt of the electronically
6 filed report is not received by the filer, the filer may offer proof
7 of sending the report, and such proof shall be treated as if it were
8 a receipt sent by the commission. Electronic filing may be used for
9 purposes of filing the special reports required to be delivered under
10 RCW 42.17A.265 (as recodified by this act) and 42.17A.625 (as
11 recodified by this act).

12 **Sec. 415.** RCW 42.17A.145 and 1973 c 1 s 43 are each amended to
13 read as follows:

14 Every report and statement required to be filed under this
15 (~~chapter~~) title shall identify the person preparing it, and shall
16 be certified as complete and correct, both by the person preparing it
17 and by the person on whose behalf it is filed.

18 **Sec. 416.** RCW 42.17A.150 and 2010 c 205 s 9 are each amended to
19 read as follows:

20 The commission must preserve statements or reports required to be
21 filed under this (~~chapter~~) title for not less than (~~ten~~) 10
22 years.

23 **Sec. 417.** RCW 42.17A.160 and 2019 c 428 s 9 are each amended to
24 read as follows:

25 (1) The commission may apply for and obtain a superior court
26 order approving and authorizing a subpoena in advance of its
27 issuance. The application may be made in Thurston county, the county
28 where the subpoenaed person resides or is found, or the county where
29 the subpoenaed documents, records, or evidence are located. The
30 application must:

31 (a) State that an order is sought under this section;

32 (b) Adequately specify the documents, records, evidence, or
33 testimony; and

34 (c) Include a declaration made under oath that an investigation
35 is being conducted for a lawfully authorized purpose related to an
36 investigation within the commission's authority and that the

1 subpoenaed documents, records, evidence, or testimony are reasonably
2 related to an investigation within the commission's authority.

3 (2) When an application under this section is made to the
4 satisfaction of the court, the court must issue an order approving
5 the subpoena. An order under this subsection constitutes authority of
6 law for the agency to subpoena the documents, records, evidence, or
7 testimony.

8 (3) The commission may seek approval and a court may issue an
9 order under this section without prior notice to any person,
10 including the person to whom the subpoena is directed and the person
11 who is the subject of an investigation. An application for court
12 approval is subject to the fee and process set forth in RCW
13 36.18.012(3).

14 **Sec. 418.** RCW 42.17A.200 and 2010 c 204 s 401 are each amended
15 to read as follows:

16 The provisions of this (~~chapter~~) title relating to the
17 financing of election campaigns shall apply in all election campaigns
18 other than (1) for precinct committee officer; (2) for a federal
19 elective office; and (3) for an office of a political subdivision of
20 the state that does not encompass a whole county and that contains
21 fewer than (~~five thousand~~) 5,000 registered voters as of the date
22 of the most recent general election in the subdivision, unless
23 required by RCW 42.17A.135 (2) through (5) and (7) (as recodified by
24 this act).

25 **Sec. 419.** RCW 42.17A.205 and 2019 c 428 s 14 are each amended to
26 read as follows:

27 (1) Every political committee shall file a statement of
28 organization with the commission. The statement must be filed within
29 two weeks after organization or within two weeks after the date the
30 committee first has the expectation of receiving contributions or
31 making expenditures in any election campaign, whichever is earlier. A
32 political committee organized within the last three weeks before an
33 election and having the expectation of receiving contributions or
34 making expenditures during and for that election campaign shall file
35 a statement of organization within three business days after its
36 organization or when it first has the expectation of receiving
37 contributions or making expenditures in the election campaign.

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

3 (a) The name, address, and electronic contact information of the
4 committee;

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

8 (c) The names, addresses, and titles of its officers; or if it
9 has no officers, the names, addresses, and titles of its responsible
10 leaders;

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

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

14 (f) The name, office sought, and party affiliation of each
15 candidate whom the committee is supporting or opposing, and, if the
16 committee is supporting the entire ticket of any party, the name of
17 the party;

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

20 (h) What distribution of surplus funds will be made, in
21 accordance with RCW 42.17A.430 (as recodified by this act), in the
22 event of dissolution;

23 (i) Such other information as the commission may by rule
24 prescribe, in keeping with the policies and purposes of this
25 (~~chapter~~) title;

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

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

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

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

37 (5) As used in this section, the "name" of a sponsored committee
38 must include the name of the person who is the sponsor of the
39 committee. If more than one person meets the definition of sponsor,
40 the name of the committee must include the name of at least one

1 sponsor, but may include the names of other sponsors. A person may
2 sponsor only one political committee for the same elected office or
3 same ballot proposition per election cycle.

4 **Sec. 420.** RCW 42.17A.207 and 2019 c 428 s 15 are each amended to
5 read as follows:

6 (1)(a) An incidental committee must file a statement of
7 organization with the commission within two weeks after the date the
8 committee first:

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

12 (ii) Is required to disclose a payment received under RCW
13 42.17A.240(2)(d) (as recodified by this act).

14 (b) If an incidental committee first meets the criteria requiring
15 filing a statement of organization as specified in (a) of this
16 subsection in the last three weeks before an election, then it must
17 file the statement of organization within three business days.

18 (2) The statement of organization must include but is not limited
19 to:

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

22 (b) The names and addresses of all related or affiliated
23 political or incidental committees or other persons, and the nature
24 of the relationship or affiliation;

25 (c) The names, addresses, and titles of its officers; or if it
26 has no officers, the names, addresses, and titles of its responsible
27 leaders and the name of the person designated as the treasurer of the
28 incidental committee;

29 (d) The name, office sought, and party affiliation of each
30 candidate whom the committee is supporting or opposing if the
31 committee contributes directly to a candidate and, if donating to a
32 political committee, the name and address of that political
33 committee;

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

36 (f) Such other information as the commission may by rule
37 prescribe, in keeping with the policies and purposes of this
38 (~~chapter~~) title.

1 (3) Any material change in information previously submitted in a
2 statement of organization must be reported to the commission within
3 the (~~ten~~) 10 days following the change.

4 **Sec. 421.** RCW 42.17A.210 and 2019 c 428 s 16 are each amended to
5 read as follows:

6 (1) Each candidate, within two weeks after becoming a candidate,
7 and each political committee, at the time it is required to file a
8 statement of organization, shall designate and file with the
9 commission the name and address of one legally competent individual,
10 who may be the candidate, to serve as a treasurer.

11 (2) A candidate, a political committee, or a treasurer may
12 appoint as many deputy treasurers as is considered necessary and
13 shall file the names and addresses of the deputy treasurers with the
14 commission.

15 (3) (a) A candidate or political committee may at any time remove
16 a treasurer or deputy treasurer.

17 (b) In the event of the death, resignation, removal, or change of
18 a treasurer or deputy treasurer, the candidate or political committee
19 shall designate and file with the commission the name and address of
20 any successor.

21 (4) No treasurer or deputy treasurer may be deemed to be in
22 compliance with the provisions of this (~~chapter~~) title until the
23 treasurer's or deputy treasurer's name, address, and electronic
24 contact information is filed with the commission.

25 **Sec. 422.** RCW 42.17A.215 and 2019 c 428 s 17 are each amended to
26 read as follows:

27 Each candidate and each political committee shall designate and
28 file with the commission the name and address of not more than one
29 depository for each county in which the campaign is conducted in
30 which the candidate's or political committee's accounts are
31 maintained and the name of the account or accounts maintained in that
32 depository on behalf of the candidate or political committee. The
33 candidate or political committee may at any time change the
34 designated depository and shall file with the commission the same
35 information for the successor depository as for the original
36 depository. The candidate or political committee may not be deemed in
37 compliance with the provisions of this (~~chapter~~) title until the
38 information required for the depository is filed with the commission.

1 **Sec. 423.** RCW 42.17A.220 and 2018 c 304 s 5 are each amended to
2 read as follows:

3 (1) All monetary contributions received by a candidate or
4 political committee shall be deposited by candidates, political
5 committee members, paid staff, or treasurers in a depository in an
6 account established and designated for that purpose. Such deposits
7 shall be made within five business days of receipt of the
8 contribution. For online or credit card contributions, the
9 contribution is considered received at the time the transfer is made
10 from the merchant account to a candidate or political committee
11 account, except that a contribution made to a candidate who is a
12 state official or legislator outside the restriction period
13 established in RCW 42.17A.560 (as recodified by this act), but
14 transferred to the candidate's account within the restricted period,
15 is considered received outside of the restriction period.

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

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

21 (b) Each such account is followed by an appropriate designation
22 that accurately identifies its separate purpose; and

23 (c) Transfers of funds that must be reported under RCW
24 42.17A.240(~~(5)~~) (6) as recodified by this act are not made from
25 more than one such account.

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

31 (a) The commission is notified in writing of the initiation and
32 the termination of the investment; and

33 (b) The principal of such investment, when terminated together
34 with all interest, dividends, and income derived from the investment,
35 is deposited in the depository in the account from which the
36 investment was made and properly reported to the commission before
37 any further disposition or expenditure.

38 (4) Accumulated unidentified contributions, other than those made
39 by persons whose names must be maintained on a separate and private
40 list by a political committee's treasurer pursuant to RCW

1 42.17A.240(2) (as recodified by this act), in excess of one percent
2 of the total accumulated contributions received in the current
3 calendar year, or three hundred dollars, whichever is more, may not
4 be deposited, used, or expended, but shall be returned to the donor
5 if his or her identity can be ascertained. If the donor cannot be
6 ascertained, the contribution shall escheat to the state and shall be
7 paid to the state treasurer for deposit in the state general fund.

8 **Sec. 424.** RCW 42.17A.225 and 2019 c 428 s 18 are each amended to
9 read as follows:

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

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

24 (a) The information required by RCW 42.17A.240 (as recodified by
25 this act);

26 (b) Each expenditure made to retire previously accumulated debts
27 of the committee identified by recipient, amount, and date of
28 payments;

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

30 (3) If a continuing political committee makes a contribution in
31 support of or in opposition to a candidate or ballot proposition
32 within (~~sixty~~) 60 days before the date that the candidate or ballot
33 proposition will be voted upon, the committee shall report pursuant
34 to RCW 42.17A.235 (as recodified by this act).

35 (4)(a) A continuing political committee shall file reports as
36 required by this (~~chapter~~) title until the committee has ceased to
37 function and intends to dissolve, at which time, when there is no
38 outstanding debt or obligation and the committee is concluded in all
39 respects, a final report shall be filed. Upon submitting a final

1 report, the continuing political committee so intending to dissolve
2 must file notice of intent to dissolve with the commission and the
3 commission must post the notice on its website.

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

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

11 (ii) No complaint or court action, pursuant to this (~~(chapter)~~)
12 title, is pending against the continuing political committee; and

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

15 (c) The continuing political committee must continue to report
16 regularly as required under this (~~(chapter)~~) title until all the
17 conditions under (b) of 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)~~) title.
21 Dissolution does not absolve the candidate or board of the committee
22 from responsibility for any future obligations resulting from the
23 finding after dissolution of a violation committed prior to
24 dissolution.

25 (5) The treasurer shall maintain books of account, current within
26 five business days, that accurately reflect all contributions and
27 expenditures. During the (~~(ten)~~) 10 calendar days immediately
28 preceding the date of any election that the committee has received
29 any contributions or made any expenditures, the books of account
30 shall be kept current within one business day and shall be open for
31 public inspection in the same manner as provided for candidates and
32 other political committees in RCW 42.17A.235(6) (as recodified by
33 this act).

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

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

1 **Sec. 425.** RCW 42.17A.230 and 2019 c 428 s 19 are each amended to
2 read as follows:

3 (1) Fund-raising activities meeting the standards of subsection
4 (2) of this section may be reported in accordance with the provisions
5 of this section in lieu of reporting in accordance with RCW
6 42.17A.235 (as recodified by this act).

7 (2) Standards:

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

9 (i) A sale of goods or services sold at a reasonable
10 approximation of the fair market value of each item or service; or

11 (ii) A gambling operation that is licensed, conducted, or
12 operated in accordance with the provisions of chapter 9.46 RCW; or

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

16 (iv) A concert, dance, theater performance, or similar
17 entertainment event and the price of admission is no more than
18 twenty-five dollars; or

19 (v) An auction or similar sale for which the total fair market
20 value or cost of items donated by any person is no more than fifty
21 dollars; and

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

29 (c) Any other standards established by rule of the commission to
30 prevent frustration of the purposes of this (~~chapter~~) title.

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

35 (4) At the time reports are required under RCW 42.17A.235 (as
36 recodified by this act), the treasurer or deputy treasurer making the
37 deposit shall file with the commission a report of the fund-raising
38 activity which must contain the following information:

39 (a) The date of the activity;

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

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

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

7 (6) The treasurer shall report pursuant to RCW 42.17A.235 (as
8 recodified by this act) and 42.17A.240 (as recodified by this act):

9 (a) The name and address and the amount contributed by each
10 person contributing goods or services with a fair market value of
11 more than fifty dollars to a fund-raising activity reported under
12 subsection (4) of this section; and

13 (b) The name and address and the amount paid by each person whose
14 identity can be ascertained, who made a contribution to the candidate
15 or committee aggregating more than fifty dollars at or from such a
16 fund-raising activity.

17 **Sec. 426.** RCW 42.17A.235 and 2019 c 428 s 20 are each amended to
18 read as follows:

19 (1)(a) In addition to the information required under RCW
20 42.17A.205 (as recodified by this act) and 42.17A.210 (as recodified
21 by this act), each candidate or political committee must file with
22 the commission a report of all contributions received and
23 expenditures made as a political committee on the next reporting date
24 pursuant to the timeline established in this section.

25 (b) In addition to the information required under RCW 42.17A.207
26 (as recodified by this act) and 42.17A.210 (as recodified by this
27 act), on the day an incidental committee files a statement of
28 organization with the commission, each incidental committee must file
29 with the commission a report of any election campaign expenditures
30 under RCW 42.17A.240 ~~((+6+))~~ (7) (as recodified by this act), as well
31 as the source of the ~~((ten))~~ 10 largest cumulative payments of ten
32 thousand dollars or greater it received in the current calendar year
33 from a single person, including any persons tied as the ~~((tenth))~~
34 10th largest source of payments it received, if any.

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

1 required by RCW 42.17A.240 (as recodified by this act) at the
2 following intervals:

3 (a) On the (~~twenty-first~~) 21st day and the seventh day
4 immediately preceding the date on which the election is held; and

5 (b) On the (~~tenth~~) 10th day of the first full month after the
6 election.

7 (3) (a) Each treasurer of a candidate or political committee shall
8 file with the commission a report on the (~~tenth~~) 10th day of each
9 month during which the candidate or political committee is not
10 participating in an election campaign, only if the committee has
11 received a contribution or made an expenditure in the preceding
12 calendar month and either the total contributions received or total
13 expenditures made since the last such report exceed two hundred
14 dollars.

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

19 (i) Received a payment that would change the information required
20 under RCW 42.17A.240(2)(d) (as recodified by this act) as included in
21 its last report; or

22 (ii) Made any election campaign expenditure reportable under RCW
23 42.17A.240(~~(6)~~) (7) (as recodified by this act) since its last
24 report, and the total election campaign expenditures made since the
25 last report exceed two hundred dollars.

26 (4) The report filed (~~twenty-one~~) 21 days before the election
27 shall report all contributions received and expenditures made as of
28 the end of one business day before the date of the report. The report
29 filed seven days before the election shall report all contributions
30 received and expenditures made as of the end of one business day
31 before the date of the report. Reports filed on the (~~tenth~~) 10th
32 day of the month shall report all contributions received and
33 expenditures made from the closing date of the last report filed
34 through the last day of the month preceding the date of the current
35 report.

36 (5) For the period beginning the first day of the fourth month
37 preceding the date of the special election, or for the period
38 beginning the first day of the fifth month before the date of the
39 general election, and ending on the date of that special or general
40 election, each Monday the treasurer for a candidate or a political

1 committee shall file with the commission a report of each bank
2 deposit made during the previous seven calendar days. The report
3 shall contain the name of each person contributing the funds and the
4 amount contributed by each person. However, persons who contribute no
5 more than twenty-five dollars in the aggregate are not required to be
6 identified in the report. A copy of the report shall be retained by
7 the treasurer for the treasurer's records. In the event of deposits
8 made by candidates, political committee members, or paid staff other
9 than the treasurer, the copy shall be immediately provided to the
10 treasurer for the treasurer's records. Each report shall be certified
11 as correct by the treasurer.

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

38 (b) At the time of making the appointment, a person wishing to
39 inspect the books of account must provide the treasurer the name and
40 telephone number of the person wishing to inspect the books of

1 account. The person inspecting the books of account must show photo
2 identification before the inspection begins.

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

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

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

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

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

23 (a) The report is accurately amended;

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

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

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

32 (11)(a) When there is no outstanding debt or obligation, the
33 campaign fund is closed, the campaign is concluded in all respects,
34 and the political committee has ceased to function and intends to
35 dissolve, the treasurer shall file a final report. Upon submitting a
36 final report, the political committee so intending to dissolve must
37 file notice of intent to dissolve with the commission and the
38 commission must post the notice on its website.

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

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

6 (ii) No complaint or court action under this (~~chapter~~) title is
7 pending against the political committee; and

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

10 (c) The political committee must continue to report regularly as
11 required under this (~~chapter~~) title until all the conditions under
12 (b) of this subsection are resolved.

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

20 (12) The commission must adopt rules for the dissolution of
21 incidental committees.

22 **Sec. 427.** RCW 42.17A.240 and 2020 c 152 s 3 are each amended to
23 read as follows:

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

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

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

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

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

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

11 (d) Payments received by an incidental committee from any one
12 person need not be reported unless the person is one of the
13 committee's ~~((ten))~~ 10 largest sources of payments received,
14 including any persons tied as the ~~((tenth))~~ 10th largest source of
15 payments received, during the current calendar year, and the value of
16 the cumulative payments received from that person during the current
17 calendar year is ten thousand dollars or greater. For payments to
18 incidental committees from multiple persons received in aggregated
19 form, any payment of more than ten thousand dollars from any single
20 person must be reported, but the aggregated payment itself may not be
21 reported. The commission may suspend or modify reporting requirements
22 for payments received by an incidental committee in cases of
23 manifestly unreasonable hardship under this ~~((chapter))~~ title;

24 (e) Payments from private foundations organized under section
25 501(c)(3) of the internal revenue code to an incidental committee do
26 not have to be reported if:

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

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

32 (iii) Funding from the private foundation represents less than
33 ~~((twenty-five))~~ 25 percent of the incidental committee's total
34 budget;

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

39 (g) The money value of contributions of postage is the face value
40 of the postage;

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

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

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

11 (a) The contribution is not financed in any part by a foreign
12 national; and

13 (b) Foreign nationals are not involved in making decisions
14 regarding the contribution in any way;

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

18 (7) The name and address of each person to whom an expenditure
19 was made in the aggregate amount of more than fifty dollars during
20 the period covered by this report, the amount, date, and purpose of
21 each expenditure, and the total sum of all expenditures. An
22 incidental committee only must report on expenditures, made and
23 reportable as contributions as defined in (~~RCW 42.17A.005~~) section
24 216 of this act, to election campaigns. For purposes of this
25 subsection, commentary or analysis on a ballot proposition by an
26 incidental committee is not considered an expenditure if it does not
27 advocate specifically to vote for or against the ballot proposition;

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

35 (9) (a) The name and address of any person and the amount owed for
36 any debt with a value of more than seven hundred fifty dollars that
37 has not been paid for any invoices submitted, goods received, or
38 services performed, within five business days during the period
39 within (~~thirty~~) 30 days before an election, or within (~~ten~~) 10
40 business days during any other period.

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

4 (10) The surplus or deficit of contributions over expenditures;

5 (11) The disposition made in accordance with RCW 42.17A.430 (as
6 recodified by this act) of any surplus funds; and

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

9 **Sec. 428.** RCW 42.17A.250 and 2020 c 152 s 4 are each amended to
10 read as follows:

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

19 (a) Its name and address;

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

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

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

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

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

37 (g) The name, address, and employer of each person or corporation
38 residing outside the state of Washington who has made one or more
39 contributions in the aggregate of more than two thousand five hundred

1 fifty dollars to the out-of-state committee during the current
2 calendar year, together with the money value and date of the
3 contributions. Annually, the commission must modify the two thousand
4 five hundred fifty dollar limit in this subsection based on
5 percentage change in the implicit price deflator for personal
6 consumption expenditures for the United States as published for the
7 most recent (~~twelve~~) 12-month period by the bureau of economic
8 analysis of the federal department of commerce;

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

14 (i) A statement that the out-of-state committee has received a
15 certification from any partnership, association, corporation,
16 organization, or other combination of persons making a contribution
17 reportable under this section that:

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

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

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

24 (2) Each statement shall be filed no later than the (~~tenth~~)
25 10th day of the month following any month in which a contribution or
26 other expenditure reportable under subsection (1) of this section is
27 made. An out-of-state committee incurring an obligation to file
28 additional statements in a calendar year may satisfy the obligation
29 by timely filing reports that supplement previously filed
30 information.

31 **Sec. 429.** RCW 42.17A.255 and 2020 c 152 s 5 are each amended to
32 read as follows:

33 (1) For the purposes of this section the term "independent
34 expenditure" means any expenditure that is made in support of or in
35 opposition to any candidate or ballot proposition and is not
36 otherwise required to be reported pursuant to RCW 42.17A.225 (as
37 recodified by this act), 42.17A.235 (as recodified by this act), and
38 42.17A.240 (as recodified by this act). "Independent expenditure"
39 does not include: An internal political communication primarily

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

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

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

25 (a) On the (~~twenty-first~~) 21st day and the seventh day
26 preceding the date on which the election is held; and

27 (b) On the (~~tenth~~) 10th day of the first month after the
28 election; and

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

34 The report filed pursuant to (a) of this subsection (3) shall be
35 the final report, and upon submitting such final report the duties of
36 the reporting person shall cease, and there shall be no obligation to
37 make any further reports.

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

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

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

9 (b) The name and address of each person to whom an independent
10 expenditure was made in the aggregate amount of more than fifty
11 dollars, and the amount, date, and purpose of each such expenditure.
12 If no reasonable estimate of the monetary value of a particular
13 independent expenditure is practicable, it is sufficient to report
14 instead a precise description of services, property, or rights
15 furnished through the expenditure and where appropriate to attach a
16 copy of the item produced or distributed by the expenditure;

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

19 (d) A statement from the person making an independent expenditure
20 that:

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

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

25 (e) Such other information as shall be required by the commission
26 by rule in conformance with the policies and purposes of this
27 (~~chapter~~) title.

28 **Sec. 430.** RCW 42.17A.260 and 2020 c 152 s 6 are each amended to
29 read as follows:

30 (1) The sponsor of political advertising shall file a special
31 report to the commission within (~~twenty-four~~) 24 hours of, or on
32 the first working day after, the date the political advertising is
33 first published, mailed, or otherwise presented to the public, if the
34 political advertising:

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

37 (b) Either:

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

4 (ii) Has a fair market value or actual cost of one thousand
5 dollars or more, for political advertising supporting or opposing a
6 ballot proposition.

7 (2) If a sponsor is required to file a special report under this
8 section, the sponsor shall also deliver to the commission within the
9 delivery period established in subsection (1) of this section a
10 special report for each subsequent independent expenditure of any
11 size supporting or opposing the same candidate who was the subject of
12 the previous independent expenditure, supporting or opposing that
13 candidate's opponent, or, in the case of a subsequent expenditure of
14 any size made in support of or in opposition to a ballot proposition
15 not otherwise required to be reported pursuant to RCW 42.17A.225 (as
16 recodified by this act), 42.17A.235 (as recodified by this act), or
17 42.17A.240 (as recodified by this act), supporting or opposing the
18 same ballot proposition that was the subject of the previous
19 expenditure.

20 (3) The special report must include:

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

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

24 (c) A detailed description of the expenditure;

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

27 (e) The amount of the expenditure;

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

33 (g) A statement from the sponsor that:

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

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

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

39 (4) All persons required to report under RCW 42.17A.225 (as
40 recodified by this act), 42.17A.235 (as recodified by this act),

1 42.17A.240 (as recodified by this act), 42.17A.255 (as recodified by
2 this act), and 42.17A.305 (as recodified by this act) are subject to
3 the requirements of this section. The commission may determine that
4 reports filed pursuant to this section also satisfy the requirements
5 of RCW 42.17A.255 (as recodified by this act).

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

16 **Sec. 431.** RCW 42.17A.265 and 2020 c 152 s 7 are each amended to
17 read as follows:

18 (1) Treasurers shall prepare and deliver to the commission a
19 special report when a contribution or aggregate of contributions
20 totals one thousand dollars or more, is from a single person or
21 entity, and is received during a special reporting period.

22 (2) A political committee shall prepare and deliver to the
23 commission a special report when it makes a contribution or an
24 aggregate of contributions to a single entity that totals one
25 thousand dollars or more during a special reporting period.

26 (3) An aggregate of contributions includes only those
27 contributions made to or received from a single entity during any one
28 special reporting period. Any subsequent contribution of any size
29 made to or received from the same person or entity during the special
30 reporting period must also be reported.

31 (4) Special reporting periods, for purposes of this section,
32 include:

33 (a) The period beginning on the day after the last report
34 required by RCW 42.17A.235 (as recodified by this act) and 42.17A.240
35 (as recodified by this act) to be filed before a primary and
36 concluding on the end of the day before that primary;

37 (b) The period (~~(twenty-one)~~) 21 days preceding a general
38 election; and

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

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

16 (6) Special reports required by this section shall be delivered
17 electronically, or in written form if an electronic alternative is
18 not available.

19 (a) The special report required of a contribution recipient under
20 subsection (1) of this section shall be delivered to the commission
21 within (~~forty-eight~~) 48 hours of the time, or on the first working
22 day after: The contribution of one thousand dollars or more is
23 received by the candidate or treasurer; the aggregate received by the
24 candidate or treasurer first equals one thousand dollars or more; or
25 any subsequent contribution from the same source is received by the
26 candidate or treasurer.

27 (b) The special report required of a contributor under subsection
28 (2) of this section or RCW 42.17A.625 (as recodified by this act)
29 shall be delivered to the commission, and the candidate or political
30 committee to whom the contribution or contributions are made, within
31 (~~twenty-four~~) 24 hours of the time, or on the first working day
32 after: The contribution is made; the aggregate of contributions made
33 first equals one thousand dollars or more; or any subsequent
34 contribution to the same person or entity is made.

35 (7) The special report shall include:

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

37 (b) The date or dates of receipt;

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

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

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

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

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

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

10 (8) Contributions reported under this section shall also be
11 reported as required by other provisions of this (~~chapter~~) title.

12 (9) The commission shall prepare daily a summary of the special
13 reports made under this section and RCW 42.17A.625 (as recodified by
14 this act).

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

20 **Sec. 432.** RCW 42.17A.270 and 2010 c 204 s 416 are each amended
21 to read as follows:

22 A political committee receiving a contribution earmarked for the
23 benefit of a candidate or another political committee shall:

24 (1) Report the contribution as required in RCW 42.17A.235 (as
25 recodified by this act) and 42.17A.240 (as recodified by this act);

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

32 (3) Mail or deliver to the commission and the candidate or
33 political committee benefiting from the contribution a copy of the
34 "Earmarked contributions" report within two working days of receipt
35 of the contribution.

36 (4) A candidate or political committee receiving notification of
37 an earmarked contribution under subsection (3) of this section shall
38 report the contribution, once notification of the contribution is
39 received by the candidate or committee, in the same manner as any

1 other contribution, as required by RCW 42.17A.235 (as recodified by
2 this act) and 42.17A.240 (as recodified by this act).

3 **Sec. 433.** RCW 42.17A.300 and 2010 c 204 s 501 are each amended
4 to read as follows:

5 (1) The legislature finds that:

6 (a) Timely disclosure to voters of the identity and sources of
7 funding for electioneering communications is vitally important to the
8 integrity of state, local, and judicial elections.

9 (b) Electioneering communications that identify political
10 candidates for state, local, or judicial office and that are
11 distributed (~~sixty~~) 60 days before an election for those offices
12 are intended to influence voters and the outcome of those elections.

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

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

25 (e) The United States supreme court held in *McConnell et al. v.*
26 *Federal Elections Commission*, 540 U.S. 93, 124 S.Ct. 619, 157 L.Ed.2d
27 491 (2003) that speakers seeking to influence elections do not
28 possess an inviolable free speech right to engage in electioneering
29 communications regarding elections, including when issue advocacy is
30 the functional equivalent of express advocacy. Therefore, such
31 election campaign communications can be regulated and the source of
32 funding disclosed.

33 (f) The state has a sufficiently compelling interest in
34 preventing corruption in political campaigns to justify and restore
35 contribution limits and restrictions on the use of soft money in RCW
36 42.17A.405 (as recodified by this act). Those interests include
37 restoring restrictions on the use of such funds for electioneering
38 communications, as well as the laws preventing circumvention of those
39 limits and restrictions.

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

4 (a) Improve the disclosure to voters of information concerning
5 persons and entities seeking to influence state, local, and judicial
6 campaigns through reasonable and effective mechanisms, including
7 improving disclosure of the source, identity, and funding of
8 electioneering communications concerning state, local, and judicial
9 candidate campaigns;

10 (b) Regulate electioneering communications that mention state,
11 local, and judicial candidates and that are broadcast, mailed,
12 erected, distributed, or otherwise published right before the
13 election so that the public knows who is paying for such
14 communications;

15 (c) Reenact and amend the contribution limits in RCW 42.17A.405
16 (7) and (15) (as recodified by this act) and the restrictions on the
17 use of soft money, including as applied to electioneering
18 communications, as those limits and restrictions were in effect
19 following the passage of chapter 2, Laws of 1993 (Initiative Measure
20 No. 134) and before the state supreme court decision in *Washington*
21 *State Republican Party v. Washington State Public Disclosure*
22 *Commission*, 141 Wn.2d 245, 4 P.3d 808 (2000). The commission is
23 authorized to fully restore the implementation of the limits and
24 restrictions of RCW 42.17A.405 (7) and (15) (as recodified by this
25 act) in light of *McConnell et al. v. Federal Elections Commission*,
26 540 U.S. 93, 124 S.Ct. 619, 157 L.Ed.2d 491 (2003). The United States
27 supreme court upheld the disclosure and regulation of electioneering
28 communications in political campaigns, including but not limited to
29 issue advocacy that is the functional equivalent of express advocacy;
30 and

31 (d) Authorize the commission to adopt rules to implement chapter
32 445, Laws of 2005.

33 **Sec. 434.** RCW 42.17A.305 and 2020 c 152 s 8 are each amended to
34 read as follows:

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

39 (a) Name and address of the sponsor;

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

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

10 (ii) Special solicitations and other funds. The name, address,
11 and, for individuals, occupation and employer, of a person whose
12 funds were used to pay for the electioneering communication, along
13 with the amount, if such funds from the person have exceeded two
14 hundred fifty dollars in the aggregate for the electioneering
15 communication;

16 (iii) A statement from the sponsor that:

17 (A) The electioneering communication is not financed in any part
18 by a foreign national; and

19 (B) Foreign nationals are not involved in making decisions
20 regarding the electioneering communication in any way; and

21 (iv) Any other source information required or exempted by the
22 commission by rule;

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

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

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

30 (f) The amount of the expenditure;

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

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

37 (2) Electioneering communications shall be reported as follows:
38 The sponsor of an electioneering communication shall report to the
39 commission within (~~twenty-four~~) 24 hours of, or on the first
40 working day after, the date the electioneering communication is

1 broadcast, transmitted, mailed, erected, distributed, digitally or
2 otherwise, or otherwise published.

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

9 (4) All persons required to report under RCW 42.17A.225 (as
10 recodified by this act), 42.17A.235 (as recodified by this act),
11 42.17A.240 (as recodified by this act), and 42.17A.255 (as recodified
12 by this act) are subject to the requirements of this section,
13 although the commission may determine by rule that persons filing
14 according to those sections may be exempt from reporting some of the
15 information otherwise required by this section. The commission may
16 determine that reports filed pursuant to this section also satisfy
17 the requirements of RCW 42.17A.255 (as recodified by this act) and
18 42.17A.260 (as recodified by this act).

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

21 **Sec. 435.** RCW 42.17A.310 and 2010 c 204 s 503 are each amended
22 to read as follows:

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

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

31 (3) If an electioneering communication is not a contribution
32 pursuant to subsection (1) or (2) of this section, the sponsor shall
33 file an affidavit or declaration so stating at the time the sponsor
34 is required to report the electioneering communication expense under
35 RCW 42.17A.305 (as recodified by this act).

36 **Sec. 436.** RCW 42.17A.315 and 2010 c 204 s 504 are each amended
37 to read as follows:

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

7 (2) All reports filed under RCW 42.17A.305 (as recodified by this
8 act) shall be certified as correct by the sponsor. If the sponsor is
9 an individual using his or her own funds to pay for the
10 communication, the certification shall be signed by the individual.
11 If the sponsor is a political committee, the certification shall be
12 signed by the committee treasurer. If the sponsor is another entity,
13 the certification shall be signed by the individual responsible for
14 authorizing the expenditure on the entity's behalf.

15 **Sec. 437.** RCW 42.17A.320 and 2019 c 261 s 3 are each amended to
16 read as follows:

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

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

34 (a) The statement: "No candidate authorized this ad. It is paid
35 for by (name, address, city, state)";

36 (b) If the sponsor is a political committee, the statement: "Top
37 Five Contributors," followed by a listing of the names of the five
38 persons making the largest contributions as determined by RCW
39 42.17A.350(1) (as recodified by this act); and if necessary, the

1 statement "Top Three Donors to PAC Contributors," followed by a
2 listing of the names of the three individuals or entities, other than
3 political committees, making the largest aggregated contributions as
4 determined by RCW 42.17A.350(2) (as recodified by this act); and

5 (c) If the sponsor is a political committee established,
6 maintained, or controlled directly, or indirectly through the
7 formation of one or more political committees, by an individual,
8 corporation, union, association, or other entity, the full name of
9 that individual or entity.

10 (3) The information required by subsections (1) and (2) of this
11 section shall:

12 (a) Appear on the first page or fold of the written advertisement
13 or communication in at least (~~ten~~) 10-point type, or in type at
14 least ten percent of the largest size type used in a written
15 advertisement or communication directed at more than one voter, such
16 as a billboard or poster, whichever is larger;

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

18 (c) Be set apart from any other printed matter. No text may be
19 before, after, or immediately adjacent to the information required by
20 subsections (1) and (2) of this section.

21 (4) In an independent expenditure or electioneering communication
22 transmitted via television or other medium that includes a visual
23 image, the following statement must either be clearly spoken, or
24 appear in print and be visible for at least four seconds, appear in
25 letters greater than four percent of the visual screen height on a
26 solid black background on the entire bottom one-third of the
27 television or visual display screen, or bottom one-fourth of the
28 screen if the sponsor does not have or is otherwise not required to
29 list its top five contributors, and have a reasonable color contrast
30 with the background: "No candidate authorized this ad. Paid for by
31 (name, city, state)." If the advertisement or communication is
32 undertaken by a nonindividual other than a party organization, then
33 the following notation must also be included: "Top Five Contributors"
34 followed by a listing of the names of the five persons making the
35 largest aggregate contributions as determined by RCW 42.17A.350(1)
36 (as recodified by this act); and if necessary, the statement "Top
37 Three Donors to PAC Contributors," followed by a listing of the names
38 of the three individuals or entities other than political committees
39 making the largest aggregate contributions to political committees as
40 determined by RCW 42.17A.350(2) (as recodified by this act).

1 Abbreviations may be used to describe contributing entities if the
2 full name of the entity has been clearly spoken previously during the
3 broadcast advertisement.

4 (5) The following statement shall be clearly spoken in an
5 independent expenditure or electioneering communication transmitted
6 by a method that does not include a visual image: "No candidate
7 authorized this ad. Paid for by (name, city, state)." If the
8 independent expenditure or electioneering communication is undertaken
9 by a nonindividual other than a party organization, then the
10 following statement must also be included: "Top Five Contributors"
11 followed by a listing of the names of the five persons making the
12 largest contributions as determined by RCW 42.17A.350(1) (as
13 recodified by this act); and if necessary, the statement "Top Three
14 Donors to PAC Contributors," followed by a listing of the names of
15 the three individuals or entities, other than political committees,
16 making the largest aggregate contributions to political committees as
17 determined by RCW 42.17A.350(2) (as recodified by this act).
18 Abbreviations may be used to describe contributing entities if the
19 full name of the entity has been clearly spoken previously during the
20 broadcast advertisement.

21 (6) Political advertising costing one thousand dollars or more
22 supporting or opposing ballot measures sponsored by a political
23 committee must include the information on the top five contributors
24 and top three contributors, other than political committees, as
25 required by RCW 42.17A.350 (as recodified by this act). A series of
26 political advertising sponsored by the same political committee, each
27 of which is under one thousand dollars, must include the top five
28 contributors and top three contributors, other than political
29 committees, as required by RCW 42.17A.350 (as recodified by this act)
30 once their cumulative value reaches one thousand dollars or more.

31 (7) Political yard signs are exempt from the requirements of this
32 section that the sponsor's name and address, and the top five
33 contributors and top three PAC contributors as required by RCW
34 42.17A.350 (as recodified by this act), be listed on the advertising.
35 In addition, the public disclosure commission shall, by rule, exempt
36 from the identification requirements of this section forms of
37 political advertising such as campaign buttons, balloons, pens,
38 pencils, sky-writing, inscriptions, and other forms of advertising
39 where identification is impractical.

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

3 **Sec. 438.** RCW 42.17A.330 and 2010 c 204 s 506 are each amended
4 to read as follows:

5 At least one picture of the candidate used in any political
6 advertising shall have been taken within the last five years and
7 shall be no smaller than any other picture of the same candidate used
8 in the same advertisement.

9 **Sec. 439.** RCW 42.17A.335 and 2009 c 222 s 2 are each amended to
10 read as follows:

11 (1) It is a violation of this (~~chapter~~) title for a person to
12 sponsor with actual malice a statement constituting libel or
13 defamation per se under the following circumstances:

14 (a) Political advertising or an electioneering communication that
15 contains a false statement of material fact about a candidate for
16 public office;

17 (b) Political advertising or an electioneering communication that
18 falsely represents that a candidate is the incumbent for the office
19 sought when in fact the candidate is not the incumbent;

20 (c) Political advertising or an electioneering communication that
21 makes either directly or indirectly, a false claim stating or
22 implying the support or endorsement of any person or organization
23 when in fact the candidate does not have such support or endorsement.

24 (2) For the purposes of this section, "libel or defamation per
25 se" means statements that tend (a) to expose a living person to
26 hatred, contempt, ridicule, or obloquy, or to deprive him or her of
27 the benefit of public confidence or social intercourse, or to injure
28 him or her in his or her business or occupation, or (b) to injure any
29 person, corporation, or association in his, her, or its business or
30 occupation.

31 (3) It is not a violation of this section for a candidate or his
32 or her agent to make statements described in subsection (1)(a) or (b)
33 of this section about the candidate himself or herself because a
34 person cannot defame himself or herself. It is not a violation of
35 this section for a person or organization referenced in subsection
36 (1)(c) of this section to make a statement about that person or
37 organization because such persons and organizations cannot defame
38 themselves.

1 (4) Any violation of this section shall be proven by clear and
2 convincing evidence. If a violation is proven, damages are presumed
3 and do not need to be proven.

4 **Sec. 440.** RCW 42.17A.340 and 2010 c 204 s 507 are each amended
5 to read as follows:

6 (1) Except as provided in subsection (2) of this section, the
7 responsibility for compliance with RCW 42.17A.320 (as recodified by
8 this act) through 42.17A.335 (as recodified by this act) shall be
9 with the sponsor of the political advertising and not with the
10 broadcasting station or other medium.

11 (2) If a broadcasting station or other medium changes the content
12 of a political advertisement, the station or medium shall be
13 responsible for any failure of the advertisement to comply with RCW
14 42.17A.320 (as recodified by this act) through 42.17A.335 (as
15 recodified by this act) that results from that change.

16 **Sec. 441.** RCW 42.17A.345 and 2019 c 428 s 26 are each amended to
17 read as follows:

18 (1) Each commercial advertiser who has accepted or provided
19 political advertising or electioneering communications during the
20 election campaign shall maintain current books of account and related
21 materials as provided by rule that shall be open for public
22 inspection during normal business hours during the campaign and for a
23 period of no less than five years after the date of the applicable
24 election. The documents and books of account shall specify:

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

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

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

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

34 **Sec. 442.** RCW 42.17A.350 and 2019 c 261 s 2 are each amended to
35 read as follows:

36 (1) For any requirement to include the top five contributors
37 under RCW 42.17A.320 (as recodified by this act) or any other

1 provision of this (~~chapter~~) title, the sponsor must identify the
2 five persons or entities making the largest contributions to the
3 sponsor in excess of the threshold aggregate value to be considered
4 an independent expenditure in an election for public office under
5 (~~RCW 42.17A.005(29)(a)(iv)~~) section 231(1)(d) of this act
6 reportable under this (~~chapter~~) title during the (~~twelve~~) 12-
7 month period preceding the date on which the advertisement is
8 initially to be published or otherwise presented to the public.

9 (2) If one or more of the top five contributors identified under
10 subsection (1) of this section is a political committee, the top
11 three contributors to each of those political committees during the
12 same period must then be identified, and so on, until the individuals
13 or entities other than political committees with the largest
14 aggregate contributions to each political committee identified under
15 subsection (1) of this section have also been identified. The sponsor
16 must identify the three individuals or entities, not including
17 political committees, who made the largest aggregate contributions to
18 any political committee identified under subsection (1) of this
19 section in excess of the threshold aggregate value to be considered
20 an independent expenditure in an election for public office under
21 (~~RCW 42.17A.005(29)(a)(iv)~~) section 231(1)(d) of this act
22 reportable under this (~~chapter~~) title during the same period, and
23 the names of those individuals or entities must be displayed in the
24 advertisement alongside the statement "Top Three Donors to PAC
25 Contributors."

26 (3) Contributions to the sponsor or a political committee that
27 are earmarked, tracked, and used for purposes other than the
28 advertisement in question should not be counted in identifying the
29 top five contributors under subsection (1) of this section or the top
30 three contributors under subsection (2) of this section.

31 (4) The sponsor shall not be liable for a violation of this
32 section that occurs because a contribution to any political committee
33 identified under subsection (1) of this section has not been reported
34 to the commission.

35 (5) The commission is authorized to adopt rules, as needed, to
36 prevent ways to circumvent the purposes of the required disclosures
37 in this section to inform voters about the individuals and entities
38 sponsoring political advertisements.

1 **Sec. 443.** RCW 42.17A.400 and 2010 c 204 s 601 are each amended
2 to read as follows:

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

4 (a) The financial strength of certain individuals or
5 organizations should not permit them to exercise a disproportionate
6 or controlling influence on the election of candidates.

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

13 (c) Candidates are raising less money in small contributions from
14 individuals and more money from special interests. This has created
15 the public perception that individuals have an insignificant role to
16 play in the political process.

17 (2) By limiting campaign contributions, the people intend to:

18 (a) Ensure that individuals and interest groups have fair and
19 equal opportunity to influence elective and governmental processes;

20 (b) Reduce the influence of large organizational contributors;
21 and

22 (c) Restore public trust in governmental institutions and the
23 electoral process.

24 **Sec. 444.** RCW 42.17A.405 and 2019 c 100 s 1 are each amended to
25 read as follows:

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

27 (a) Candidates for legislative office;

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

29 (c) Candidates for county office;

30 (d) Candidates for port district office;

31 (e) Candidates for city council office;

32 (f) Candidates for mayoral office;

33 (g) Candidates for school board office;

34 (h) Candidates for public hospital district board of
35 commissioners in districts with a population over (~~one hundred fifty~~
36 ~~thousand~~) 150,000;

37 (i) Persons holding an office in (a) through (h) of this
38 subsection against whom recall charges have been filed or to a

1 political committee having the expectation of making expenditures in
2 support of the recall of a person holding the office;

3 (j) Caucus political committees;

4 (k) Bona fide political parties.

5 (2) No person, other than a bona fide political party or a caucus
6 political committee, may make contributions to a candidate for a
7 legislative office, county office, city council office, mayoral
8 office, school board office, or public hospital district board of
9 commissioners that in the aggregate exceed eight hundred dollars or
10 to a candidate for a public office in a port district or a state
11 office other than a legislative office that in the aggregate exceed
12 one thousand six hundred dollars for each election in which the
13 candidate is on the ballot or appears as a write-in candidate.
14 Contributions to candidates subject to the limits in this section
15 made with respect to a primary may not be made after the date of the
16 primary. However, contributions to a candidate or a candidate's
17 authorized committee may be made with respect to a primary until
18 (~~thirty~~) 30 days after the primary, subject to the following
19 limitations: (a) The candidate lost the primary; (b) the candidate's
20 authorized committee has insufficient funds to pay debts outstanding
21 as of the date of the primary; and (c) the contributions may only be
22 raised and spent to satisfy the outstanding debt. Contributions to
23 candidates subject to the limits in this section made with respect to
24 a general election may not be made after the final day of the
25 applicable election cycle.

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

1 (4) (a) Notwithstanding subsection (2) of this section, no bona
2 fide political party or caucus political committee may make
3 contributions to a candidate during an election cycle that in the
4 aggregate exceed (i) eighty cents multiplied by the number of
5 eligible registered voters in the jurisdiction from which the
6 candidate is elected if the contributor is a caucus political
7 committee or the governing body of a state organization, or (ii)
8 forty cents multiplied by the number of registered voters in the
9 jurisdiction from which the candidate is elected if the contributor
10 is a county central committee or a legislative district committee.

11 (b) No candidate may accept contributions from a county central
12 committee or a legislative district committee during an election
13 cycle that when combined with contributions from other county central
14 committees or legislative district committees would in the aggregate
15 exceed forty cents times the number of registered voters in the
16 jurisdiction from which the candidate is elected.

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

34 (b) No official holding an office specified in subsection (1) of
35 this section against whom recall charges have been filed, no
36 authorized committee of the official, and no political committee
37 having the expectation of making expenditures in support of the
38 recall of the official may accept contributions from a county central
39 committee or a legislative district committee during an election
40 cycle that when combined with contributions from other county central

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

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

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

16 (8) For the purposes of RCW 42.17A.125 (as recodified by this
17 act), 42.17A.405 (as recodified by this act) through 42.17A.415 (as
18 recodified by this act), 42.17A.450 (as recodified by this act)
19 through 42.17A.495 (as recodified by this act), 42.17A.500 (as
20 recodified by this act), 42.17A.560 (as recodified by this act), and
21 42.17A.565 (as recodified by this act), a contribution to the
22 authorized political committee of a candidate or of an official
23 specified in subsection (1) of this section against whom recall
24 charges have been filed is considered to be a contribution to the
25 candidate or official.

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

31 (10) The contributions allowed by subsection (3) of this section
32 are in addition to those allowed by subsection (2) of this section,
33 and the contributions allowed by subsection (5) of this section are
34 in addition to those allowed by subsection (4) of this section.

35 (11) RCW 42.17A.125 (as recodified by this act), 42.17A.405 (as
36 recodified by this act) through 42.17A.415 (as recodified by this
37 act), 42.17A.450 (as recodified by this act) through 42.17A.495 (as
38 recodified by this act), 42.17A.500 (as recodified by this act),
39 42.17A.560 (as recodified by this act), and 42.17A.565 (as recodified
40 by this act) apply to a special election conducted to fill a vacancy

1 in an office specified in subsection (1) of this section. However,
2 the contributions made to a candidate or received by a candidate for
3 a primary or special election conducted to fill such a vacancy shall
4 not be counted toward any of the limitations that apply to the
5 candidate or to contributions made to the candidate for any other
6 primary or election.

7 (12) Notwithstanding the other subsections of this section, no
8 corporation or business entity not doing business in Washington
9 state, no labor union with fewer than (~~ten~~) 10 members who reside
10 in Washington state, and no political committee that has not received
11 contributions of ten dollars or more from at least (~~ten~~) 10 persons
12 registered to vote in Washington state during the preceding (~~one~~
13 ~~hundred-eighty~~) 180 days may make contributions reportable under
14 this (~~chapter~~) title to a state office candidate, to a state
15 official against whom recall charges have been filed, or to a
16 political committee having the expectation of making expenditures in
17 support of the recall of the official. This subsection does not apply
18 to loans made in the ordinary course of business.

19 (13) Notwithstanding the other subsections of this section, no
20 county central committee or legislative district committee may make
21 contributions reportable under this (~~chapter~~) title to a candidate
22 specified in subsection (1) of this section, or an official specified
23 in subsection (1) of this section against whom recall charges have
24 been filed, or political committee having the expectation of making
25 expenditures in support of the recall of an official specified in
26 subsection (1) of this section if the county central committee or
27 legislative district committee is outside of the jurisdiction
28 entitled to elect the candidate or recall the official.

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

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

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

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

1 (c) An expenditure or contribution for independent expenditures
2 as defined in (~~RCW 42.17A.005~~) section 231 of this act or
3 electioneering communications as defined in (~~RCW 42.17A.005~~)
4 section 222 of this act.

5 **Sec. 445.** RCW 42.17A.410 and 2010 c 204 s 603 are each amended
6 to read as follows:

7 (1) No person may make contributions to a candidate for judicial
8 office that in the aggregate exceed one thousand six hundred dollars
9 for each election in which the candidate is on the ballot or appears
10 as a write-in candidate. Contributions made with respect to a primary
11 may not be made after the date of the primary. However, contributions
12 to a candidate or a candidate's authorized committee may be made with
13 respect to a primary until (~~thirty~~) 30 days after the primary,
14 subject to the following limitations: (a) The candidate lost the
15 primary; (b) the candidate's authorized committee has insufficient
16 funds to pay debts outstanding as of the date of the primary; and (c)
17 the contributions may only be raised and spent to satisfy the
18 outstanding debt. Contributions made with respect to a general
19 election may not be made after the final day of the applicable
20 election cycle.

21 (2) This section through RCW 42.17A.490 (as recodified by this
22 act) apply to a special election conducted to fill a vacancy in an
23 office. However, the contributions made to a candidate or received by
24 a candidate for a primary or special election conducted to fill such
25 a vacancy will not be counted toward any of the limitations that
26 apply to the candidate or to contributions made to the candidate for
27 any other primary or election.

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

30 (4) The dollar limits in this section must be adjusted according
31 to RCW 42.17A.125 (as recodified by this act).

32 **Sec. 446.** RCW 42.17A.415 and 2011 c 60 s 25 are each amended to
33 read as follows:

34 (1) Contributions to candidates for state office made and
35 received before December 3, 1992, are considered to be contributions
36 under (~~RCW 42.17.640 through 42.17.790~~) RCW 42.17A.125 (as
37 recodified by this act), 42.17A.405 (as recodified by this act)
38 through 42.17A.415 (as recodified by this act), 42.17A.450 (as

1 recodified by this act) through 42.17A.495 (as recodified by this
2 act), 42.17A.500 (as recodified by this act), 42.17A.560 (as
3 recodified by this act), and 42.17A.565 (as recodified by this act).
4 Monetary contributions that exceed the contribution limitations and
5 that have not been spent by the recipient of the contribution by
6 December 3, 1992, must be disposed of in accordance with RCW
7 42.17A.430 (as recodified by this act).

8 (2) Contributions to other candidates subject to the contribution
9 limits of this (~~chapter~~) title made and received before June 7,
10 2006, are considered to be contributions under (~~RCW 42.17.640~~
11 ~~through 42.17.790~~) RCW 42.17A.125 (as recodified by this act),
12 42.17A.405 (as recodified by this act) through 42.17A.415 (as
13 recodified by this act), 42.17A.450 (as recodified by this act)
14 through 42.17A.495 (as recodified by this act), 42.17A.500 (as
15 recodified by this act), 42.17A.560 (as recodified by this act), and
16 42.17A.565 (as recodified by this act). Contributions that exceed the
17 contribution limitations and that have not been spent by the
18 recipient of the contribution by June 7, 2006, must be disposed of in
19 accordance with RCW 42.17A.430 (as recodified by this act) except for
20 subsections (6) and (7) of that section.

21 **Sec. 447.** RCW 42.17A.417 and 2020 c 152 s 9 are each amended to
22 read as follows:

23 (1) A foreign national may not make a contribution to any
24 candidate or political committee, make an expenditure in support of
25 or in opposition to any candidate or ballot measure, or sponsor
26 political advertising or an electioneering communication.

27 (2) A person may not make a contribution to any candidate or
28 political committee, make an expenditure in support of or in
29 opposition to any candidate or ballot measure, or sponsor political
30 advertising or an electioneering communication, if:

31 (a) The contribution, expenditure, political advertising, or
32 electioneering communication is financed in any part by a foreign
33 national; or

34 (b) Foreign nationals are involved in making decisions regarding
35 the contribution, expenditure, political advertising, or
36 electioneering communication in any way.

37 **Sec. 448.** RCW 42.17A.418 and 2020 c 152 s 10 are each amended to
38 read as follows:

1 (1) Each candidate or political committee that has accepted a
2 contribution, and each out-of-state committee that has accepted a
3 contribution reportable under RCW 42.17A.250 (as recodified by this
4 act), from a partnership, association, corporation, organization, or
5 other combination of persons must receive a certification from each
6 contributor that:

7 (a) The contribution is not financed in any part by a foreign
8 national; and

9 (b) Foreign nationals are not involved in making decisions
10 regarding the contribution in any way.

11 (2) The certifications must be maintained for a period of no less
12 than three years after the date of the applicable election.

13 (3) At the request of the commission, each candidate or committee
14 required to comply with subsection (1) of this section must provide
15 to the commission copies of the certifications maintained under this
16 section.

17 **Sec. 449.** RCW 42.17A.420 and 2019 c 428 s 27 are each amended to
18 read as follows:

19 (1) It is a violation of this ~~((chapter))~~ title for any person to
20 make, or for any candidate or political committee to accept from any
21 one person, contributions reportable under RCW 42.17A.240 (as
22 recodified by this act) in the aggregate exceeding fifty thousand
23 dollars for any campaign for statewide office or exceeding five
24 thousand dollars for any other campaign subject to the provisions of
25 this ~~((chapter))~~ title within ~~((twenty-one))~~ 21 days of a general
26 election. This subsection does not apply to:

27 (a) Contributions made by, or accepted from, a bona fide
28 political party as defined in this ~~((chapter))~~ title, excluding the
29 county central committee or legislative district committee;

30 (b) Contributions made to, or received by, a ballot proposition
31 committee; or

32 (c) Payments received by an incidental committee.

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

1 **Sec. 450.** RCW 42.17A.425 and 2010 c 204 s 605 are each amended
2 to read as follows:

3 No expenditures may be made or incurred by any candidate or
4 political committee unless authorized by the candidate or the person
5 or persons named on the candidate's or committee's registration form.
6 A record of all such expenditures shall be maintained by the
7 treasurer.

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

12 **Sec. 451.** RCW 42.17A.430 and 2010 c 204 s 606 are each amended
13 to read as follows:

14 The surplus funds of a candidate or a candidate's authorized
15 committee may only be disposed of in any one or more of the following
16 ways:

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

19 (2) Using surplus, reimburse the candidate for lost earnings
20 incurred as a result of that candidate's election campaign. Lost
21 earnings shall be verifiable as unpaid salary or, when the candidate
22 is not salaried, as an amount not to exceed income received by the
23 candidate for services rendered during an appropriate, corresponding
24 time period. All lost earnings incurred shall be documented and a
25 record thereof shall be maintained by the candidate or the
26 candidate's authorized committee. The committee shall maintain a copy
27 of this record in accordance with RCW 42.17A.235(6) (as recodified by
28 this act);

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

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

33 (5) Transmit the surplus to the state treasurer for deposit in
34 the general fund, the Washington state legacy project, state library,
35 and archives account under RCW 43.07.380, or the legislative
36 international trade account under RCW 43.15.050, as specified by the
37 candidate or political committee; or

38 (6) Hold the surplus in the depository or depositories designated
39 in accordance with RCW 42.17A.215 (as recodified by this act) for

1 possible use in a future election campaign for the same office last
2 sought by the candidate and report any such disposition in accordance
3 with RCW 42.17A.240 (as recodified by this act). If the candidate
4 subsequently announces or publicly files for office, the appropriate
5 information must be reported to the commission in accordance with RCW
6 42.17A.205 (as recodified by this act) through 42.17A.240 (as
7 recodified by this act). If a subsequent office is not sought the
8 surplus held shall be disposed of in accordance with the requirements
9 of this section.

10 (7) Hold the surplus campaign funds in a separate account for
11 nonreimbursed public office-related expenses or as provided in this
12 section, and report any such disposition in accordance with RCW
13 42.17A.240 (as recodified by this act). The separate account required
14 under this subsection shall not be used for deposits of campaign
15 funds that are not surplus.

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

18 The disposal of surplus funds under this section shall not be
19 considered a contribution for purposes of this (~~chapter~~) title.

20 **Sec. 452.** RCW 42.17A.435 and 1975 1st ex.s. c 294 s 8 are each
21 amended to read as follows:

22 No contribution shall be made and no expenditure shall be
23 incurred, directly or indirectly, in a fictitious name, anonymously,
24 or by one person through an agent, relative, or other person in such
25 a manner as to conceal the identity of the source of the contribution
26 or in any other manner so as to effect concealment.

27 **Sec. 453.** RCW 42.17A.440 and 2010 c 204 s 607 are each amended
28 to read as follows:

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

1 **Sec. 454.** RCW 42.17A.442 and 2011 c 145 s 5 are each amended to
2 read as follows:

3 A political committee may make a contribution to another
4 political committee only when the contributing political committee
5 has received contributions of ten dollars or more each from at least
6 (~~ten~~) 10 persons registered to vote in Washington state.

7 **Sec. 455.** RCW 42.17A.445 and 2022 c 174 s 1 are each amended to
8 read as follows:

9 Contributions received and reported in accordance with RCW
10 42.17A.220 (as recodified by this act) through 42.17A.240 (as
11 recodified by this act) and 42.17A.425 (as recodified by this act)
12 may only be paid to a candidate, or a treasurer or other individual
13 or expended for such individual's personal use under the following
14 circumstances:

15 (1) Reimbursement for or payments to cover lost earnings incurred
16 as a result of campaigning or services performed for the political
17 committee. Lost earnings shall be verifiable as unpaid salary, or
18 when the individual is not salaried, as an amount not to exceed
19 income received by the individual for services rendered during an
20 appropriate, corresponding time period. All lost earnings incurred
21 shall be documented and a record shall be maintained by the candidate
22 or the candidate's authorized committee in accordance with RCW
23 42.17A.235 (as recodified by this act).

24 (2) Reimbursement for direct out-of-pocket election campaign and
25 postelection campaign related expenses made by the individual. For
26 example, expenses for child care or other direct caregiving
27 responsibilities may be reimbursed if they are incurred directly as a
28 result of the candidate's campaign activities. To receive
29 reimbursement from the political committee, the individual shall
30 provide the political committee with written documentation as to the
31 amount, date, and description of each expense, and the political
32 committee shall include a copy of such information when its
33 expenditure for such reimbursement is reported pursuant to RCW
34 42.17A.240 (as recodified by this act).

35 (3) Repayment of loans made by the individual to political
36 committees shall be reported pursuant to RCW 42.17A.240 (as
37 recodified by this act). However, contributions may not be used to
38 reimburse a candidate for loans totaling more than four thousand

1 seven hundred dollars made by the candidate to the candidate's own
2 authorized committee.

3 **Sec. 456.** RCW 42.17A.450 and 2018 c 304 s 11 are each amended to
4 read as follows:

5 (1) Contributions by spouses are considered separate
6 contributions.

7 (2) Contributions by unemancipated children under (~~eighteen~~) 18
8 years of age are considered contributions by their parents and are
9 attributed proportionately to each parent. Fifty percent of the
10 contributions are attributed to each parent or, in the case of a
11 single custodial parent, the total amount is attributed to the
12 parent.

13 **Sec. 457.** RCW 42.17A.455 and 2010 c 204 s 609 are each amended
14 to read as follows:

15 For purposes of this (~~chapter~~) title:

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

20 (2) Two or more entities are treated as a single entity if one of
21 the two or more entities is a subsidiary, branch, or department of a
22 corporation that is participating in an election campaign or making
23 contributions, or a local unit or branch of a trade association,
24 labor union, or collective bargaining association that is
25 participating in an election campaign or making contributions. All
26 contributions made by a person or political committee whose
27 contribution or expenditure activity is financed, maintained, or
28 controlled by a trade association, labor union, collective bargaining
29 organization, or the local unit of a trade association, labor union,
30 or collective bargaining organization are considered made by the
31 trade association, labor union, collective bargaining organization,
32 or local unit of a trade association, labor union, or collective
33 bargaining organization.

34 (3) The commission shall adopt rules to carry out this section
35 and is not subject to the time restrictions of RCW 42.17A.110(1) (as
36 recodified by this act).

1 **Sec. 458.** RCW 42.17A.460 and 1993 c 2 s 7 are each amended to
2 read as follows:

3 All contributions made by a person or entity, either directly or
4 indirectly, to a candidate, to a state official against whom recall
5 charges have been filed, or to a political committee, are considered
6 to be contributions from that person or entity to the candidate,
7 state official, or political committee, as are contributions that are
8 in any way earmarked or otherwise directed through an intermediary or
9 conduit to the candidate, state official, or political committee. For
10 the purposes of this section, "earmarked" means a designation,
11 instruction, or encumbrance, whether direct or indirect, expressed or
12 implied, or oral or written, that is intended to result in or does
13 result in all or any part of a contribution being made to a certain
14 candidate or state official. If a conduit or intermediary exercises
15 any direction or control over the choice of the recipient candidate
16 or state official, the contribution is considered to be by both the
17 original contributor and the conduit or intermediary.

18 **Sec. 459.** RCW 42.17A.465 and 2010 c 204 s 610 are each amended
19 to read as follows:

20 (1) A loan is considered to be a contribution from the lender and
21 any guarantor of the loan and is subject to the contribution
22 limitations of this (~~chapter~~) title. The full amount of the loan
23 shall be attributed to the lender and to each guarantor.

24 (2) A loan to a candidate for public office or the candidate's
25 authorized committee must be by written agreement.

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

27 (a) By a commercial lending institution;

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

29 (c) On the same terms ordinarily available to members of the
30 public, are not subject to the contribution limits of this
31 (~~chapter~~) title.

32 **Sec. 460.** RCW 42.17A.470 and 1993 c 2 s 13 are each amended to
33 read as follows:

34 (1) A person, other than an individual, may not be an
35 intermediary or an agent for a contribution.

36 (2) An individual may not make a contribution on behalf of
37 another person or entity, or while acting as the intermediary or
38 agent of another person or entity, without disclosing to the

1 recipient of the contribution both his or her full name, street
2 address, occupation, name of employer, if any, or place of business
3 if self-employed, and the same information for each contributor for
4 whom the individual serves as intermediary or agent.

5 **Sec. 461.** RCW 42.17A.475 and 2019 c 428 s 28 are each amended to
6 read as follows:

7 (1) A person may not make a contribution of more than one hundred
8 dollars, other than an in-kind contribution, except by a written
9 instrument containing the name of the donor and the name of the
10 payee.

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

14 **Sec. 462.** RCW 42.17A.480 and 1995 c 397 s 25 are each amended to
15 read as follows:

16 A person may not solicit from a candidate for public office,
17 political committee, political party, or other person money or other
18 property as a condition or consideration for an endorsement, article,
19 or other communication in the news media promoting or opposing a
20 candidate for public office, political committee, or political party.

21 **Sec. 463.** RCW 42.17A.485 and 1995 c 397 s 26 are each amended to
22 read as follows:

23 A person may not, directly or indirectly, reimburse another
24 person for a contribution to a candidate for public office, political
25 committee, or political party.

26 **Sec. 464.** RCW 42.17A.490 and 2010 c 204 s 612 are each amended
27 to read as follows:

28 (1) Except as provided in subsection (2) of this section, a
29 candidate for public office or the candidate's authorized committee
30 may not use or permit the use of contributions, whether or not
31 surplus, solicited for or received by the candidate or the
32 candidate's authorized committee to further the candidacy of the
33 individual for an office other than the office designated on the
34 statement of organization. A contribution solicited for or received
35 on behalf of the candidate is considered solicited or received for
36 the candidacy for which the individual is then a candidate if the

1 contribution is solicited or received before the general election for
2 which the candidate is a nominee or is unopposed.

3 (2) With the written approval of the contributor, a candidate or
4 the candidate's authorized committee may use or permit the use of
5 contributions, whether or not surplus, solicited for or received by
6 the candidate or the candidate's authorized committee from that
7 contributor to further the candidacy of the individual for an office
8 other than the office designated on the statement of organization. If
9 the contributor does not approve the use of his or her contribution
10 to further the candidacy of the individual for an office other than
11 the office designated on the statement of organization at the time of
12 the contribution, the contribution must be considered surplus funds
13 and disposed of in accordance with RCW 42.17A.430 (as recodified by
14 this act).

15 **Sec. 465.** RCW 42.17A.495 and 2010 c 204 s 613 are each amended
16 to read as follows:

17 (1) No employer or labor organization may increase the salary of
18 an officer or employee, or compensate an officer, employee, or other
19 person or entity, with the intention that the increase in salary, or
20 the compensation, or a part of it, be contributed or spent to support
21 or oppose a candidate, state official against whom recall charges
22 have been filed, political party, or political committee.

23 (2) No employer or labor organization may discriminate against an
24 officer or employee in the terms or conditions of employment for (a)
25 the failure to contribute to, (b) the failure in any way to support
26 or oppose, or (c) in any way supporting or opposing a candidate,
27 ballot proposition, political party, or political committee. At least
28 annually, an employee from whom wages or salary are withheld under
29 subsection (3) of this section shall be notified of the provisions of
30 this subsection.

31 (3) No employer or other person or entity responsible for the
32 disbursement of funds in payment of wages or salaries may withhold or
33 divert a portion of an employee's wages or salaries for contributions
34 to political committees or for use as political contributions except
35 upon the written request of the employee. The request must be made on
36 a form prescribed by the commission informing the employee of the
37 prohibition against employer and labor organization discrimination
38 described in subsection (2) of this section. The employee may revoke

1 the request at any time. At least annually, the employee shall be
2 notified about the right to revoke the request.

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

11 **Sec. 466.** RCW 42.17A.500 and 2007 c 438 s 1 are each amended to
12 read as follows:

13 (1) A labor organization may not use agency shop fees paid by an
14 individual who is not a member of the organization to make
15 contributions or expenditures to influence an election or to operate
16 a political committee, unless affirmatively authorized by the
17 individual.

18 (2) A labor organization does not use agency shop fees when it
19 uses its general treasury funds to make such contributions or
20 expenditures if it has sufficient revenues from sources other than
21 agency shop fees in its general treasury to fund such contributions
22 or expenditures.

23 **Sec. 467.** RCW 42.17A.550 and 2008 c 29 s 1 are each amended to
24 read as follows:

25 Public funds, whether derived through taxes, fees, penalties, or
26 any other sources, shall not be used to finance political campaigns
27 for state or school district office. A county, city, town, or
28 district that establishes a program to publicly finance local
29 political campaigns may only use funds derived from local sources to
30 fund the program. A local government must submit any proposal for
31 public financing of local political campaigns to voters for their
32 adoption and approval or rejection.

33 **Sec. 468.** RCW 42.17A.555 and 2010 c 204 s 701 are each amended
34 to read as follows:

35 No elective official nor any employee of his or her office nor
36 any person appointed to or employed by any public office or agency
37 may use or authorize the use of any of the facilities of a public

1 office or agency, directly or indirectly, for the purpose of
2 assisting a campaign for election of any person to any office or for
3 the promotion of or opposition to any ballot proposition. Facilities
4 of a public office or agency include, but are not limited to, use of
5 stationery, postage, machines, and equipment, use of employees of the
6 office or agency during working hours, vehicles, office space,
7 publications of the office or agency, and clientele lists of persons
8 served by the office or agency. However, this does not apply to the
9 following activities:

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

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

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

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

31 **Sec. 469.** RCW 42.17A.560 and 2006 c 348 s 5 and 2006 c 344 s 31
32 are each reenacted and amended to read as follows:

33 (1) During the period beginning on the thirtieth day before the
34 date a regular legislative session convenes and continuing through
35 the date of final adjournment, and during the period beginning on the
36 date a special legislative session convenes and continuing through
37 the date that session adjourns, no state official or a person
38 employed by or acting on behalf of a state official or state
39 legislator may solicit or accept contributions to a public office

1 fund, to a candidate or authorized committee, or to retire a campaign
2 debt. Contributions received through the mail after the thirtieth day
3 before a regular legislative session may be accepted if the
4 contribution is postmarked prior to the thirtieth day before the
5 session.

6 (2) This section does not apply to activities authorized in RCW
7 43.07.370.

8 **Sec. 470.** RCW 42.17A.565 and 1995 c 397 s 24 are each amended to
9 read as follows:

10 (1) No state or local official or state or local official's agent
11 may knowingly solicit, directly or indirectly, a contribution to a
12 candidate for public office, political party, or political committee
13 from an employee in the state or local official's agency.

14 (2) No state or local official or public employee may provide an
15 advantage or disadvantage to an employee or applicant for employment
16 in the classified civil service concerning the applicant's or
17 employee's:

18 (a) Employment;

19 (b) Conditions of employment; or

20 (c) Application for employment,

21 based on the employee's or applicant's contribution or promise to
22 contribute or failure to make a contribution or contribute to a
23 political party or political committee.

24 **Sec. 471.** RCW 42.17A.570 and 2010 c 204 s 702 are each amended
25 to read as follows:

26 After January 1st and before April 15th of each calendar year,
27 the state treasurer, each county, public utility district, and port
28 district treasurer, and each treasurer of an incorporated city or
29 town whose population exceeds (~~one thousand~~) 1,000 shall file with
30 the commission:

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

36 (2) A report disclosing for the previous calendar year: (a) The
37 name and address of each financial institution in which the treasurer
38 or, in the case of a county, a member of the county finance

1 committee, held during the reporting period an office, directorship,
2 partnership interest, or ownership interest which holds or has held
3 during the reporting period public accounts of the governmental
4 entity for which the treasurer is responsible; (b) the aggregate sum
5 of time and demand deposits held in each such financial institution
6 on December 31; and (c) the highest balance held at any time during
7 such reporting period. The state treasurer shall disclose the highest
8 balance information only upon a public records request under chapter
9 42.56 RCW. The statement or report required by this section shall be
10 filed either with the statement required under RCW 42.17A.700 (as
11 recodified by this act) or separately.

12 **Sec. 472.** RCW 42.17A.575 and 2010 c 204 s 703 are each amended
13 to read as follows:

14 No state-elected official or municipal officer may speak or
15 appear in a public service announcement that is broadcast, shown, or
16 distributed in any form whatsoever during the period beginning
17 January 1st and continuing through the general election if that
18 official or officer is a candidate. If the official or officer does
19 not control the broadcast, showing, or distribution of a public
20 service announcement in which he or she speaks or appears, then the
21 official or officer shall contractually limit the use of the public
22 service announcement to be consistent with this section prior to
23 participating in the public service announcement. This section does
24 not apply to public service announcements that are part of the
25 regular duties of the office that only mention or visually display
26 the office or office seal or logo and do not mention or visually
27 display the name of the official or officer in the announcement.

28 **Sec. 473.** RCW 42.17A.600 and 2019 c 469 s 2 and 2019 c 428 s 29
29 are each reenacted and amended to read as follows:

30 (1) Before lobbying, or within (~~thirty~~) 30 days after being
31 employed as a lobbyist, whichever occurs first, unless exempt under
32 RCW 42.17A.610 (as recodified by this act), a lobbyist shall register
33 by filing with the commission a lobbyist registration statement, in
34 such detail as the commission shall prescribe, that includes the
35 following information:

36 (a) The lobbyist's name, permanent business address, electronic
37 contact information, and any temporary residential and business
38 addresses in Thurston county during the legislative session;

- 1 (b) The name, address and occupation or business of the
2 lobbyist's employer;
- 3 (c) The duration of the lobbyist's employment;
- 4 (d) The compensation to be received for lobbying, the amount to
5 be paid for expenses, and what expenses are to be reimbursed;
- 6 (e) Whether the lobbyist is employed solely as a lobbyist or
7 whether the lobbyist is a regular employee performing services for
8 the lobbyist's employer which include but are not limited to the
9 influencing of legislation;
- 10 (f) The general subject or subjects to be lobbied;
- 11 (g) A written authorization from each of the lobbyist's employers
12 confirming such employment;
- 13 (h) The name, address, and electronic contact information of the
14 person who will have custody of the accounts, bills, receipts, books,
15 papers, and documents required to be kept under this (~~chapter~~)
16 title;
- 17 (i) If the lobbyist's employer is an entity (including, but not
18 limited to, business and trade associations) whose members include,
19 or which as a representative entity undertakes lobbying activities
20 for, businesses, groups, associations, or organizations, the name and
21 address of each member of such entity or person represented by such
22 entity whose fees, dues, payments, or other consideration paid to
23 such entity during either of the prior two years have exceeded five
24 hundred dollars or who is obligated to or has agreed to pay fees,
25 dues, payments, or other consideration exceeding five hundred dollars
26 to such entity during the current year;
- 27 (j) An attestation that the lobbyist has read and completed a
28 training course provided under RCW 44.04.390 regarding the
29 legislative code of conduct and any policies related to appropriate
30 conduct adopted by the senate or the house of representatives.
- 31 (2) Any lobbyist who receives or is to receive compensation from
32 more than one person for lobbying shall file a separate notice of
33 representation for each person. However, if two or more persons are
34 jointly paying or contributing to the payment of the lobbyist, the
35 lobbyist may file a single statement detailing the name, business
36 address, and occupation of each person paying or contributing and the
37 respective amounts to be paid or contributed.
- 38 (3) Whenever a change, modification, or termination of the
39 lobbyist's employment occurs, the lobbyist shall file with the

1 commission an amended registration statement within one week of the
2 change, modification, or termination.

3 (4) Each registered lobbyist shall file a new registration
4 statement, revised as appropriate, on the second Monday in January of
5 each odd-numbered year. Failure to do so terminates the lobbyist's
6 registration.

7 **Sec. 474.** RCW 42.17A.603 and 2019 c 469 s 4 are each amended to
8 read as follows:

9 (1) A lobbyist who is registered under RCW 42.17A.600 (as
10 recodified by this act) before December 31, 2019, is required to
11 update the lobbyist's registration materials to include the
12 attestation required by RCW 42.17A.600(1)(j) (as recodified by this
13 act) by December 31, 2019.

14 (2) The commission shall revoke the registration of any lobbyist
15 registered under RCW 42.17A.600 (as recodified by this act) who does
16 not comply with subsection (1) of this section.

17 (3) The commission may not impose any other penalty on a lobbyist
18 registered under RCW 42.17A.600 (as recodified by this act) for
19 failure to comply with subsection (1) of this section.

20 (4) The commission shall collaborate with the chief clerk of the
21 house of representatives and the secretary of the senate to develop a
22 process to verify that lobbyists who submit an attestation under RCW
23 42.17A.600(1)(j) (as recodified by this act) have completed the
24 training course provided under RCW 44.04.390.

25 **Sec. 475.** RCW 42.17A.605 and 2019 c 469 s 3 and 2019 c 428 s 30
26 are each reenacted and amended to read as follows:

27 Each lobbyist shall at the time the lobbyist registers submit
28 electronically to the commission a recent photograph of the lobbyist
29 of a size and format as determined by rule of the commission,
30 together with the name of the lobbyist's employer, the length of the
31 lobbyist's employment as a lobbyist before the legislature, a brief
32 biographical description, and any other information the lobbyist may
33 wish to submit not to exceed (~~fifty~~) 50 words in length. The
34 photograph, information, and attestation submitted under RCW
35 42.17A.600(1)(j) (as recodified by this act) shall be published by
36 the commission on its website.

1 **Sec. 476.** RCW 42.17A.610 and 2019 c 428 s 31 are each amended to
2 read as follows:

3 The following persons and activities are exempt from registration
4 and reporting under RCW 42.17A.600 (as recodified by this act),
5 42.17A.615 (as recodified by this act), and 42.17A.640 (as recodified
6 by this act):

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

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

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

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

28 (5) Persons who restrict their lobbying activities to no more
29 than four days or parts of four days during any three-month period
30 and whose total expenditures during such three-month period for or on
31 behalf of any one or more members of the legislature or state elected
32 officials or public officers or employees of the state of Washington
33 in connection with such lobbying do not exceed twenty-five dollars.
34 The commission shall adopt rules to require disclosure by persons
35 exempt under this subsection or their employers or entities which
36 sponsor or coordinate the lobbying activities of such persons if it
37 determines that such regulations are necessary to prevent frustration
38 of the purposes of this ~~((chapter))~~ title. Any person exempt under
39 this subsection (5) may at the person's option register and report
40 under this ~~((chapter))~~ title;

1 (6) The governor;

2 (7) The lieutenant governor;

3 (8) Except as provided by RCW 42.17A.635(1) (as recodified by
4 this act), members of the legislature;

5 (9) Except as provided by RCW 42.17A.635(1) (as recodified by
6 this act), persons employed by the legislature for the purpose of
7 aiding in the preparation or enactment of legislation or the
8 performance of legislative duties;

9 (10) Elected officials, and officers and employees of any agency
10 reporting under RCW 42.17A.635(5) (as recodified by this act).

11 **Sec. 477.** RCW 42.17A.615 and 2019 c 428 s 32 are each amended to
12 read as follows:

13 (1) Any lobbyist registered under RCW 42.17A.600 (as recodified
14 by this act) and any person who lobbies shall file electronically
15 with the commission monthly reports of the lobbyist's or person's
16 lobbying activities. The reports shall be made in the form and manner
17 prescribed by the commission and must be signed by the lobbyist. The
18 monthly report shall be filed within (~~fifteen~~) 15 days after the
19 last day of the calendar month covered by the report.

20 (2) The monthly report shall contain:

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

32 (b) In the case of a lobbyist employed by more than one employer,
33 the proportionate amount of expenditures in each category incurred on
34 behalf of each of the lobbyist's employers.

35 (c) An itemized listing of each contribution of money or of
36 tangible or intangible personal property, whether contributed by the
37 lobbyist personally or delivered or transmitted by the lobbyist, to
38 any candidate, elected official, or officer or employee of any
39 agency, or any political committee supporting or opposing any ballot

1 proposition, or for or on behalf of any candidate, elected official,
2 or officer or employee of any agency, or any political committee
3 supporting or opposing any ballot proposition. All contributions made
4 to, or for the benefit of, any candidate, elected official, or
5 officer or employee of any agency, or any political committee
6 supporting or opposing any ballot proposition shall be identified by
7 date, amount, and the name of the candidate, elected official, or
8 officer or employee of any agency, or any political committee
9 supporting or opposing any ballot proposition receiving, or to be
10 benefited by each such contribution.

11 (d) The subject matter of proposed legislation or other
12 legislative activity or rule making under chapter 34.05 RCW, the
13 state administrative procedure act, and the state agency considering
14 the same, which the lobbyist has been engaged in supporting or
15 opposing during the reporting period, unless exempt under RCW
16 42.17A.610(2) (as recodified by this act).

17 (e) A listing of each payment for an item specified in RCW
18 42.52.150(5) in excess of fifty dollars and each item specified in
19 RCW 42.52.010(9) (d) and (f) made to a state elected official, state
20 officer, or state employee. Each item shall be identified by
21 recipient, date, and approximate value of the item.

22 (f) The total expenditures paid or incurred during the reporting
23 period by the lobbyist for lobbying purposes, whether through or on
24 behalf of a lobbyist or otherwise, for (i) political advertising as
25 defined in (~~RCW 42.17A.005~~) section 241 of this act; and (ii)
26 public relations, telemarketing, polling, or similar activities if
27 the activities, directly or indirectly, are intended, designed, or
28 calculated to influence legislation or the adoption or rejection of a
29 rule, standard, or rate by an agency under the administrative
30 procedure act. The report shall specify the amount, the person to
31 whom the amount was paid, and a brief description of the activity.

32 (3) Lobbyists are not required to report the following:

33 (a) Unreimbursed personal living and travel expenses not incurred
34 directly for lobbying;

35 (b) Any expenses incurred for the lobbyist's own living
36 accommodations;

37 (c) Any expenses incurred for the lobbyist's own travel to and
38 from hearings of the legislature;

1 (d) Any expenses incurred for telephone, and any office expenses,
2 including rent and salaries and wages paid for staff and secretarial
3 assistance.

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

8 **Sec. 478.** RCW 42.17A.620 and 2010 c 204 s 805 are each amended
9 to read as follows:

10 (1) When a listing or a report of contributions is made to the
11 commission under RCW 42.17A.615(2)(c) (as recodified by this act), a
12 copy of the listing or report must be given to the candidate, elected
13 official, professional staff member of the legislature, or officer or
14 employee of an agency, or a political committee supporting or
15 opposing a ballot proposition named in the listing or report.

16 (2) If a state elected official or a member of the official's
17 immediate family is identified by a lobbyist in a lobbyist report as
18 having received from the lobbyist an item specified in RCW
19 42.52.150(5) or 42.52.010(~~(+10)~~) (9) (d) or (f), the lobbyist shall
20 transmit to the official a copy of the completed form used to
21 identify the item in the report at the same time the report is filed
22 with the commission.

23 **Sec. 479.** RCW 42.17A.625 and 2010 c 204 s 806 are each amended
24 to read as follows:

25 Any lobbyist registered under RCW 42.17A.600 (as recodified by
26 this act), any person who lobbies, and any lobbyist's employer making
27 a contribution or an aggregate of contributions to a single entity
28 that is one thousand dollars or more during a special reporting
29 period, as specified in RCW 42.17A.265 (as recodified by this act),
30 before a primary or general election shall file one or more special
31 reports in the same manner and to the same extent that a contributing
32 political committee must file under RCW 42.17A.265 (as recodified by
33 this act).

34 **Sec. 480.** RCW 42.17A.630 and 2019 c 428 s 33 are each amended to
35 read as follows:

36 (1) Every employer of a lobbyist registered under this
37 (~~chapter~~) title during the preceding calendar year and every person

1 other than an individual who made contributions aggregating to more
2 than sixteen thousand dollars or independent expenditures aggregating
3 to more than eight hundred dollars during the preceding calendar year
4 shall file with the commission on or before the last day of February
5 of each year a statement disclosing for the preceding calendar year
6 the following information:

7 (a) The name of each state elected official and the name of each
8 candidate for state office who was elected to the office and any
9 member of the immediate family of those persons to whom the person
10 reporting has paid any compensation in the amount of eight hundred
11 dollars or more during the preceding calendar year for personal
12 employment or professional services, including professional services
13 rendered by a corporation, partnership, joint venture, association,
14 union, or other entity in which the person holds any office,
15 directorship, or any general partnership interest, or an ownership
16 interest of (~~ten~~) 10 percent or more, the value of the compensation
17 in accordance with the reporting provisions set out in RCW
18 42.17A.710(3) (as recodified by this act), and the consideration
19 given or performed in exchange for the compensation.

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

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

34 (d) All contributions made to a political committee supporting or
35 opposing a candidate for state office, or to a political committee
36 supporting or opposing a statewide ballot proposition. Such
37 contributions shall be identified by the name and the address of the
38 recipient and the aggregate amount contributed to each such
39 recipient.

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

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

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

12 (h) Any other information the commission prescribes by rule.

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

26 (b) The provisions of (a) of this subsection do not apply to a
27 contribution that is made through a registered lobbyist and
28 reportable under RCW 42.17A.425 (as recodified by this act).

29 **Sec. 481.** RCW 42.17A.635 and 2010 c 204 s 808 are each amended
30 to read as follows:

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

35 (2) Unless authorized by subsection (3) of this section or
36 otherwise expressly authorized by law, no public funds may be used
37 directly or indirectly for lobbying. However, this does not prevent
38 officers or employees of an agency from communicating with a member
39 of the legislature on the request of that member; or communicating to

1 the legislature, through the proper official channels, requests for
2 legislative action or appropriations that are deemed necessary for
3 the efficient conduct of the public business or actually made in the
4 proper performance of their official duties. This subsection does not
5 apply to the legislative branch.

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

21 (4) No elective official or any employee of his or her office or
22 any person appointed to or employed by any public office or agency
23 may use or authorize the use of any of the facilities of a public
24 office or agency, directly or indirectly, in any effort to support or
25 oppose an initiative to the legislature. "Facilities of a public
26 office or agency" has the same meaning as in RCW 42.17A.555 (as
27 recodified by this act) and 42.52.180. The provisions of this
28 subsection shall not apply to the following activities:

29 (a) Action taken at an open public meeting by members of an
30 elected legislative body to express a collective decision, or to
31 actually vote upon a motion, proposal, resolution, order, or
32 ordinance, or to support or oppose an initiative to the legislature
33 so long as (i) any required notice of the meeting includes the title
34 and number of the initiative to the legislature, and (ii) members of
35 the legislative body or members of the public are afforded an
36 approximately equal opportunity for the expression of an opposing
37 view;

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

1 (c) Activities that are part of the normal and regular conduct of
2 the office or agency;

3 (d) Activities conducted regarding an initiative to the
4 legislature that would be permitted under RCW 42.17A.555 (as
5 recodified by this act) and 42.52.180 if conducted regarding other
6 ballot measures.

7 (5) Each state agency, county, city, town, municipal corporation,
8 quasi-municipal corporation, or special purpose district that expends
9 public funds for lobbying shall file with the commission, except as
10 exempted by (d) of this subsection, quarterly statements providing
11 the following information for the quarter just completed:

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

13 (b) The name, title, and job description and salary of each
14 elected official, officer, or employee who lobbied, a general
15 description of the nature of the lobbying, and the proportionate
16 amount of time spent on the lobbying;

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

21 (d) For purposes of this subsection, "lobbying" does not include:

22 (i) Requests for appropriations by a state agency to the office
23 of financial management pursuant to chapter 43.88 RCW nor requests by
24 the office of financial management to the legislature for
25 appropriations other than its own agency budget requests;

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

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

33 (iv) Requests, recommendations, or other communication between or
34 within state agencies or between or within local agencies;

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

36 (A) Telephone conversations or preparation of written
37 correspondence;

38 (B) In-person lobbying on behalf of an agency of no more than
39 four days or parts thereof during any three-month period by officers
40 or employees of that agency and in-person lobbying by any elected

1 official of such agency on behalf of such agency or in connection
2 with the powers, duties, or compensation of such official. The total
3 expenditures of nonpublic funds made in connection with such lobbying
4 for or on behalf of any one or more members of the legislature or
5 state elected officials or public officers or employees of the state
6 of Washington may not exceed fifteen dollars for any three-month
7 period. The exemption under this subsection (5)(d)(v)(B) is in
8 addition to the exemption provided in (d)(v)(A) of this subsection;

9 (C) Preparation or adoption of policy positions.

10 The statements shall be in the form and the manner prescribed by
11 the commission and shall be filed within one month after the end of
12 the quarter covered by the report.

13 (6) In lieu of reporting under subsection (5) of this section,
14 any county, city, town, municipal corporation, quasi municipal
15 corporation, or special purpose district may determine and so notify
16 the public disclosure commission that elected officials, officers, or
17 employees who, on behalf of any such local agency, engage in lobbying
18 reportable under subsection (5) of this section shall register and
19 report such reportable lobbying in the same manner as a lobbyist who
20 is required to register and report under RCW 42.17A.600 (as
21 recodified by this act) and 42.17A.615 (as recodified by this act).
22 Each such local agency shall report as a lobbyist employer pursuant
23 to RCW 42.17A.630 (as recodified by this act).

24 (7) The provisions of this section do not relieve any elected
25 official or officer or employee of an agency from complying with
26 other provisions of this (~~chapter~~) title, if such elected official,
27 officer, or employee is not otherwise exempted.

28 (8) The purpose of this section is to require each state agency
29 and certain local agencies to report the identities of those persons
30 who lobby on behalf of the agency for compensation, together with
31 certain separately identifiable and measurable expenditures of an
32 agency's funds for that purpose. This section shall be reasonably
33 construed to accomplish that purpose and not to require any agency to
34 report any of its general overhead cost or any other costs that
35 relate only indirectly or incidentally to lobbying or that are
36 equally attributable to or inseparable from nonlobbying activities of
37 the agency.

38 The public disclosure commission may adopt rules clarifying and
39 implementing this legislative interpretation and policy.

1 **Sec. 482.** RCW 42.17A.640 and 2023 c 413 s 1 are each amended to
2 read as follows:

3 (1) Any person who has made expenditures, not reported by a
4 registered lobbyist under RCW 42.17A.615 (as recodified by this act)
5 or by a candidate or political committee under RCW 42.17A.225 (as
6 recodified by this act) or 42.17A.235 (as recodified by this act),
7 exceeding one thousand dollars in the aggregate within any three-
8 month period or exceeding five hundred dollars in the aggregate
9 within any one-month period in presenting a campaign to the public, a
10 substantial portion of which is intended, designed, or calculated
11 primarily to solicit, urge, or encourage the public to influence
12 legislation, shall register and report, as provided in subsection (2)
13 of this section, as a sponsor of a grass roots lobbying campaign.

14 (2)(a) The sponsor shall register by filing with the commission a
15 registration statement:

16 (i) Within 24 hours of the initial presentation of the campaign
17 to the public during the period:

18 (A) Beginning on the 30th day before a regular legislative
19 session convenes and continuing through the date of final adjournment
20 of that session; or

21 (B) Beginning on the date that a special legislative session has
22 been called or 30 days before the special legislative session is
23 scheduled to convene, whichever is later, and continuing through the
24 date of final adjournment of that session; or

25 (ii) Within five business days of the initial presentation of the
26 campaign to the public during any other period.

27 (b) The registration must show, in such detail as the commission
28 shall prescribe:

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

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

38 (iii) Each source of funding for the campaign of \$25 or more,
39 including:

1 (A) General treasury funds. The name and address of each
2 business, union, group, association, or other organization using
3 general treasury funds for the campaign; however, if such entity
4 undertakes a special solicitation of its members or other persons for
5 the campaign, or it otherwise receives funds for the campaign, that
6 entity shall report pursuant to (b) (ii) of this subsection; and

7 (B) Special solicitations and other funds. The name, address,
8 and, for individuals, occupation and employer, of a person whose
9 funds were used to pay for the campaign, along with the amount;

10 (iv) The purpose of the campaign, including the specific
11 legislation, rules, rates, standards, or proposals that are the
12 subject matter of the campaign;

13 (v) The totals of all expenditures made or incurred to date on
14 behalf of the campaign segregated according to financial category,
15 including but not limited to the following: Advertising, segregated
16 by media, and in the case of large expenditures (as provided by rule
17 of the commission), by outlet; contributions; entertainment,
18 including food and refreshments; office expenses including rent and
19 the salaries and wages paid for staff and secretarial assistance, or
20 the proportionate amount paid or incurred for lobbying campaign
21 activities; consultants; and printing and mailing expenses; and

22 (vi) Such other information as shall be required by the
23 commission by rule in conformance with the policies and purposes of
24 this (~~chapter~~) title.

25 (3) Every sponsor who has registered under this section shall
26 file monthly reports with the commission by the (~~tenth~~) 10th day of
27 the month for the activity during the preceding month. The reports
28 shall update the information contained in the sponsor's registration
29 statement and in prior reports and shall show contributions received
30 and totals of expenditures made during the month, in the same manner
31 as provided for in the registration statement.

32 (4) When the campaign has been terminated, the sponsor shall file
33 a notice of termination with the final monthly report. The final
34 report shall state the totals of all contributions and expenditures
35 made on behalf of the campaign, in the same manner as provided for in
36 the registration statement.

37 (5) (a) Any advertising or other mass communication produced as
38 part of a campaign must include the following disclosures:

39 (i) All written communications shall include the sponsor's name
40 and address. All radio and television communications shall include

1 the sponsor's name. The use of an assumed name for the sponsor is
2 unlawful;

3 (ii) If the sponsor is a political committee established,
4 maintained, or controlled directly, or indirectly through the
5 formation of one or more political committees, by an individual,
6 corporation, union, association, or other entity, the communication
7 must include the full name of that individual or entity; and

8 (iii) If the communication costs \$1,000 or more, the
9 communication must include:

10 (A) The statement "Top Five Contributors," followed by a listing
11 of the names of each of the five largest sources of funding of \$1,000
12 or more, as reported under subsection (2)(b) of this section, during
13 the 12-month period preceding the date on which the advertisement is
14 initially to be published or otherwise presented to the public; and

15 (B) If one of the "Top Five Contributors" listed includes a
16 political committee, the statement "Top Three Donors to PAC
17 Contributors," followed by a listing of the names of the three
18 individuals or entities other than political committees making the
19 largest aggregate contributions to political committees using the
20 same methodology as provided in RCW 42.17A.350(2) (as recodified by
21 this act).

22 (b) Abbreviations may be used to describe entities required to be
23 listed under (a) of this subsection if the full name of the entity
24 has been clearly spoken previously during the communication. The
25 information required by (a) of this subsection shall:

26 (i) In a written communication:

27 (A) Appear on the first page or fold of the written advertisement
28 or communication in at least 10-point type, or in type at least 10
29 percent of the largest size type used in a written communication
30 directed at more than one voter, such as a billboard or poster,
31 whichever is larger;

32 (B) Not be subject to the half-tone or screening process; and

33 (C) Be set apart from any other printed matter. No text may be
34 before, after, or immediately adjacent to the information required by
35 (a) of this subsection; or

36 (ii) In a communication transmitted via television or another
37 medium that includes a visual image or audio:

38 (A) Be clearly spoken; or

39 (B) Appear in print and be visible for at least four seconds,
40 appear in letters greater than four percent of the visual screen

1 height on a solid black background on the entire bottom one-third of
2 the television or visual display screen, or bottom one-fourth of the
3 screen if the sponsor does not have or is otherwise not required to
4 list its top five contributors, and have a reasonable color contrast
5 with the background.

6 (6) The commission is authorized to adopt rules, as needed, to
7 prevent ways to circumvent the purposes of the required disclosures
8 in this section or otherwise in conformance with the policies and
9 purposes of this (~~chapter~~) title.

10 **Sec. 483.** RCW 42.17A.645 and 2010 c 204 s 810 are each amended
11 to read as follows:

12 If any person registered or required to be registered as a
13 lobbyist, or any employer of any person registered or required to be
14 registered as a lobbyist, employs a member or an employee of the
15 legislature, a member of a state board or commission, or a full-time
16 state employee, and that new employee remains in the partial employ
17 of the state, the new employer must file within (~~fifteen~~) 15 days
18 after employment a statement with the commission, signed under oath,
19 setting out the nature of the employment, the name of the person
20 employed, and the amount of pay or consideration.

21 **Sec. 484.** RCW 42.17A.650 and 2010 c 204 s 811 are each amended
22 to read as follows:

23 It is a violation of this (~~chapter~~) title for any person to
24 employ for pay or any consideration, or pay or agree to pay any
25 consideration to, a person to lobby who is not registered under this
26 (~~chapter~~) title except upon the condition that such a person must
27 register as a lobbyist as provided by this (~~chapter~~) title.

28 **Sec. 485.** RCW 42.17A.655 and 2019 c 428 s 34 are each amended to
29 read as follows:

30 (1) A person required to register as a lobbyist under RCW
31 42.17A.600 (as recodified by this act) shall substantiate financial
32 reports required to be made under this (~~chapter~~) title with
33 accounts, bills, receipts, books, papers, and other necessary
34 documents and records. All such documents must be obtained and
35 preserved for a period of at least five years from the date of filing
36 the statement containing such items and shall be made available for
37 inspection by the commission at any time. If the terms of the

1 lobbyist's employment contract require that these records be turned
2 over to the lobbyist's employer, responsibility for the preservation
3 and inspection of these records under this subsection shall be with
4 such employer.

5 (2) A person required to register as a lobbyist under RCW
6 42.17A.600 (as recodified by this act) shall not:

7 (a) Engage in any lobbying activity before registering as a
8 lobbyist;

9 (b) Knowingly deceive or attempt to deceive a legislator
10 regarding the facts pertaining to any pending or proposed
11 legislation;

12 (c) Cause or influence the introduction of a bill or amendment to
13 that bill for the purpose of later being employed to secure its
14 defeat;

15 (d) Knowingly represent an interest adverse to the lobbyist's
16 employer without full disclosure of the adverse interest to the
17 employer and obtaining the employer's written consent;

18 (e) Exercise any undue influence, extortion, or unlawful
19 retaliation upon any legislator due to the legislator's position or
20 vote on any pending or proposed legislation;

21 (f) Enter into any agreement, arrangement, or understanding in
22 which any portion of the lobbyist's compensation is or will be
23 contingent upon the lobbyist's success in influencing legislation.

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

29 **Sec. 486.** RCW 42.17A.700 and 2019 c 428 s 35 are each amended to
30 read as follows:

31 (1) After January 1st and before April 15th of each year, every
32 elected official and every executive state officer who served for any
33 portion of the preceding year shall electronically file with the
34 commission a statement of financial affairs for the preceding
35 calendar year or for that portion of the year served. Any official or
36 officer in office for any period of time in a calendar year, but not
37 in office as of January 1st of the following year, may electronically
38 file either within ~~((sixty))~~ 60 days of leaving office or during the
39 January 1st through April 15th reporting period of that following

1 year. Such filing must include information for the portion of the
2 current calendar year for which the official or officer was in
3 office.

4 (2) Within two weeks of becoming a candidate, every candidate
5 shall file with the commission a statement of financial affairs for
6 the preceding (~~twelve~~) 12 months.

7 (3) Within two weeks of appointment, every person appointed to a
8 vacancy in an elective office or executive state officer position
9 during the months of January through November shall file with the
10 commission a statement of financial affairs for the preceding
11 (~~twelve~~) 12 months, except as provided in subsection (4) of this
12 section. For appointments made in December, the appointee must file
13 the statement of financial affairs between January 1st and January
14 15th of the immediate following year for the preceding (~~twelve~~) 12-
15 month period ending on December 31st.

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

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

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

26 (7) Every elected official and every executive state officer
27 shall file with their statement of financial affairs a statement
28 certifying that they have read and are familiar with RCW 42.17A.555
29 (as recodified by this act) or 42.52.180, whichever is applicable.

30 (8) For the purposes of this section, the term "executive state
31 officer" includes those listed in RCW 42.17A.705 (as recodified by
32 this act).

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

35 **Sec. 487.** RCW 42.17A.705 and 2017 3rd sp.s. c 6 s 111 are each
36 amended to read as follows:

37 For the purposes of RCW 42.17A.700 (as recodified by this act),
38 "executive state officer" includes:

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

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

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

35 (4) Central Washington University board of trustees, the boards
36 of trustees of each community college and each technical college,
37 each member of the state board for community and technical colleges,
38 state convention and trade center board of directors, Eastern
39 Washington University board of trustees, Washington economic
40 development finance authority, Washington energy northwest executive

1 board, The Evergreen State College board of trustees, executive
2 ethics board, fish and wildlife commission, forest practices appeals
3 board, forest practices board, gambling commission, Washington health
4 care facilities authority, student achievement council, higher
5 education facilities authority, horse racing commission, state
6 housing finance commission, human rights commission, indeterminate
7 sentence review board, board of industrial insurance appeals, state
8 investment board, commission on judicial conduct, legislative ethics
9 board, life sciences discovery fund authority board of trustees,
10 state liquor and cannabis board, lottery commission, Pacific
11 Northwest electric power and conservation planning council, parks and
12 recreation commission, Washington personnel resources board, board of
13 pilotage commissioners, pollution control hearings board, public
14 disclosure commission, public employees' benefits board, recreation
15 and conservation funding board, salmon recovery funding board,
16 shorelines hearings board, board of tax appeals, transportation
17 commission, University of Washington board of regents, utilities and
18 transportation commission, Washington State University board of
19 regents, and Western Washington University board of trustees.

20 **Sec. 488.** RCW 42.17A.710 and 2023 c 462 s 502 are each amended
21 to read as follows:

22 (1) The statement of financial affairs required by RCW 42.17A.700
23 (as recodified by this act) shall disclose the following information
24 for the reporting individual and each member of the reporting
25 individual's immediate family:

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

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

35 (c) The name and address of each creditor to whom the value of
36 two thousand dollars or more was owed; the original amount of each
37 debt to each creditor; the amount of each debt owed to each creditor
38 as of the date of filing; the terms of repayment of each debt; and
39 the security given, if any, for each such debt. Debts arising from a

1 "retail installment transaction" as defined in chapter 63.14 RCW
2 (retail installment sales act) need not be reported;

3 (d) Every public or private office, directorship, and position
4 held as trustee; except that an elected official or executive state
5 officer need not report the elected official's or executive state
6 officer's service on a governmental board, commission, association,
7 or functional equivalent, when such service is part of the elected
8 official's or executive state officer's official duties;

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

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

24 (g) The name of any corporation, partnership, joint venture,
25 association, union, or other entity in which is held any office,
26 directorship, or any general partnership interest, or an ownership
27 interest of ten percent or more; the name or title of that office,
28 directorship, or partnership; the nature of ownership interest; and:

29 (i) With respect to a governmental unit in which the official seeks
30 or holds any office or position, if the entity has received
31 compensation in any form during the preceding twelve months from the
32 governmental unit, the value of the compensation and the
33 consideration given or performed in exchange for the compensation;

34 and (ii) the name of each governmental unit, corporation,
35 partnership, joint venture, sole proprietorship, association, union,
36 or other business or commercial entity from which the entity has
37 received compensation in any form in the amount of ten thousand
38 dollars or more during the preceding twelve months and the
39 consideration given or performed in exchange for the compensation. As
40 used in (g)(ii) of this subsection, "compensation" does not include

1 payment for water and other utility services at rates approved by the
2 Washington state utilities and transportation commission or the
3 legislative authority of the public entity providing the service.
4 With respect to any bank or commercial lending institution in which
5 is held any office, directorship, partnership interest, or ownership
6 interest, it shall only be necessary to report either the name,
7 address, and occupation of every director and officer of the bank or
8 commercial lending institution and the average monthly balance of
9 each account held during the preceding twelve months by the bank or
10 commercial lending institution from the governmental entity for which
11 the individual is an official or candidate or professional staff
12 member, or all interest paid by a borrower on loans from and all
13 interest paid to a depositor by the bank or commercial lending
14 institution if the interest exceeds two thousand four hundred
15 dollars;

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

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

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

37 (k) A list, including legal or other sufficient descriptions as
38 prescribed by the commission, of all real property in the state of
39 Washington, the assessed valuation of which exceeds twenty thousand
40 dollars, in which a corporation, partnership, firm, enterprise, or

1 other entity had a direct financial interest, in which corporation,
2 partnership, firm, or enterprise a ten percent or greater ownership
3 interest was held;

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

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

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

13 (2)(a) When judges, prosecutors, sheriffs, participants in the
14 address confidentiality program under RCW 40.24.030, or their
15 immediate family members are required to disclose real property that
16 is the personal residence of the judge, prosecutor, sheriff, or
17 address confidentiality program participant, the requirements of
18 subsection (1)(h) through (k) of this section may be satisfied for
19 that property by substituting:

- 20 (i) The city or town;
- 21 (ii) The type of residence, such as a single-family or
22 multifamily residence, and the nature of ownership; and
- 23 (iii) Such other identifying information the commission
24 prescribes by rule for the mailing address where the property is
25 located.

26 (b) Nothing in this subsection relieves the judge, prosecutor, or
27 sheriff of any other applicable obligations to disclose potential
28 conflicts or to recuse oneself.

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

32 (b)

33 Code A	Less than thirty thousand dollars;
34 Code B	At least thirty thousand dollars, but less 35 than sixty thousand dollars;
36 Code C	At least sixty thousand dollars, but less 37 than one hundred thousand dollars;

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

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

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

Sec. 489. RCW 42.17A.715 and 2010 c 204 s 904 are each amended to read as follows:

No payment shall be made to any person required to report under RCW 42.17A.700 (as recodified by this act) and no payment shall be accepted by any such person, directly or indirectly, in a fictitious name, anonymously, or by one person through an agent, relative, or other person in such a manner as to conceal the identity of the source of the payment or in any other manner so as to effect concealment. The commission may issue categorical and specific exemptions to the reporting of the actual source when there is an undisclosed principal for recognized legitimate business purposes.

Sec. 490. RCW 42.17A.750 and 2019 c 428 s 37 are each amended to read as follows:

(1) In addition to the penalties in subsection (2) of this section, and any other remedies provided by law, one or more of the

1 following civil remedies and sanctions may be imposed by court order
2 in addition to any other remedies provided by law:

3 (a) If the court finds that the violation of any provision of
4 this (~~(chapter)~~) title by any candidate, committee, or incidental
5 committee probably affected the outcome of any election, the result
6 of that election may be held void and a special election held within
7 (~~(sixty)~~) 60 days of the finding. Any action to void an election
8 shall be commenced within one year of the date of the election in
9 question. It is intended that this remedy be imposed freely in all
10 appropriate cases to protect the right of the electorate to an
11 informed and knowledgeable vote.

12 (b) If any lobbyist or sponsor of any grass roots lobbying
13 campaign violates any of the provisions of this (~~(chapter)~~) title,
14 the lobbyist's or sponsor's registration may be revoked or suspended
15 and the lobbyist or sponsor may be enjoined from receiving
16 compensation or making expenditures for lobbying. The imposition of a
17 sanction shall not excuse the lobbyist from filing statements and
18 reports required by this (~~(chapter)~~) title.

19 (c) A person who violates any of the provisions of this
20 (~~(chapter)~~) title may be subject to a civil penalty of not more than
21 ten thousand dollars for each violation. However, a person or entity
22 who violates RCW 42.17A.405 (as recodified by this act) may be
23 subject to a civil penalty of ten thousand dollars or three times the
24 amount of the contribution illegally made or accepted, whichever is
25 greater.

26 (d) When assessing a civil penalty, the court may consider the
27 nature of the violation and any relevant circumstances, including the
28 following factors:

29 (i) The respondent's compliance history, including whether the
30 noncompliance was isolated or limited in nature, indicative of
31 systematic or ongoing problems, or part of a pattern of violations by
32 the respondent, resulted from a knowing or intentional effort to
33 conceal, deceive or mislead, or from collusive behavior, or in the
34 case of a political committee or other entity, part of a pattern of
35 violations by the respondent's officers, staff, principal decision
36 makers, consultants, or sponsoring organization;

37 (ii) The impact on the public, including whether the
38 noncompliance deprived the public of timely or accurate information
39 during a time-sensitive period or otherwise had a significant or
40 material impact on the public;

1 (iii) Experience with campaign finance law and procedures or the
2 financing, staffing, or size of the respondent's campaign or
3 organization;

4 (iv) The amount of financial activity by the respondent during
5 the statement period or election cycle;

6 (v) Whether the late or unreported activity was within three
7 times the contribution limit per election, including in proportion to
8 the total amount of expenditures by the respondent in the campaign or
9 statement period;

10 (vi) Whether the respondent or any person benefited politically
11 or economically from the noncompliance;

12 (vii) Whether there was a personal emergency or illness of the
13 respondent or member of the respondent's immediate family;

14 (viii) Whether other emergencies such as fire, flood, or utility
15 failure prevented filing;

16 (ix) Whether there was commission staff or equipment error,
17 including technical problems at the commission that prevented or
18 delayed electronic filing;

19 (x) The respondent's demonstrated good-faith uncertainty
20 concerning commission staff guidance or instructions;

21 (xi) Whether the respondent is a first-time filer;

22 (xii) Good faith efforts to comply, including consultation with
23 commission staff prior to initiation of enforcement action and
24 cooperation with commission staff during enforcement action and a
25 demonstrated wish to acknowledge and take responsibility for the
26 violation;

27 (xiii) Penalties imposed in factually similar cases; and

28 (xiv) Other factors relevant to the particular case.

29 (e) A person who fails to file a properly completed statement or
30 report within the time required by this (~~chapter~~) title may be
31 subject to a civil penalty of ten dollars per day for each day each
32 delinquency continues.

33 (f) Each state agency director who knowingly fails to file
34 statements required by RCW 42.17A.635 (as recodified by this act)
35 shall be subject to personal liability in the form of a civil penalty
36 in the amount of one hundred dollars per statement. These penalties
37 are in addition to any other civil remedies or sanctions imposed on
38 the agency.

1 (g) A person who fails to report a contribution or expenditure as
2 required by this (~~chapter~~) title may be subject to a civil penalty
3 equivalent to the amount not reported as required.

4 (h) Any state agency official, officer, or employee who is
5 responsible for or knowingly directs or expends public funds in
6 violation of RCW 42.17A.635 (2) or (3) (as recodified by this act)
7 may be subject to personal liability in the form of a civil penalty
8 in an amount that is at least equivalent to the amount of public
9 funds expended in the violation.

10 (i) The court may enjoin any person to prevent the doing of any
11 act herein prohibited, or to compel the performance of any act
12 required herein.

13 (2) The commission may refer the following violations for
14 criminal prosecution:

15 (a) A person who, with actual malice, violates a provision of
16 this (~~chapter~~) title is guilty of a misdemeanor under chapter 9.92
17 RCW;

18 (b) A person who, within a five-year period, with actual malice,
19 violates three or more provisions of this (~~chapter~~) title is guilty
20 of a gross misdemeanor under chapter 9.92 RCW; and

21 (c) A person who, with actual malice, procures or offers any
22 false or forged document to be filed, registered, or recorded with
23 the commission under this (~~chapter~~) title is guilty of a class C
24 felony under chapter 9.94A RCW.

25 **Sec. 491.** RCW 42.17A.755 and 2019 c 428 s 38 are each amended to
26 read as follows:

27 (1) The commission may initiate or respond to a complaint,
28 request a technical correction, or otherwise resolve matters of
29 compliance with this (~~chapter~~) title, in accordance with this
30 section. If a complaint is filed with or initiated by the commission,
31 the commission must:

32 (a) Dismiss the complaint or otherwise resolve the matter in
33 accordance with subsection (2) of this section, as appropriate under
34 the circumstances after conducting a preliminary review;

35 (b) Initiate an investigation to determine whether a violation
36 has occurred, conduct hearings, and issue and enforce an appropriate
37 order, in accordance with chapter 34.05 RCW and subsection (3) of
38 this section; or

1 (c) Refer the matter to the attorney general, in accordance with
2 subsection (4) of this section.

3 (2) (a) For complaints of remediable violations or requests for
4 technical corrections, the commission may, by rule, delegate
5 authority to its executive director to resolve these matters in
6 accordance with subsection (1) (a) of this section, provided the
7 executive director consistently applies such authority.

8 (b) The commission shall, by rule, develop additional processes
9 by which a respondent may agree by stipulation to any allegations and
10 pay a penalty subject to a schedule of violations and penalties,
11 unless waived by the commission as provided for in this section. Any
12 stipulation must be referred to the commission for review. If
13 approved or modified by the commission, agreed to by the parties, and
14 the respondent complies with all requirements set forth in the
15 stipulation, the matter is then considered resolved and no further
16 action or review is allowed.

17 (3) If the commission initiates an investigation, an initial
18 hearing must be held within (~~ninety~~) 90 days of the complaint being
19 filed. Following an investigation, in cases where it chooses to
20 determine whether a violation has occurred, the commission shall hold
21 a hearing pursuant to the administrative procedure act, chapter 34.05
22 RCW. Any order that the commission issues under this section shall be
23 pursuant to such a hearing.

24 (a) The person against whom an order is directed under this
25 section shall be designated as the respondent. The order may require
26 the respondent to cease and desist from the activity that constitutes
27 a violation and in addition, or alternatively, may impose one or more
28 of the remedies provided in RCW 42.17A.750(1) (b) through (h) (as
29 recodified by this act), or other requirements as the commission
30 determines appropriate to effectuate the purposes of this (~~chapter~~)
31 title.

32 (b) The commission may assess a penalty in an amount not to
33 exceed ten thousand dollars per violation, unless the parties
34 stipulate otherwise. Any order that the commission issues under this
35 section that imposes a financial penalty must be made pursuant to a
36 hearing, held in accordance with the administrative procedure act,
37 chapter 34.05 RCW.

38 (c) The commission has the authority to waive a penalty for a
39 first-time violation. A second violation of the same requirement by
40 the same person, regardless if the person or individual committed the

1 violation for a different political committee or incidental
2 committee, shall result in a penalty. Successive violations of the
3 same requirement shall result in successively increased penalties.
4 The commission may suspend any portion of an assessed penalty
5 contingent on future compliance with this (~~chapter~~) title. The
6 commission must create a schedule to enhance penalties based on
7 repeat violations by the person.

8 (d) Any order issued by the commission is subject to judicial
9 review under the administrative procedure act, chapter 34.05 RCW. If
10 the commission's order is not satisfied and no petition for review is
11 filed within (~~thirty~~) 30 days, the commission may petition a court
12 of competent jurisdiction of any county in which a petition for
13 review could be filed under that jurisdiction, for an order of
14 enforcement. Proceedings in connection with the commission's petition
15 shall be in accordance with RCW 42.17A.760 (as recodified by this
16 act).

17 (4) In lieu of holding a hearing or issuing an order under this
18 section, the commission may refer the matter to the attorney general
19 consistent with this section, when the commission believes:

20 (a) Additional authority is needed to ensure full compliance with
21 this (~~chapter~~) title;

22 (b) An apparent violation potentially warrants a penalty greater
23 than the commission's penalty authority; or

24 (c) The maximum penalty the commission is able to levy is not
25 enough to address the severity of the violation.

26 (5) Prior to filing a citizen's action under RCW 42.17A.775 (as
27 recodified by this act), a person who has filed a complaint pursuant
28 to this section must provide written notice to the attorney general
29 if the commission does not, within 90 (~~[ninety]~~) days of the
30 complaint being filed with the commission, take action pursuant to
31 subsection (1) of this section. A person must simultaneously provide
32 a copy of the written notice to the commission.

33 **Sec. 492.** RCW 42.17A.760 and 2010 c 204 s 1003 are each amended
34 to read as follows:

35 The following procedure shall apply in all cases where the
36 commission has petitioned a court of competent jurisdiction for
37 enforcement of any order it has issued pursuant to this (~~chapter~~)
38 title:

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

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

10 (a) That the commission's order is unsatisfied;

11 (b) That the order is regular on its face; and

12 (c) That the respondent's answer discloses no valid reason why
13 the commission's order should not be enforced or that the respondent
14 had an appropriate remedy by review under RCW 34.05.570(3) and failed
15 to avail himself or herself of that remedy without valid excuse.

16 (3) Upon appropriate application by the respondent, the court
17 may, after hearing and for good cause, alter, amend, revise, suspend,
18 or postpone all or part of the commission's order. In any case where
19 the order is not enforced by the court according to its terms, the
20 reasons for the court's actions shall be clearly stated in writing,
21 and the action shall be subject to review by the appellate courts by
22 certiorari or other appropriate proceeding.

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

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

27 **Sec. 493.** RCW 42.17A.765 and 2019 c 428 s 39 are each amended to
28 read as follows:

29 (1)(a) The attorney general may bring civil actions in the name
30 of the state for any appropriate civil remedy, including but not
31 limited to the special remedies provided in RCW 42.17A.750 (as
32 recodified by this act) upon:

33 (i) Referral by the commission pursuant to RCW 42.17A.755(4) (as
34 recodified by this act);

35 (ii) Receipt of a notice provided in accordance with RCW
36 42.17A.755(5) (as recodified by this act); or

37 (iii) Receipt of a notice of intent to commence a citizen's
38 action, as provided under RCW 42.17A.775(3) (as recodified by this
39 act).

1 (b) Within (~~forty-five~~) 45 days of receiving a referral from
2 the commission or notice of the commission's failure to take action
3 provided in accordance with RCW 42.17A.755(5) (as recodified by this
4 act), or within (~~ten~~) 10 days of receiving a citizen's action
5 notice, the attorney general must publish a decision whether to
6 commence an action on the attorney general's office website.
7 Publication of the decision within the (~~forty-five~~) 45 day period,
8 or ten-day period, whichever is applicable, shall preclude a
9 citizen's action pursuant to RCW 42.17A.775 (as recodified by this
10 act).

11 (c) The attorney general should use the enforcement powers in
12 this section in a consistent manner that provides guidance in
13 complying with the provisions of this (~~chapter~~) title to
14 candidates, political committees, or other individuals subject to the
15 regulations of this (~~chapter~~) title.

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

26 (3) When the attorney general requires the attendance of any
27 person to obtain such information or produce the accounts, bills,
28 receipts, books, papers, and documents that may be relevant or
29 material to any investigation authorized under this (~~chapter~~)
30 title, the attorney general shall issue an order setting forth the
31 time when and the place where attendance is required and shall cause
32 the same to be delivered to or sent by registered mail to the person
33 at least (~~fourteen~~) 14 days before the date fixed for attendance.
34 The order shall have the same force and effect as a subpoena, shall
35 be effective statewide, and, upon application of the attorney
36 general, obedience to the order may be enforced by any superior court
37 judge in the county where the person receiving it resides or is
38 found, in the same manner as though the order were a subpoena. The
39 court, after hearing, for good cause, and upon application of any
40 person aggrieved by the order, shall have the right to alter, amend,

1 revise, suspend, or postpone all or any part of its provisions. In
2 any case where the order is not enforced by the court according to
3 its terms, the reasons for the court's actions shall be clearly
4 stated in writing, and the action shall be subject to review by the
5 appellate courts by certiorari or other appropriate proceeding.

6 **Sec. 494.** RCW 42.17A.770 and 2018 c 304 s 15 are each amended to
7 read as follows:

8 Except as provided in RCW 42.17A.775(4) (as recodified by this
9 act), any action brought under the provisions of this ~~((chapter))~~
10 title must be commenced within five years after the date when the
11 violation occurred.

12 **Sec. 495.** RCW 42.17A.775 and 2019 c 428 s 40 are each amended to
13 read as follows:

14 (1) A person who has reason to believe that a provision of this
15 ~~((chapter))~~ title is being or has been violated may bring a citizen's
16 action in the name of the state, in accordance with the procedures of
17 this section.

18 (2) A citizen's action may be brought and prosecuted only if the
19 person first has filed a complaint with the commission and:

20 (a) The commission has not taken action authorized under RCW
21 42.17A.755(1) (as recodified by this act) within ~~((ninety))~~ 90 days
22 of the complaint being filed with the commission, and the person who
23 initially filed the complaint with the commission provided written
24 notice to the attorney general in accordance with RCW 42.17A.755(5)
25 (as recodified by this act) and the attorney general has not
26 commenced an action, or published a decision whether to commence
27 action pursuant to RCW 42.17A.765(1)(b) (as recodified by this act),
28 within ~~((forty-five))~~ 45 days of receiving the notice;

29 (b) For matters referred to the attorney general within
30 ~~((ninety))~~ 90 days of the commission receiving the complaint, the
31 attorney general has not commenced an action, or published a decision
32 whether to commence an action pursuant to RCW 42.17A.765(1)(b) (as
33 recodified by this act), within ~~((forty-five))~~ 45 days of receiving
34 referral from the commission; and

35 (c) The person who initially filed the complaint with the
36 commission has provided notice of a citizen's action in accordance
37 with subsection (3) of this section and the commission or the

1 attorney general has not commenced action within the (~~ten~~) 10 days
2 provided under subsection (3) of this section.

3 (3) To initiate the citizen's action, after meeting the
4 requirements under subsection (2) (a) and (b) of this section, a
5 person must notify the attorney general and the commission that the
6 person will commence a citizen's action within (~~ten~~) 10 days if the
7 commission does not take action authorized under RCW 42.17A.755(1)
8 (as recodified by this act), or the attorney general does not
9 commence an action or publish a decision whether to commence an
10 action pursuant to RCW 42.17A.765(1)(b) (as recodified by this act).
11 The attorney general and the commission must notify the other of its
12 decision whether to commence an action.

13 (4) The citizen's action must be commenced within two years after
14 the date when the alleged violation occurred and may not be commenced
15 against a committee or incidental committee before the end of such
16 period if the committee or incidental committee has received an
17 acknowledgment of dissolution.

18 (5) If the person who brings the citizen's action prevails, the
19 judgment awarded shall escheat to the state, but he or she shall be
20 entitled to be reimbursed by the state for reasonable costs and
21 reasonable attorneys' fees the person incurred. In the case of a
22 citizen's action that is dismissed and that the court also finds was
23 brought without reasonable cause, the court may order the person
24 commencing the action to pay all trial costs and reasonable
25 attorneys' fees incurred by the defendant.

26 **Sec. 496.** RCW 42.17A.780 and 2018 c 304 s 17 are each amended to
27 read as follows:

28 In any action brought under this (~~chapter~~) title, the court may
29 award to the commission all reasonable costs of investigation and
30 trial, including reasonable attorneys' fees to be fixed by the court.
31 If the violation is found to have been intentional, the amount of the
32 judgment, which shall for this purpose include the costs, may be
33 trebled as punitive damages. If damages or trebled damages are
34 awarded in such an action brought against a lobbyist, the judgment
35 may be awarded against the lobbyist, and the lobbyist's employer or
36 employers joined as defendants, jointly, severally, or both. If the
37 defendant prevails, he or she shall be awarded all costs of trial and
38 may be awarded reasonable attorneys' fees to be fixed by the court
39 and paid by the state of Washington.

1 **Sec. 497.** RCW 42.17A.785 and 2018 c 304 s 18 are each amended to
2 read as follows:

3 The public disclosure transparency account is created in the
4 state treasury. All receipts from penalties collected pursuant to
5 enforcement actions or settlements under this (~~chapter~~) title,
6 including any fees or costs, must be deposited into the account.
7 Moneys in the account may be spent only after appropriation. Moneys
8 in the account may be used only for the implementation of chapter
9 304, Laws of 2018 and duties under this (~~chapter~~) title, and may
10 not be used to supplant general fund appropriations to the
11 commission.

12 **Sec. 498.** RCW 42.62.040 and 2023 c 360 s 4 are each amended to
13 read as follows:

14 The public disclosure commission must adopt rules in furtherance
15 of the purpose of this chapter. Nothing in this chapter constitutes a
16 violation under (~~chapter 42.17A RCW~~) other chapters of this title,
17 or otherwise authorizes the public disclosure commission to take
18 action under RCW 42.17A.755 (as recodified by this act).

19 **Sec. 499.** RCW 15.65.280 and 2011 c 103 s 14 and 2011 c 60 s 1
20 are each reenacted and amended to read as follows:

21 The powers and duties of the board shall be:

22 (1) To elect a chair and such other officers as it deems
23 advisable;

24 (2) To advise and counsel the director with respect to the
25 administration and conduct of such marketing agreement or order;

26 (3) To recommend to the director administrative rules and orders
27 and amendments thereto for the exercise of his or her powers in
28 connection with such agreement or order;

29 (4) To advise the director upon all assessments provided pursuant
30 to the terms of such agreement or order and upon the collection,
31 deposit, withdrawal, disbursement and paying out of all moneys;

32 (5) To assist the director in the collection of such necessary
33 information and data as the director may deem necessary in the proper
34 administration of this chapter;

35 (6) To administer the order or agreement as its administrative
36 board if the director designates it so to do in such order or
37 agreement;

1 (7) To work cooperatively with other local, state, and federal
2 agencies; universities; and national organizations for the purposes
3 provided in the board's marketing order or agreement;

4 (8) To enter into contracts or interagency agreements with any
5 private or public agency, whether federal, state, or local, to carry
6 out the purposes provided in the board's marketing order or
7 agreement. Personal service contracts must comply with chapter 39.29
8 RCW;

9 (9) To accept and expend or retain any gifts, bequests,
10 contributions, or grants from private persons or private and public
11 agencies to carry out the purposes provided in the board's marketing
12 order or agreement;

13 (10) To retain in emergent situations the services of private
14 legal counsel to conduct legal actions on behalf of a board. The
15 retention of a private attorney is subject to review by the office of
16 the attorney general;

17 (11) To engage in appropriate fund-raising activities for the
18 purpose of supporting activities of the board authorized by the
19 marketing order or agreement;

20 (12) To enter into contracts or agreements for research in the
21 production, irrigation, processing, transportation, marketing, use,
22 or distribution of an affected commodity;

23 (13) To participate in international, federal, state, and local
24 hearings, meetings, and other proceedings relating to the production,
25 irrigation, manufacture, regulation, transportation, distribution,
26 sale, or use of affected commodities including activities authorized
27 under RCW 42.17A.635 (as recodified by this act), including the
28 reporting of those activities to the public disclosure commission;

29 (14) To maintain a list of the names and addresses of affected
30 producers that may be compiled from information used to collect
31 assessments under the marketing order or agreement, and data on the
32 value of each producer's production for a minimum three-year period;

33 (15) To maintain a list of the names and addresses of persons who
34 handle the affected commodity within the affected area and data on
35 the amount and value of the commodity handled for a minimum three-
36 year period by each person; and

37 (16) To perform such other duties as the director may prescribe
38 in the marketing agreement or order.

39 Any agreement or order under which the commodity board
40 administers the order or agreement shall (if so requested by the

1 affected producers within the affected area in the proposal or
2 promulgation hearing) contain provisions whereby the director
3 reserves the power to approve or disapprove every order, rule or
4 directive issued by the board, in which event such approval or
5 disapproval shall be based on whether or not the director believes
6 the board's action has been carried out in conformance with the
7 purposes of this chapter.

8 **Sec. 500.** RCW 15.66.140 and 2011 c 103 s 15 and 2011 c 60 s 2
9 are each reenacted and amended to read as follows:

10 Every commodity commission shall have such powers and duties in
11 accordance with provisions of this chapter as may be provided in the
12 marketing order and shall have the following powers and duties:

13 (1) To elect a chair and such other officers as determined
14 advisable;

15 (2) To adopt, rescind, and amend rules and regulations reasonably
16 necessary for the administration and operation of the commission and
17 the enforcement of its duties under the marketing order;

18 (3) To administer, enforce, direct and control the provisions of
19 the marketing order and of this chapter relating thereto;

20 (4) To employ and discharge at its discretion such administrators
21 and additional personnel, attorneys, advertising and research
22 agencies and other persons and firms that it may deem appropriate and
23 pay compensation to the same;

24 (5) To acquire personal property and purchase or lease office
25 space and other necessary real property and transfer and convey the
26 same;

27 (6) To institute and maintain in its own name any and all legal
28 actions, including actions by injunction, mandatory injunction or
29 civil recovery, or proceedings before administrative tribunals or
30 other governmental authorities necessary to carry out the provisions
31 of this chapter and of the marketing order;

32 (7) To keep accurate records of all its receipts and
33 disbursements, which records shall be open to inspection and audit by
34 the state auditor or private auditor designated by the state auditor
35 at least every five years;

36 (8) Borrow money and incur indebtedness;

37 (9) Make necessary disbursements for routine operating expenses;

38 (10) To expend funds for commodity-related education, training,
39 and leadership programs as each commission deems expedient;

1 (11) To work cooperatively with other local, state, and federal
2 agencies; universities; and national organizations for the purposes
3 provided in the commission's marketing order;

4 (12) To enter into contracts or interagency agreements with any
5 private or public agency, whether federal, state, or local, to carry
6 out the purposes provided in the commission's marketing order.
7 Personal service contracts must comply with chapter 39.29 RCW;

8 (13) To accept and expend or retain any gifts, bequests,
9 contributions, or grants from private persons or private and public
10 agencies to carry out the purposes provided in the commission's
11 marketing order;

12 (14) To enter into contracts or agreements for research in the
13 production, irrigation, processing, transportation, marketing, use,
14 or distribution of an affected commodity;

15 (15) To retain in emergent situations the services of private
16 legal counsel to conduct legal actions on behalf of a commission. The
17 retention of a private attorney is subject to review by the office of
18 the attorney general;

19 (16) To engage in appropriate fund-raising activities for the
20 purpose of supporting activities of the commission authorized by the
21 marketing order;

22 (17) To participate in international, federal, state, and local
23 hearings, meetings, and other proceedings relating to the production,
24 irrigation, manufacture, regulation, transportation, distribution,
25 sale, or use of affected commodities including activities authorized
26 under RCW 42.17A.635 (as recodified by this act), including the
27 reporting of those activities to the public disclosure commission;

28 (18) To maintain a list of the names and addresses of affected
29 producers that may be compiled from information used to collect
30 assessments under the provisions of the marketing order and data on
31 the value of each producer's production for a minimum three-year
32 period;

33 (19) To maintain a list of the names and addresses of persons who
34 handle the affected commodity within the affected area and data on
35 the amount and value of the commodity handled for a minimum three-
36 year period by each person;

37 (20) To request records and audit the records of producers or
38 handlers of the affected commodity during normal business hours to
39 determine whether the appropriate assessment has been paid;

1 (21) To acquire or own intellectual property rights, licenses, or
2 patents and to collect royalties resulting from commission-funded
3 research related to the affected commodity; and

4 (22) Such other powers and duties that are necessary to carry out
5 the purposes of this chapter.

6 **Sec. 501.** RCW 15.89.070 and 2015 c 225 s 13 are each amended to
7 read as follows:

8 The commission shall:

9 (1) Elect a chair and officers. The officers must include a
10 treasurer who is responsible for all receipts and disbursements by
11 the commission and the faithful discharge of whose duties shall be
12 guaranteed by a bond at the sole expense of the commission. The
13 commission must adopt rules for its own governance that provide for
14 the holding of an annual meeting for the election of officers and the
15 transaction of other business and for other meetings the commission
16 may direct;

17 (2) Do all things reasonably necessary to effect the purposes of
18 this chapter. However, the commission has no rule-making power except
19 as provided in this chapter;

20 (3) Employ and discharge managers, secretaries, agents,
21 attorneys, and employees and engage the services of independent
22 contractors;

23 (4) Retain, as necessary, the services of private legal counsel
24 to conduct legal actions on behalf of the commission. The retention
25 of a private attorney is subject to review by the office of the
26 attorney general;

27 (5) Receive donations of beer from producers for promotional
28 purposes under subsections (6) and (7) of this section and for fund-
29 raising purposes under subsection (8) of this section. Donations of
30 beer for promotional purposes may only be disseminated without
31 charge;

32 (6) Engage directly or indirectly in the promotion of Washington
33 beer, including, without limitation, the acquisition in any lawful
34 manner and the dissemination without charge of beer. This
35 dissemination is not deemed a sale for any purpose and the commission
36 is not deemed a producer, supplier, or manufacturer, or the clerk,
37 servant, or agent of a producer, supplier, distributor, or
38 manufacturer. This dissemination without charge shall be for
39 agricultural development or trade promotion, and not for fund-raising

1 purposes under subsection (8) of this section. Dissemination for
2 promotional purposes may include promotional hosting and must in the
3 good faith judgment of the commission be in the aid of the marketing,
4 advertising, sale of beer, or of research related to such marketing,
5 advertising, or sale;

6 (7) Promote Washington beer by conducting unique beer tastings
7 without charge;

8 (8) Beginning July 1, 2007, fund the Washington beer commission
9 through sponsorship of up to (~~twelve~~) 12 beer festivals annually at
10 which beer may be sold to festival participants. For this purpose,
11 the commission would qualify for issue of a special occasion license
12 as an exception to WAC 314-05-020 but must comply with laws under
13 Title 66 RCW and rules adopted by the liquor (~~control~~) and cannabis
14 board under which such events may be conducted;

15 (9) Participate in international, federal, state, and local
16 hearings, meetings, and other proceedings relating to the production,
17 regulation, distribution, sale, or use of beer including activities
18 authorized under RCW 42.17A.635 (as recodified by this act),
19 including the reporting of those activities to the public disclosure
20 commission;

21 (10) Acquire and transfer personal and real property, establish
22 offices, incur expenses, and enter into contracts, including
23 contracts for the creation and printing of promotional literature.
24 The contracts are not subject to chapter 43.19 RCW, and are
25 cancelable by the commission unless performed under conditions of
26 employment that substantially conform to the laws of this state and
27 the rules of the department of labor and industries. The commission
28 may create debt and other liabilities that are reasonable for proper
29 discharge of its duties under this chapter;

30 (11) Maintain accounts with one or more qualified public
31 depositories as the commission may direct, for the deposit of money,
32 and expend money for purposes authorized by this chapter by drafts
33 made by the commission upon such institutions or by other means;

34 (12) Cause to be kept and annually closed, in accordance with
35 generally accepted accounting principles, accurate records of all
36 receipts, disbursements, and other financial transactions, available
37 for audit by the state auditor;

38 (13) Create and maintain a list of producers and disseminate
39 information among and solicit the opinions of producers with respect

1 to the discharge of the duties of the commission, directly or by
2 arrangement with trade associations or other instrumentalities;

3 (14) Employ, designate as an agent, act in concert with, and
4 enter into contracts with any person, council, commission, or other
5 entity to promote the general welfare of the beer industry and
6 particularly to assist in the sale and distribution of Washington
7 beer in domestic and foreign commerce. The commission shall expend
8 money necessary or advisable for this purpose and to pay its
9 proportionate share of the cost of any program providing direct or
10 indirect assistance to the sale and distribution of Washington beer
11 in domestic or foreign commerce, employing and paying for vendors of
12 professional services of all kinds;

13 (15) Sue and be sued as a commission, without individual
14 liability for acts of the commission within the scope of the powers
15 conferred upon it by this chapter;

16 (16) Serve as liaison with the liquor (~~control~~) and cannabis
17 board on behalf of the commission and not for any individual
18 producer;

19 (17) Receive such gifts, grants, and endowments from public or
20 private sources as may be made from time to time, in trust or
21 otherwise, for the use and benefit of the purposes of the commission
22 and expend the same or any income therefrom according to the terms of
23 the gifts, grants, or endowments.

24 **Sec. 502.** RCW 15.115.140 and 2011 c 103 s 17 and 2011 c 60 s 4
25 are each reenacted and amended to read as follows:

26 (1) The commission is an agency of the Washington state
27 government subject to oversight by the director. In exercising its
28 powers and duties, the commission shall carry out the following
29 purposes:

30 (a) To establish plans and conduct programs for advertising and
31 sales promotion, to maintain present markets, or to create new or
32 larger markets for wheat and barley grown in Washington;

33 (b) To engage in cooperative efforts in the domestic or foreign
34 marketing of wheat and barley grown in Washington;

35 (c) To provide for carrying on research studies to find more
36 efficient methods of production, irrigation, processing,
37 transportation, handling, and marketing of wheat and barley grown in
38 Washington;

1 (d) To adopt rules to provide for improving standards and grades
2 by defining, establishing, and providing labeling requirements with
3 respect to wheat and barley grown in Washington;

4 (e) To investigate and take necessary action to prevent unfair
5 trade practices relating to wheat and barley grown in Washington;

6 (f) To provide information or communicate on matters pertaining
7 to the production, irrigation, processing, transportation, marketing,
8 or uses of wheat and barley grown in Washington to any elected
9 official or officer or employee of any agency;

10 (g) To provide marketing information and services for producers
11 of wheat and barley in Washington;

12 (h) To provide information and services for meeting resource
13 conservation objectives of producers of wheat and barley in
14 Washington;

15 (i) To provide for education and training related to wheat and
16 barley grown in Washington; and

17 (j) To assist and cooperate with the department or any local,
18 state, or federal government agency in the investigation and control
19 of exotic pests and diseases that could damage or affect the
20 production or trade of wheat and barley grown in Washington.

21 (2) The commission has the following powers and duties:

22 (a) To collect the assessments of producers as provided in this
23 chapter and to expend the same in accordance with this chapter;

24 (b) To maintain a list of the names and addresses of affected
25 producers that may be compiled from information used to collect
26 assessments authorized under this chapter and data on the value of
27 each producer's production for a minimum three-year period;

28 (c) To maintain a list of the names and addresses of persons who
29 handle wheat or barley within the affected area and data on the
30 amount and value of the wheat and barley handled for a minimum three-
31 year period by each person;

32 (d) To request records and audit the records of producers or
33 handlers of wheat or barley during normal business hours to determine
34 whether the appropriate assessment has been paid;

35 (e) To fund, conduct, or otherwise participate in scientific
36 research relating to wheat or barley, including but not limited to
37 research to find more efficient methods of irrigation, production,
38 processing, handling, transportation, and marketing of wheat or
39 barley, or regarding pests, pesticides, food safety, irrigation,

1 transportation, and environmental stewardship related to wheat or
2 barley;

3 (f) To work cooperatively with local, state, and federal
4 agencies, universities, and national organizations for the purposes
5 provided in this chapter;

6 (g) To establish a foundation using commission funds as grant
7 money when the foundation benefits the wheat or barley industry in
8 Washington and implements the purposes provided in this chapter;

9 (h) To acquire or own intellectual property rights, licenses, or
10 patents and to collect royalties resulting from commission-funded
11 research related to wheat or barley;

12 (i) To enter into contracts or interagency agreements with any
13 private or public agency, whether federal, state, or local, to carry
14 out the purposes and powers provided in this chapter, including
15 specifically contracts or agreements for research described in (e) of
16 this subsection. Personal service contracts must comply with chapter
17 39.29 RCW;

18 (j) To institute and maintain in its own name any and all legal
19 actions necessary to carry out the provisions of this chapter,
20 including actions by injunction, mandatory injunction or civil
21 recovery, or proceedings before administrative tribunals or other
22 governmental authorities;

23 (k) To retain in emergent situations the services of private
24 legal counsel to conduct legal actions on behalf of the commission.
25 The retention of a private attorney is subject to review and approval
26 by the office of the attorney general;

27 (l) To elect a chair and other officers as determined advisable;

28 (m) To employ and discharge at its discretion administrators and
29 additional personnel, advertising and research agencies, and other
30 persons and firms as appropriate and pay compensation;

31 (n) To acquire personal property and purchase or lease office
32 space and other necessary real property and transfer and convey that
33 real property;

34 (o) To keep accurate records of all its receipts and
35 disbursements by commodity, which records must be open to inspection
36 and audit by the state auditor or private auditor designated by the
37 state auditor at least every five years;

38 (p) To borrow money and incur indebtedness;

39 (q) To make necessary disbursements for routine operating
40 expenses;

1 (r) To expend funds for commodity-related education, training,
2 and leadership programs as the commission deems expedient;

3 (s) To accept and expend or retain any gifts, bequests,
4 contributions, or grants from private persons or private and public
5 agencies to carry out the purposes provided in this chapter;

6 (t) To apply for and administer federal market access programs or
7 similar programs or projects and provide matching funds as may be
8 necessary;

9 (u) To engage in appropriate fund-raising activities for the
10 purpose of supporting activities of the commission authorized in this
11 chapter;

12 (v) To participate in international, federal, state, and local
13 hearings, meetings, and other proceedings relating to the production,
14 irrigation, manufacture, regulation, transportation, distribution,
15 sale, or use of wheat or barley; or the regulation of the
16 manufacture, distribution, sale, or use of any pesticide, as defined
17 in chapter 15.58 RCW, or any agricultural chemical which is of use or
18 potential use in producing wheat or barley. This participation may
19 include activities authorized under RCW 42.17A.635 (as recodified by
20 this act), including the reporting of those activities to the public
21 disclosure commission;

22 (w) To speak on behalf of the Washington state government on a
23 nonexclusive basis regarding issues related to wheat and barley,
24 including but not limited to trade negotiations and market access
25 negotiations and to fund industry organizations engaging in those
26 activities;

27 (x) To adopt, rescind, and amend rules and regulations reasonably
28 necessary for the administration and operation of the commission and
29 the enforcement of its duties under this chapter;

30 (y) To administer, enforce, direct, and control the provisions of
31 this chapter and any rules adopted under this chapter; and

32 (z) Other powers and duties that are necessary to carry out the
33 purposes of this chapter.

34 **Sec. 503.** RCW 19.09.020 and 2020 c 57 s 28 are each amended to
35 read as follows:

36 When used in this chapter, unless the context otherwise requires:

37 (1) A "bona fide officer or employee" of a charitable
38 organization is one (a) whose conduct is subject to direct control by
39 such organization; (b) who does not act in the manner of an

1 independent contractor in his or her relation with the organization;
2 and (c) whose compensation is not computed on funds raised or to be
3 raised.

4 (2) "Charitable organization" means any entity that solicits or
5 collects contributions from the general public where the contribution
6 is or is purported to be used to support a charitable purpose, but
7 does not include any commercial fund-raiser, commercial fund-raising
8 entity, commercial coventurer, or any fund-raising counsel, as
9 defined in this section. Churches and their integrated auxiliaries,
10 and political organizations are not charitable organizations, but all
11 are subject to RCW 19.09.100 (15) through (18).

12 (3) "Charitable purpose" means any religious, charitable,
13 scientific, testing for public safety, literary, or educational
14 purpose or any other purpose that is beneficial to the community,
15 including environmental, humanitarian, patriotic, or civic purposes,
16 the support of national or international amateur sports competition,
17 the prevention of cruelty to children or animals, the advancement of
18 social welfare, or the benefit of law enforcement personnel,
19 firefighters, and other persons who protect public safety. The term
20 "charitable" is used in its generally accepted legal sense and
21 includes relief of the poor, the distressed, or the underprivileged;
22 advancement of religion; advancement of education or science;
23 erecting or maintaining public buildings, monuments, or works;
24 lessening the burdens of government; lessening neighborhood tensions;
25 eliminating prejudice and discrimination; defending human and civil
26 rights secured by law; and combating community deterioration and
27 juvenile delinquency.

28 (4) "Commercial coventurer" means any individual or corporation,
29 partnership, sole proprietorship, limited liability company, limited
30 partnership, limited liability partnership, or any other legal
31 entity, that:

32 (a) Is regularly and primarily engaged in making sales of goods
33 or services for profit directly to the general public;

34 (b) Is not otherwise regularly or primarily engaged in making
35 solicitations in this state or otherwise raising funds in this state
36 for one or more charitable organizations;

37 (c) Represents to prospective purchasers that, if they purchase a
38 good or service from the commercial coventurer, a portion of the
39 sales price or a sum of money or some other specified thing of value
40 will be donated to a named charitable organization; and

1 (d) Does not ask purchasers to make checks or other instruments
2 payable to a named charitable organization or any entity other than
3 the commercial coventurer itself under its regular commercial name.

4 (5) "Commercial fund-raiser" or "commercial fund-raising entity"
5 means any entity that for compensation or other consideration
6 directly or indirectly solicits or receives contributions within this
7 state for or on behalf of any charitable organization or charitable
8 purpose, or that is engaged in the business of, or represents to
9 persons in this state as independently engaged in the business of,
10 soliciting or receiving contributions for such purposes. However, a
11 commercial coventurer, fund-raising counsel, or consultant is not a
12 commercial fund-raiser or commercial fund-raising entity.

13 (6) "Compensation" means salaries, wages, fees, commissions, or
14 any other remuneration or valuable consideration.

15 (7) "Contribution" means the payment, donation, or promise, for
16 consideration or otherwise, of any money or property of any kind or
17 value which contribution is wholly or partly induced by a
18 solicitation. Reference to dollar amounts of "contributions" or
19 "solicitations" in this chapter means in the case of payments or
20 promises to pay for merchandise or rights of any description, the
21 value of the total amount paid or promised to be paid for such
22 merchandise or rights.

23 (8) "Cost of solicitation" means and includes all direct and
24 indirect costs, expenditures, debts, obligations, salaries, wages,
25 commissions, fees, or other money or thing of value paid or incurred
26 in making a solicitation.

27 (9) "Entity" means an individual, organization, group,
28 association, partnership, corporation, agency or unit of state
29 government, or any combination thereof.

30 (10) "Fund-raising counsel" or "consultant" means any entity or
31 individual who is retained by a charitable organization, for a fixed
32 fee or rate, that is not computed on a percentage of funds raised, or
33 to be raised, under a written agreement only to plan, advise,
34 consult, or prepare materials for a solicitation of contributions in
35 this state, but who does not manage, conduct, or carry on a
36 fund-raising campaign and who does not solicit contributions or
37 employ, procure, or engage any compensated person to solicit
38 contributions, and who does not at any time have custody or control
39 of contributions. A volunteer, employee, or salaried officer of a
40 charitable organization maintaining a permanent establishment or

1 office in this state is not a fund-raising counsel. An attorney,
2 investment counselor, or banker who advises an individual,
3 corporation, or association to make a charitable contribution is not
4 a fund-raising counsel as a result of the advice.

5 (11) "General public" or "public" means any individual or entity
6 located in Washington state without a membership or other official
7 relationship with a charitable organization before a solicitation by
8 the charitable organization.

9 (12) "Gross revenue" or "annual gross revenue" means, for any
10 accounting period, the total value of revenue, excluding unrealized
11 capital gains, but including noncash contributions of tangible,
12 personal property received by or on behalf of a charitable
13 organization from all sources, without subtracting any costs or
14 expenses.

15 (13) "Membership" means that for the payment of fees, dues,
16 assessments, etc., an organization provides services and confers a
17 bona fide right, privilege, professional standing, honor, or other
18 direct benefit, in addition to the right to vote, elect officers, or
19 hold office. The term "membership" does not include those persons who
20 are granted a membership upon making a contribution as the result of
21 solicitation.

22 (14) "Other employee" of a charitable organization means any
23 person (a) whose conduct is subject to direct control by such
24 organization; (b) who does not act in the manner of any independent
25 contractor in his or her relation with the organization; and (c) who
26 is not engaged in the business of or held out to persons in this
27 state as independently engaged in the business of soliciting
28 contributions for charitable purposes or religious activities.

29 (15) "Political organization" means those organizations whose
30 activities are subject to (~~chapter 42.17A~~) Title 29B RCW or the
31 federal elections campaign act of 1971, as amended.

32 (16) "Religious organization" means those entities that are not
33 churches or integrated auxiliaries and includes nondenominational
34 ministries, interdenominational and ecumenical organizations, mission
35 organizations, speakers' organizations, faith-based social agencies,
36 and other entities whose principal purpose is the study, practice, or
37 advancement of religion.

38 (17) "Secretary" means the secretary of state.

39 (18) "Sign" means, with present intent to authenticate or adopt a
40 record:

- 1 (a) To execute or adopt a tangible symbol; or
2 (b) To attach to or logically associate with the record an
3 electronic symbol, sound, or process.

4 (19)(a) "Solicitation" means any oral or written request for a
5 contribution, including the solicitor's offer or attempt to sell any
6 property, rights, services, or other thing in connection with which:

- 7 (i) Any appeal is made for any charitable purpose;
8 (ii) The name of any charitable organization is used as an
9 inducement for consummating the sale; or
10 (iii) Any statement is made that implies that the whole or any
11 part of the proceeds from the sale will be applied toward any
12 charitable purpose or donated to any charitable organization.

13 (b) The solicitation shall be deemed completed when made, whether
14 or not the person making it receives any contribution or makes any
15 sale.

16 (c) "Solicitation" does not include bingo activities, raffles,
17 and amusement games conducted under chapter 9.46 RCW and applicable
18 rules of the Washington state gambling commission.

19 (20) "Solicitation report" means the financial information the
20 secretary requires pursuant to RCW 19.09.075 or 19.09.079.

21 **Sec. 504.** RCW 28A.600.027 and 2018 c 125 s 2 are each amended to
22 read as follows:

23 (1) Student editors of school-sponsored media are responsible for
24 determining the news, opinion, feature, and advertising content of
25 the media subject to the limitations of subsection (2) of this
26 section. This subsection does not prevent a student media adviser
27 from teaching professional standards of English and journalism to the
28 student journalists. A student media adviser may not be terminated,
29 transferred, removed, or otherwise disciplined for complying with
30 this section.

- 31 (2) School officials may only prohibit student expression that:
32 (a) Is libelous or slanderous;
33 (b) Is an unwarranted invasion of privacy;
34 (c) Violates federal or state laws, rules, or regulations;
35 (d) Incites students to violate federal or state laws, rules, or
36 regulations;

37 (e) Violates school district policy or procedure related to
38 harassment, intimidation, or bullying pursuant to RCW 28A.300.285 or
39 the prohibition on discrimination pursuant to RCW 28A.642.010;

1 (f) Inciting of students so as to create a clear and present
2 danger of:

3 (i) The commission of unlawful acts on school premises;

4 (ii) The violation of lawful school district policy or procedure;
5 or

6 (iii) The material and substantial disruption of the orderly
7 operation of the school. A school official must base a forecast of
8 material and substantial disruption on specific facts, including past
9 experience in the school and current events influencing student
10 behavior, and not on undifferentiated fear or apprehension; or

11 (g) Is in violation of the federal communications act or
12 applicable federal communication commission rules or regulations.

13 (3) Political expression by students in school-sponsored media
14 shall not be deemed the use of public funds for political purposes,
15 for purposes of the prohibitions of RCW 42.17A.550 (as recodified by
16 this act).

17 (4) Any student, individually or through his or her parent or
18 guardian, enrolled in a public high school may file an appeal of any
19 alleged violation of subsection (1) of this section pursuant to
20 chapter 28A.645 RCW.

21 (5) Expression made by students in school-sponsored media is not
22 necessarily the expression of school policy. Neither a school
23 official nor the governing board of the school or school district may
24 be held responsible in any civil or criminal action for any
25 expression made or published by students in school-sponsored media.

26 (6) Each school district that includes a high school shall adopt
27 a written student freedom of expression policy in accordance with
28 this section. The policy may include reasonable provisions for the
29 time, place, and manner of student expression.

30 (7) The definitions in this subsection apply throughout this
31 section unless the context clearly requires otherwise.

32 (a) "School-sponsored media" means any matter that is prepared,
33 substantially written, published, or broadcast by student
34 journalists, that is distributed or generally made available, either
35 free of charge or for a fee, to members of the student body, and that
36 is prepared under the direction of a student media adviser. "School-
37 sponsored media" does not include media that is intended for
38 distribution or transmission solely in the classrooms in which they
39 are produced.

1 (b) "Student journalist" means a student who gathers, compiles,
2 writes, edits, photographs, records, or prepares information for
3 dissemination in school-sponsored media.

4 (c) "Student media adviser" means a person who is employed,
5 appointed, or designated by the school to supervise, or provide
6 instruction relating to, school-sponsored media.

7 **Sec. 505.** RCW 28B.15.610 and 2011 c 60 s 11 are each amended to
8 read as follows:

9 The provisions of this chapter shall not apply to or affect any
10 student fee or charge which the students voluntarily maintain upon
11 themselves for student purposes only. Students are authorized to
12 create or increase voluntary student fees for each academic year when
13 passed by a majority vote of the student government or its
14 equivalent, or referendum presented to the student body or such other
15 process that has been adopted under this section. Notwithstanding RCW
16 42.17A.635 (2) and (3) (as recodified by this act), voluntary student
17 fees imposed under this section and services and activities fees may
18 be used for lobbying by a student government association or its
19 equivalent and may also be used to support a statewide or national
20 student organization or its equivalent that may engage in lobbying.

21 **Sec. 506.** RCW 28B.133.030 and 2012 c 198 s 24 are each amended
22 to read as follows:

23 The office may solicit and receive gifts, grants, or endowments
24 from private sources that are made from time to time, in trust or
25 otherwise, for the use and benefit of the purposes of the educational
26 assistance grant program. The director, or the director's designee,
27 may spend gifts, grants, or endowments or income from the private
28 sources according to their terms unless the receipt of the gifts,
29 grants, or endowments violates RCW 42.17A.560 (as recodified by this
30 act).

31 **Sec. 507.** RCW 29A.32.031 and 2023 c 109 s 8 are each amended to
32 read as follows:

33 The voters' pamphlet published or distributed under RCW
34 29A.32.010 must contain:

35 (1) Information about each ballot measure initiated by or
36 referred to the voters for their approval or rejection as required by
37 RCW 29A.32.070;

1 (2) In even-numbered years, statements, if submitted, from
2 candidates for the office of president and vice president of the
3 United States, United States senator, United States representative,
4 governor, lieutenant governor, secretary of state, state treasurer,
5 state auditor, attorney general, commissioner of public lands,
6 superintendent of public instruction, insurance commissioner, state
7 senator, state representative, justice of the supreme court, judge of
8 the court of appeals, or judge of the superior court. Candidates may
9 also submit campaign contact information and a photograph not more
10 than five years old in a format that the secretary of state
11 determines to be suitable for reproduction in the voters' pamphlet;

12 (3) In odd-numbered years, if any office voted upon statewide
13 appears on the ballot due to a vacancy, then statements and
14 photographs for candidates for any vacant office listed in subsection
15 (2) of this section must appear;

16 (4) Contact information for the public disclosure commission
17 established under RCW 42.17A.100 (as recodified by this act),
18 including the following statement: "For a list of the people and
19 organizations that donated to state and local candidates and ballot
20 measure campaigns, visit www.pdc.wa.gov." The statement must be
21 placed in a prominent position, such as on the cover or on the first
22 two pages of the voters' pamphlet. The secretary of state may
23 substitute such language as is necessary for accuracy and clarity and
24 consistent with the intent of this section;

25 (5) Contact information for major political parties;

26 (6) A brief statement explaining the deletion and addition of
27 language for proposed measures under RCW 29A.32.080;

28 (7) A list of all student engagement hubs as designated under RCW
29 29A.40.180;

30 (8) A page providing information about how to access the internet
31 presentation of the information created in RCW 44.48.160 about the
32 state budgets, including a uniform resource locator, a quick response
33 code, and a phone number for the legislative information center. The
34 uniform resource locator and quick response codes will lead the voter
35 to the internet information required in RCW 44.48.160; and

36 (9) Any additional information pertaining to elections as may be
37 required by law or in the judgment of the secretary of state is
38 deemed informative to the voters.

1 **Sec. 508.** RCW 29A.84.250 and 2011 c 60 s 14 are each amended to
2 read as follows:

3 Every person is guilty of a gross misdemeanor who:

4 (1) For any consideration or gratuity or promise thereof, signs
5 or declines to sign any initiative or referendum petition; or

6 (2) Provides or receives consideration for soliciting or
7 procuring signatures on an initiative or referendum petition if any
8 part of the consideration is based upon the number of signatures
9 solicited or procured, or offers to provide or agrees to receive such
10 consideration any of which is based on the number of signatures
11 solicited or procured; or

12 (3) Gives or offers any consideration or gratuity to any person
13 to induce him or her to sign or not to sign or to vote for or against
14 any initiative or referendum measure; or

15 (4) Interferes with or attempts to interfere with the right of
16 any voter to sign or not to sign an initiative or referendum petition
17 or with the right to vote for or against an initiative or referendum
18 measure by threats, intimidation, or any other corrupt means or
19 practice; or

20 (5) Receives, handles, distributes, pays out, or gives away,
21 directly or indirectly, money or any other thing of value contributed
22 by or received from any person, firm, association, or corporation
23 whose residence or principal office is, or the majority of whose
24 members or stockholders have their residence outside, the state of
25 Washington, for any service rendered for the purpose of aiding in
26 procuring signatures upon any initiative or referendum petition or
27 for the purpose of aiding in the adoption or rejection of any
28 initiative or referendum measure. This subsection does not apply to
29 or prohibit any activity that is properly reported in accordance with
30 the applicable provisions of (~~chapter 42.17A~~) Title 29B RCW.

31 A gross misdemeanor under this section is punishable to the same
32 extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

33 **Sec. 509.** RCW 35.02.130 and 2011 c 60 s 15 are each amended to
34 read as follows:

35 The city or town officially shall become incorporated at a date
36 from (~~one hundred eighty~~) 180 days to (~~three hundred sixty~~) 360
37 days after the date of the election on the question of incorporation.
38 An interim period shall exist between the time the newly elected
39 officials have been elected and qualified and this official date of

1 incorporation. During this interim period, the newly elected
2 officials are authorized to adopt ordinances and resolutions which
3 shall become effective on or after the official date of
4 incorporation, and to enter into contracts and agreements to
5 facilitate the transition to becoming a city or town and to ensure a
6 continuation of governmental services after the official date of
7 incorporation. Periods of time that would be required to elapse
8 between the enactment and effective date of such ordinances,
9 including but not limited to times for publication or for filing
10 referendums, shall commence upon the date of such enactment as though
11 the city or town were officially incorporated.

12 During this interim period, the city or town governing body may
13 adopt rules establishing policies and procedures under the state
14 environmental policy act, chapter 43.21C RCW, and may use these rules
15 and procedures in making determinations under the state environmental
16 policy act, chapter 43.21C RCW.

17 During this interim period, the newly formed city or town and its
18 governing body shall be subject to the following as though the city
19 or town were officially incorporated: RCW 4.24.470 relating to
20 immunity; (~~chapter 42.17A~~) Title 29B RCW relating to open
21 government; chapter 42.56 RCW relating to public records; chapter
22 40.14 RCW relating to the preservation and disposition of public
23 records; chapters 42.20 and 42.23 RCW relating to ethics and
24 conflicts of interest; chapters 42.30 and 42.32 RCW relating to open
25 public meetings and minutes; RCW 35.22.288, 35.23.221, 35.27.300,
26 35A.12.160, as appropriate, and chapter 35A.65 RCW relating to the
27 publication of notices and ordinances; RCW 35.21.875 and 35A.21.230
28 relating to the designation of an official newspaper; RCW 36.16.138
29 relating to liability insurance; RCW 35.22.620, 35.23.352, and
30 35A.40.210, as appropriate, and statutes referenced therein relating
31 to public contracts and bidding; and chapter 39.34 RCW relating to
32 interlocal cooperation. Tax anticipation or revenue anticipation
33 notes or warrants and other short-term obligations may be issued and
34 funds may be borrowed on the security of these instruments during
35 this interim period, as provided in chapter 39.50 RCW. Funds also may
36 be borrowed from federal, state, and other governmental agencies in
37 the same manner as if the city or town were officially incorporated.

38 RCW 84.52.020 and 84.52.070 shall apply to the extent that they
39 may be applicable, and the governing body of such city or town may
40 take appropriate action by ordinance during the interim period to

1 adopt the property tax levy for its first full calendar year
2 following the interim period.

3 The governing body of the new city or town may acquire needed
4 facilities, supplies, equipment, insurance, and staff during this
5 interim period as if the city or town were in existence. An interim
6 city manager or administrator, who shall have such administrative
7 powers and duties as are delegated by the governing body, may be
8 appointed to serve only until the official date of incorporation.
9 After the official date of incorporation the governing body of such a
10 new city organized under the council manager form of government may
11 extend the appointment of such an interim manager or administrator
12 with such limited powers as the governing body determines, for up to
13 (~~ninety~~) 90 days. This governing body may submit ballot
14 propositions to the voters of the city or town to authorize taxes to
15 be collected on or after the official date of incorporation, or
16 authorize an annexation of the city or town by a fire protection
17 district or library district to be effective immediately upon the
18 effective date of the incorporation as a city or town.

19 The boundaries of a newly incorporated city or town shall be
20 deemed to be established for purposes of RCW 84.09.030 on the date
21 that the results of the initial election on the question of
22 incorporation are certified or the first day of January following the
23 date of this election if the newly incorporated city or town does not
24 impose property taxes in the same year that the voters approve the
25 incorporation.

26 The newly elected officials shall take office immediately upon
27 their election and qualification with limited powers during this
28 interim period as provided in this section. They shall acquire their
29 full powers as of the official date of incorporation and shall
30 continue in office until their successors are elected and qualified
31 at the next general municipal election after the official date of
32 incorporation: PROVIDED, That if the date of the next general
33 municipal election is less than (~~twelve~~) 12 months after the date
34 of the first election of councilmembers, those initially elected
35 councilmembers shall serve until their successors are elected and
36 qualified at the next following general municipal election as
37 provided in RCW (~~29A.20.040~~) 29A.60.280. For purposes of this
38 section, the general municipal election shall be the date on which
39 city and town general elections are held throughout the state of
40 Washington, pursuant to RCW 29A.04.330.

1 In any newly incorporated city that has adopted the council-
2 manager form of government, the term of office of the mayor, during
3 the interim period only, shall be set by the council, and thereafter
4 shall be as provided by law.

5 The official date of incorporation shall be on a date from (~~one~~
6 ~~hundred eighty~~) 180 to (~~three hundred sixty~~) 360 days after the
7 date of the election on the question of incorporation, as specified
8 in a resolution adopted by the governing body during this interim
9 period. A copy of the resolution shall be filed with the county
10 legislative authority of the county in which all or the major portion
11 of the newly incorporated city or town is located. If the governing
12 body fails to adopt such a resolution, the official date of
13 incorporation shall be (~~three hundred sixty~~) 360 days after the
14 date of the election on the question of incorporation. The county
15 legislative authority of the county in which all or the major portion
16 of the newly incorporated city or town is located shall file a notice
17 with the county assessor that the city or town has been authorized to
18 be incorporated immediately after the favorable results of the
19 election on the question of incorporation have been certified. The
20 county legislative authority shall file a notice with the secretary
21 of state that the city or town is incorporated as of the official
22 date of incorporation.

23 **Sec. 510.** RCW 35.21.759 and 2011 c 60 s 16 are each amended to
24 read as follows:

25 A public corporation, commission, or authority created under this
26 chapter, and officers and multimember governing body thereof, are
27 subject to general laws regulating local governments, multimember
28 governing bodies, and local governmental officials, including, but
29 not limited to, the requirement to be audited by the state auditor
30 and various accounting requirements provided under chapter 43.09 RCW,
31 the open public record requirements of chapter 42.56 RCW, the
32 prohibition on using its facilities for campaign purposes under RCW
33 42.17A.555 (as recodified by this act), the open public meetings law
34 of chapter 42.30 RCW, the code of ethics for municipal officers under
35 chapter 42.23 RCW, and the local government whistleblower law under
36 chapter 42.41 RCW.

37 **Sec. 511.** RCW 36.70A.200 and 2023 sp.s. c 1 s 12 are each
38 amended to read as follows:

1 (1) (a) The comprehensive plan of each county and city that is
2 planning under RCW 36.70A.040 shall include a process for identifying
3 and siting essential public facilities. Essential public facilities
4 include those facilities that are typically difficult to site, such
5 as airports, state education facilities and state or regional
6 transportation facilities as defined in RCW 47.06.140, regional
7 transit authority facilities as defined in RCW 81.112.020, state and
8 local correctional facilities, solid waste handling facilities,
9 opioid treatment programs including both mobile and fixed-site
10 medication units, recovery residences, harm reduction programs
11 excluding safe injection sites, and inpatient facilities including
12 substance use disorder treatment facilities, mental health
13 facilities, group homes, community facilities as defined in RCW
14 72.05.020, and secure community transition facilities as defined in
15 RCW 71.09.020.

16 (b) Unless a facility is expressly listed in (a) of this
17 subsection, essential public facilities do not include facilities
18 that are operated by a private entity in which persons are detained
19 in custody under process of law pending the outcome of legal
20 proceedings but are not used for punishment, correction, counseling,
21 or rehabilitation following the conviction of a criminal offense.
22 Facilities included under this subsection (1)(b) shall not include
23 facilities detaining persons under RCW 71.09.020 (7) or (16) or
24 chapter 10.77 or 71.05 RCW.

25 (c) The department of children, youth, and families may not
26 attempt to site new community facilities as defined in RCW 72.05.020
27 east of the crest of the Cascade mountain range unless there is an
28 equal or greater number of sited community facilities as defined in
29 RCW 72.05.020 on the western side of the crest of the Cascade
30 mountain range.

31 (d) For the purpose of this section, "harm reduction programs"
32 means programs that emphasize working directly with people who use
33 drugs to prevent overdose and infectious disease transmission,
34 improve the physical, mental, and social well-being of those served,
35 and offer low threshold options for accessing substance use disorder
36 treatment and other services.

37 (2) Each county and city planning under RCW 36.70A.040 shall, not
38 later than September 1, 2002, establish a process, or amend its
39 existing process, for identifying and siting essential public
40 facilities and adopt or amend its development regulations as

1 necessary to provide for the siting of secure community transition
2 facilities consistent with statutory requirements applicable to these
3 facilities.

4 (3) Any city or county not planning under RCW 36.70A.040 shall,
5 not later than September 1, 2002, establish a process for siting
6 secure community transition facilities and adopt or amend its
7 development regulations as necessary to provide for the siting of
8 such facilities consistent with statutory requirements applicable to
9 these facilities.

10 (4) The office of financial management shall maintain a list of
11 those essential state public facilities that are required or likely
12 to be built within the next six years. The office of financial
13 management may at any time add facilities to the list.

14 (5) No local comprehensive plan or development regulation may
15 preclude the siting of essential public facilities.

16 (6) No person may bring a cause of action for civil damages based
17 on the good faith actions of any county or city to provide for the
18 siting of secure community transition facilities in accordance with
19 this section and with the requirements of chapter 12, Laws of 2001
20 2nd sp. sess. For purposes of this subsection, "person" includes, but
21 is not limited to, any individual, agency as defined in ((RCW
22 ~~42.17A.005~~)) section 203 of this act, corporation, partnership,
23 association, and limited liability entity.

24 (7) Counties or cities siting facilities pursuant to subsection
25 (2) or (3) of this section shall comply with RCW 71.09.341.

26 (8) The failure of a county or city to act by the deadlines
27 established in subsections (2) and (3) of this section is not:

28 (a) A condition that would disqualify the county or city for
29 grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

30 (b) A consideration for grants or loans provided under RCW
31 43.17.250(3); or

32 (c) A basis for any petition under RCW 36.70A.280 or for any
33 private cause of action.

34 **Sec. 512.** RCW 42.36.040 and 2011 c 60 s 27 are each amended to
35 read as follows:

36 Prior to declaring as a candidate for public office or while
37 campaigning for public office as defined by ((RCW ~~42.17A.005~~))
38 section 244 of this act no public discussion or expression of an
39 opinion by a person subsequently elected to a public office, on any

1 pending or proposed quasi-judicial actions, shall be a violation of
2 the appearance of fairness doctrine.

3 **Sec. 513.** RCW 42.52.010 and 2022 c 173 s 1 and 2022 c 71 s 15
4 are each reenacted and amended to read as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Agency" means any state board, commission, bureau,
8 committee, department, institution, division, or tribunal in the
9 legislative, executive, or judicial branch of state government.
10 "Agency" includes all elective offices, the state legislature, those
11 institutions of higher education created and supported by the state
12 government, and those courts that are parts of state government.
13 "Agency" does not include a comprehensive cancer center participating
14 in a collaborative arrangement as defined in RCW 28B.10.930 that is
15 operated in conformance with RCW 28B.10.930.

16 (2) "Assist" means to act, or offer or agree to act, in such a
17 way as to help, aid, advise, furnish information to, or otherwise
18 provide assistance to another person, believing that the action is of
19 help, aid, advice, or assistance to the person and with intent so to
20 assist such person.

21 (3) "Beneficial interest" has the meaning ascribed to it under
22 the Washington case law. However, an ownership interest in a mutual
23 fund or similar investment pooling fund in which the owner has no
24 management powers does not constitute a beneficial interest in the
25 entities in which the fund or pool invests.

26 (4) "Compensation" means anything of economic value, however
27 designated, that is paid, loaned, granted, or transferred, or to be
28 paid, loaned, granted, or transferred for, or in consideration of,
29 personal services to any person.

30 (5) "Confidential information" means (a) specific information,
31 rather than generalized knowledge, that is not available to the
32 general public on request or (b) information made confidential by
33 law.

34 (6) "Contract" or "grant" means an agreement between two or more
35 persons that creates an obligation to do or not to do a particular
36 thing. "Contract" or "grant" includes, but is not limited to, an
37 employment contract, a lease, a license, a purchase agreement, or a
38 sales agreement.

1 (7) "Ethics boards" means the commission on judicial conduct, the
2 legislative ethics board, and the executive ethics board.

3 (8) "Family" has the same meaning as "immediate family" in ((RCW
4 ~~42.17A.005~~)) section 228 of this act.

5 (9) "Gift" means anything of economic value for which no
6 consideration is given. "Gift" does not include:

7 (a) Items from family members or friends where it is clear beyond
8 a reasonable doubt that the gift was not made as part of any design
9 to gain or maintain influence in the agency of which the recipient is
10 an officer or employee;

11 (b) Items related to the outside business of the recipient that
12 are customary and not related to the recipient's performance of
13 official duties;

14 (c) Items exchanged among officials and employees or a social
15 event hosted or sponsored by a state officer or state employee for
16 coworkers;

17 (d) Payments by a governmental or nongovernmental entity of
18 reasonable expenses incurred in connection with a speech,
19 presentation, appearance, or trade mission made in an official
20 capacity. As used in this subsection, "reasonable expenses" are
21 limited to travel, lodging, and subsistence expenses incurred the day
22 before through the day after the event;

23 (e) Items a state officer or state employee is authorized by law
24 to accept;

25 (f) Payment of enrollment and course fees and reasonable travel
26 expenses attributable to attending seminars and educational programs
27 sponsored by a bona fide governmental or nonprofit professional,
28 educational, trade, or charitable association or institution. As used
29 in this subsection, "reasonable expenses" are limited to travel,
30 lodging, and subsistence expenses incurred the day before through the
31 day after the event;

32 (g) Items returned by the recipient to the donor within
33 ((~~thirty~~)) 30 days of receipt or donated to a charitable organization
34 within ((~~thirty~~)) 30 days of receipt;

35 (h) Campaign contributions reported under ((~~chapter 42.17A~~))
36 Title 29B RCW;

37 (i) Discounts available to an individual as a member of an
38 employee group, occupation, or similar broad-based group; and

39 (j) Awards, prizes, scholarships, or other items provided in
40 recognition of academic or scientific achievement.

1 (10) "Head of agency" means the chief executive officer of an
2 agency. In the case of an agency headed by a commission, board,
3 committee, or other body consisting of more than one natural person,
4 agency head means the person or board authorized to appoint agency
5 employees and regulate their conduct.

6 (11) "Honorarium" means money or thing of value offered to a
7 state officer or state employee for a speech, appearance, article, or
8 similar item or activity in connection with the state officer's or
9 state employee's official role.

10 (12) "Institution of higher education" has the same meaning as in
11 RCW 28B.10.016.

12 (13) "Official duty" means those duties within the specific scope
13 of employment of the state officer or state employee as defined by
14 the officer's or employee's agency or by statute or the state
15 Constitution.

16 (14) "Participate" means to participate in state action or a
17 proceeding personally and substantially as a state officer or state
18 employee, through approval, disapproval, decision, recommendation,
19 the rendering of advice, investigation, or otherwise but does not
20 include preparation, consideration, or enactment of legislation or
21 the performance of legislative duties.

22 (15) "Person" means any individual, partnership, association,
23 corporation, firm, institution, or other entity, whether or not
24 operated for profit.

25 (16) "Regulatory agency" means any state board, commission,
26 department, or officer, except those in the legislative or judicial
27 branches, authorized by law to conduct adjudicative proceedings,
28 issue permits or licenses, or to control or affect interests of
29 identified persons.

30 (17) "Responsibility" in connection with a transaction involving
31 the state, means the direct administrative or operating authority,
32 whether intermediate or final, and either exercisable alone or
33 through subordinates, effectively to approve, disapprove, or
34 otherwise direct state action in respect of such transaction.

35 (18) "State action" means any action on the part of an agency,
36 including, but not limited to:

37 (a) A decision, determination, finding, ruling, or order; and

38 (b) A grant, payment, award, license, contract, transaction,
39 sanction, or approval, or the denial thereof, or failure to act with
40 respect to a decision, determination, finding, ruling, or order.

1 (19) "State employee" means an individual who is employed by an
2 agency in any branch of state government. For purposes of this
3 chapter, employees of the superior courts are not state officers or
4 state employees.

5 (20) "State officer" means every person holding a position of
6 public trust in or under an executive, legislative, or judicial
7 office of the state. "State officer" includes judges of the superior
8 court, judges of the court of appeals, justices of the supreme court,
9 members of the legislature together with the secretary of the senate
10 and the chief clerk of the house of representatives, holders of
11 elective offices in the executive branch of state government, chief
12 executive officers of state agencies, members of boards, commissions,
13 or committees with authority over one or more state agencies or
14 institutions, and employees of the state who are engaged in
15 supervisory, policy-making, or policy-enforcing work. For the
16 purposes of this chapter, "state officer" also includes any person
17 exercising or undertaking to exercise the powers or functions of a
18 state officer.

19 (21) "Thing of economic value," in addition to its ordinary
20 meaning, includes:

21 (a) A loan, property interest, interest in a contract or other
22 chose in action, and employment or another arrangement involving a
23 right to compensation;

24 (b) An option, irrespective of the conditions to the exercise of
25 the option; and

26 (c) A promise or undertaking for the present or future delivery
27 or procurement.

28 (22)(a) "Transaction involving the state" means a proceeding,
29 application, submission, request for a ruling or other determination,
30 contract, claim, case, or other similar matter that the state
31 officer, state employee, or former state officer or state employee in
32 question believes, or has reason to believe:

33 (i) Is, or will be, the subject of state action; or

34 (ii) Is one to which the state is or will be a party; or

35 (iii) Is one in which the state has a direct and substantial
36 proprietary interest.

37 (b) "Transaction involving the state" does not include the
38 following: Preparation, consideration, or enactment of legislation,
39 including appropriation of moneys in a budget, or the performance of
40 legislative duties by an officer or employee; or a claim, case,

1 lawsuit, or similar matter if the officer or employee did not
2 participate in the underlying transaction involving the state that is
3 the basis for the claim, case, or lawsuit.

4 (23) "University" includes "state universities" and "regional
5 universities" as defined in RCW 28B.10.016 and also includes any
6 research or technology institute affiliated with a university.

7 (24) "University research employee" means a state officer or
8 state employee employed by a university, but only to the extent the
9 state officer or state employee is engaged in research, technology
10 transfer, approved consulting activities related to research and
11 technology transfer, or other incidental activities.

12 **Sec. 514.** RCW 42.52.150 and 2023 c 91 s 2 are each amended to
13 read as follows:

14 (1) No state officer or state employee may accept gifts, other
15 than those specified in subsections (2) and (5) of this section, with
16 an aggregate value in excess of fifty dollars from a single source in
17 a calendar year or a single gift from multiple sources with a value
18 in excess of fifty dollars. For purposes of this section, "single
19 source" means any person, as defined in RCW 42.52.010, whether acting
20 directly or through any agent or other intermediary, and "single
21 gift" includes any event, item, or group of items used in conjunction
22 with each other or any trip including transportation, lodging, and
23 attendant costs, not excluded from the definition of gift under RCW
24 42.52.010. The value of gifts given to an officer's or employee's
25 family member or guest shall be attributed to the official or
26 employee for the purpose of determining whether the limit has been
27 exceeded, unless an independent business, family, or social
28 relationship exists between the donor and the family member or guest.

29 (2) Except as provided in subsection (4) of this section, the
30 following items are presumed not to influence under RCW 42.52.140,
31 and may be accepted without regard to the limit established by
32 subsection (1) of this section:

33 (a) Unsolicited flowers, plants, and floral arrangements;

34 (b) Unsolicited advertising or promotional items of nominal
35 value, such as pens and note pads;

36 (c) Unsolicited tokens or awards of appreciation in the form of a
37 plaque, trophy, desk item, wall memento, or similar item;

38 (d) Unsolicited items received by a state officer or state
39 employee for the purpose of evaluation or review, if the officer or

1 employee has no personal beneficial interest in the eventual use or
2 acquisition of the item by the officer's or employee's agency;

3 (e) Informational material, publications, or subscriptions
4 related to the recipient's performance of official duties;

5 (f) Food and beverages consumed at hosted receptions where
6 attendance is related to the state officer's or state employee's
7 official duties;

8 (g) Gifts, grants, conveyances, bequests, and devises of real or
9 personal property, or both, in trust or otherwise accepted and
10 solicited for deposit in the legislative international trade account
11 created in RCW 43.15.050;

12 (h) Gifts, grants, conveyances, bequests, and devises of real or
13 personal property, or both, in trust or otherwise accepted and
14 solicited for the purpose of promoting the expansion of tourism as
15 provided for in RCW 43.330.090;

16 (i) Gifts, grants, conveyances, bequests, and devises of real or
17 personal property, or both, solicited on behalf of a national or
18 regional legislative association as defined in RCW 42.52.822(2), the
19 2006 official conference of the national lieutenant governors'
20 association, the annual conference of the national association of
21 state treasurers, or a host committee, for the purpose of hosting an
22 official conference under the circumstances specified in RCW
23 42.52.820, section 2, chapter 5, Laws of 2006, RCW 42.52.821, or RCW
24 42.52.822. Anything solicited or accepted may only be received by the
25 national association or host committee and may not be commingled with
26 any funds or accounts that are the property of any person;

27 (j) Admission to, and the cost of food and beverages consumed at,
28 events sponsored by or in conjunction with a civic, charitable,
29 governmental, or community organization;

30 (k) Unsolicited gifts from dignitaries from another state or a
31 foreign country that are intended to be personal in nature; and

32 (l) Gifts, grants, donations, sponsorships, or contributions from
33 any agency or federal or local government agency or program or
34 private source for the purposes of chapter 28B.156 RCW.

35 (3) The presumption in subsection (2) of this section is
36 rebuttable and may be overcome based on the circumstances surrounding
37 the giving and acceptance of the item.

38 (4) Notwithstanding subsections (2) and (5) of this section, a
39 state officer or state employee of a regulatory agency or of an
40 agency that seeks to acquire goods or services who participates in

1 those regulatory or contractual matters may receive, accept, take, or
2 seek, directly or indirectly, only the following items from a person
3 regulated by the agency or from a person who seeks to provide goods
4 or services to the agency:

5 (a) Unsolicited advertising or promotional items of nominal
6 value, such as pens and note pads;

7 (b) Unsolicited tokens or awards of appreciation in the form of a
8 plaque, trophy, desk item, wall memento, or similar item;

9 (c) Unsolicited items received by a state officer or state
10 employee for the purpose of evaluation or review, if the officer or
11 employee has no personal beneficial interest in the eventual use or
12 acquisition of the item by the officer's or employee's agency;

13 (d) Informational material, publications, or subscriptions
14 related to the recipient's performance of official duties;

15 (e) Food and beverages consumed at hosted receptions where
16 attendance is related to the state officer's or state employee's
17 official duties;

18 (f) Admission to, and the cost of food and beverages consumed at,
19 events sponsored by or in conjunction with a civic, charitable,
20 governmental, or community organization; and

21 (g) Those items excluded from the definition of gift in RCW
22 42.52.010 except:

23 (i) Payments by a governmental or nongovernmental entity of
24 reasonable expenses incurred in connection with a speech,
25 presentation, appearance, or trade mission made in an official
26 capacity;

27 (ii) Payments for seminars and educational programs sponsored by
28 a bona fide governmental or nonprofit professional, educational,
29 trade, or charitable association or institution; and

30 (iii) Flowers, plants, and floral arrangements.

31 (5) A state officer or state employee may accept gifts in the
32 form of food and beverage on infrequent occasions in the ordinary
33 course of meals where attendance by the officer or employee is
34 related to the performance of official duties. Gifts in the form of
35 food and beverage that exceed fifty dollars on a single occasion
36 shall be reported as provided in (~~chapter 42.17A~~) Title 29B RCW.

37 **Sec. 515.** RCW 42.52.180 and 2022 c 37 s 3 are each amended to
38 read as follows:

1 (1) No state officer or state employee may use or authorize the
2 use of facilities of an agency, directly or indirectly, for the
3 purpose of assisting a campaign for election of a person to an office
4 or for the promotion of or opposition to a ballot proposition.
5 Knowing acquiescence by a person with authority to direct, control,
6 or influence the actions of the state officer or state employee using
7 public resources in violation of this section constitutes a violation
8 of this section. Facilities of an agency include, but are not limited
9 to, use of stationery, postage, machines, and equipment, use of state
10 employees of the agency during working hours, vehicles, office space,
11 publications of the agency, and clientele lists of persons served by
12 the agency.

13 (2) This section shall not apply to the following activities:

14 (a) Action taken at an open public meeting by members of an
15 elected legislative body to express a collective decision, or to
16 actually vote upon a motion, proposal, resolution, order, or
17 ordinance, or to support or oppose a ballot proposition as long as
18 (i) required notice of the meeting includes the title and number of
19 the ballot proposition, and (ii) members of the legislative body or
20 members of the public are afforded an approximately equal opportunity
21 for the expression of an opposing view;

22 (b) A statement by an elected official in support of or in
23 opposition to any ballot proposition at an open press conference or
24 in response to a specific inquiry. For the purposes of this
25 subsection, it is not a violation of this section for an elected
26 official to respond to an inquiry regarding a ballot proposition, to
27 make incidental remarks concerning a ballot proposition in an
28 official communication, or otherwise comment on a ballot proposition
29 without an actual, measurable expenditure of public funds. The ethics
30 boards shall adopt by rule a definition of measurable expenditure;

31 (c) (i) The maintenance of official legislative websites
32 throughout the year, regardless of pending elections. The websites
33 may contain any discretionary material which was also specifically
34 prepared for the legislator in the course of his or her duties as a
35 legislator, including newsletters and press releases.

36 (ii) The official legislative websites of legislators seeking
37 reelection or election to any office shall not be altered, other than
38 during a special legislative session, beginning on the first day of
39 the declaration of candidacy filing period specified in RCW
40 29A.24.050 through the date of certification of the general election

1 of the election year. As used in this subsection, "legislator" means
2 a legislator who is a "candidate," as defined in (~~RCW 42.17A.005~~)
3 section 209 of this act, for any public office. "Legislator" does not
4 include a member of the legislature who has announced their
5 retirement from elected public office and who does not file a
6 declaration of candidacy by the end of the candidacy filing period
7 specified in RCW 29A.24.050.

8 (iii) The website shall not be used for campaign purposes;

9 (d) Activities that are part of the normal and regular conduct of
10 the office or agency, which include but are not limited to:

11 (i) Communications by a legislator or appropriate legislative
12 staff designee directly pertaining to any legislative proposal which
13 has been introduced in either chamber of the legislature; and

14 (ii) Posting, by a legislator or appropriate legislative staff
15 designee, information to a legislator's official legislative website
16 including an official legislative social media account, about:

17 (A) Emergencies;

18 (B) Federal holidays, state and legislatively recognized holidays
19 established under RCW 1.16.050, and religious holidays;

20 (C) Information originally provided or published by other
21 government entities which provide information about government
22 resources; and

23 (D) Achievements, honors, or awards of extraordinary distinction;
24 and

25 (e) De minimis use of public facilities by statewide elected
26 officials and legislators incidental to the preparation or delivery
27 of permissible communications, including written and verbal
28 communications initiated by them of their views on ballot
29 propositions that foreseeably may affect a matter that falls within
30 their constitutional or statutory responsibilities.

31 (3) As to state officers and employees, this section operates to
32 the exclusion of RCW 42.17A.555 (as recodified by this act).

33 (4) As used in this section, "official legislative website"
34 includes, but is not limited to, a legislator's official legislative
35 social media accounts.

36 **Sec. 516.** RCW 42.52.185 and 2022 c 37 s 4 are each amended to
37 read as follows:

38 (1) During the period beginning on the first day of the
39 declaration of candidacy filing period specified in RCW 29A.24.050 in

1 the year of a general election for a state legislator's election to
2 office and continuing through the date of certification of the
3 general election, the legislator may not mail, either by regular mail
4 or email, to a constituent at public expense a letter, newsletter,
5 brochure, or other piece of literature, except for routine
6 legislative correspondence, such as scheduling, and the legislator
7 may, by mail or email, send an individual letter to (a) an individual
8 constituent who has contacted the legislator regarding the subject
9 matter of the letter during the legislator's current term of office;
10 (b) an individual constituent who holds a governmental office with
11 jurisdiction over the subject matter of the letter; or (c) an
12 individual constituent who has received an award or honor of
13 extraordinary distinction of a type that is sufficiently infrequent
14 to be noteworthy to a reasonable person including, but not limited
15 to: (i) An international or national award such as the Nobel prize or
16 the Pulitzer prize; (ii) a state award such as Washington scholar;
17 (iii) an Eagle Scout award; and (iv) a Medal of Honor.

18 (2) A violation of this section constitutes use of the facilities
19 of a public office for the purpose of assisting a campaign under RCW
20 42.52.180.

21 (3) The house of representatives and senate shall specifically
22 limit expenditures per member for the total cost of mailings. Those
23 costs include, but are not limited to, production costs, printing
24 costs, and postage costs. The limits imposed under this subsection
25 apply only to the total expenditures on mailings per member and not
26 to any categorical cost within the total.

27 (4) For purposes of this section:

28 (a) "Legislator" means a legislator who is a "candidate," as
29 defined in (~~RCW 42.17A.005~~) section 209 of this act, for any public
30 office. "Legislator" does not include a member of the legislature who
31 has announced their retirement from elected public office and who
32 does not file a declaration of candidacy by the end of the candidacy
33 filing period specified in RCW 29A.24.050.

34 (b) Persons residing outside the legislative district represented
35 by the legislator are not considered to be constituents, but
36 students, military personnel, or others temporarily employed outside
37 of the district who normally reside in the district are considered to
38 be constituents.

1 **Sec. 517.** RCW 42.52.380 and 2011 c 60 s 32 are each amended to
2 read as follows:

3 (1) No member of the executive ethics board may (a) hold or
4 campaign for partisan elective office other than the position of
5 precinct committeeperson, or any full-time nonpartisan office; (b) be
6 an officer of any political party or political committee as defined
7 in (~~chapter 42.17A~~) Title 29B RCW other than the position of
8 precinct committeeperson; (c) permit his or her name to be used, or
9 make contributions, in support of or in opposition to any state
10 candidate or state ballot measure; or (d) lobby or control, direct,
11 or assist a lobbyist except that such member may appear before any
12 committee of the legislature on matters pertaining to this chapter.

13 (2) No citizen member of the legislative ethics board may (a)
14 hold or campaign for partisan elective office other than the position
15 of precinct committeeperson, or any full-time nonpartisan office; (b)
16 be an officer of any political party or political committee as
17 defined in (~~chapter 42.17A~~) Title 29B RCW, other than the position
18 of precinct committeeperson; (c) permit his or her name to be used,
19 or make contributions, in support of or in opposition to any
20 legislative candidate, any legislative caucus campaign committee that
21 supports or opposes legislative candidates, or any political action
22 committee that supports or opposes legislative candidates; or (d)
23 engage in lobbying in the legislative branch under circumstances not
24 exempt, under RCW 42.17A.610 (as recodified by this act), from
25 lobbyist registration and reporting.

26 (3) No citizen member of the legislative ethics board may hold or
27 campaign for a seat in the state house of representatives or the
28 state senate within two years of serving on the board if the citizen
29 member opposes an incumbent who has been the respondent in a
30 complaint before the board.

31 **Sec. 518.** RCW 42.52.560 and 2011 c 60 s 33 are each amended to
32 read as follows:

33 (1) Nothing in this chapter prohibits a state employee from
34 distributing communications from an employee organization or
35 charitable organization to other state employees if the
36 communications do not support or oppose a ballot proposition or
37 candidate for federal, state, or local public office. Nothing in this
38 section shall be construed to authorize any lobbying activity with

1 public funds beyond the activity permitted by RCW 42.17A.635 (as
2 recodified by this act).

3 (2) "Employee organization," for purposes of this section, means
4 any organization, union, or association in which employees
5 participate and that exists for the purpose of collective bargaining
6 with employers or for the purpose of opposing collective bargaining
7 or certification of a union.

8 **Sec. 519.** RCW 42.52.806 and 2023 c 387 s 4 are each amended to
9 read as follows:

10 This chapter does not prohibit the members of the Billy Frank Jr.
11 national statutory hall selection committee, members of the
12 legislature, when outside the period in which solicitation of
13 contributions is prohibited by RCW 42.17A.560 (as recodified by this
14 act), or employees of the Washington state historical society from
15 soliciting contributions for the purposes established in chapter 20,
16 Laws of 2021, and for deposit into the Billy Frank Jr. national
17 statutory hall collection fund created in RCW 43.08.800.

18 **Sec. 520.** RCW 43.03.305 and 2023 c 470 s 1005 are each amended
19 to read as follows:

20 There is created a commission to be known as the Washington
21 citizens' commission on salaries for elected officials, to consist of
22 members appointed by the governor as provided in this section.

23 (1) One registered voter from each congressional district shall
24 be selected by the secretary of state from among those registered
25 voters eligible to vote at the time persons are selected for
26 appointment to serve on the commission. The secretary shall establish
27 policies and procedures for conducting the selection by lot. The
28 policies and procedures shall include, but not be limited to, those
29 for notifying persons selected and for providing a new selection from
30 a congressional district if a person selected from the district
31 declines appointment to the commission or if, following the person's
32 appointment, the person's position on the commission becomes vacant
33 before the end of the person's term of office.

34 (2) Seven commission members, all residents of this state, shall
35 be selected jointly by the speaker of the house of representatives
36 and the president of the senate. The persons selected under this
37 subsection shall have had experience in the field of personnel
38 management. Of these seven members, one shall be selected from each

1 of the following five sectors in this state: Private institutions of
2 higher education; business; professional personnel management; legal
3 profession; and organized labor. Of the two remaining members, one
4 shall be a person recommended to the speaker and the president by the
5 chair of the Washington personnel resources board and one shall be a
6 person recommended by majority vote of the presidents of the state's
7 four-year institutions of higher education.

8 (3) The secretary of state shall forward the names of persons
9 selected under subsection (1) of this section and the speaker of the
10 house of representatives and president of the senate shall forward
11 the names of persons selected under subsection (2) of this section to
12 the governor who shall appoint these persons to the commission.
13 Except as provided in subsection (6) of this section, all members
14 shall serve four-year terms and the names of the persons selected for
15 appointment to the commission shall be forwarded to the governor not
16 later than the first day of July every two years.

17 (4) No person may be appointed to more than two terms. No member
18 of the commission may be removed by the governor during his or her
19 term of office unless for cause of incapacity, incompetence, neglect
20 of duty, or malfeasance in office or for a disqualifying change of
21 residence.

22 The unexcused absence of any person who is a member of the
23 commission from two consecutive meetings of the commission shall
24 constitute the relinquishment of that person's membership on the
25 commission. Such a relinquishment creates a vacancy in that person's
26 position on the commission. A member's absence may be excused by the
27 chair of the commission upon the member's written request if the
28 chair believes there is just cause for the absence. Such a request
29 must be received by the chair before the meeting for which the
30 absence is to be excused. A member's absence from a meeting of the
31 commission may also be excused during the meeting for which the
32 member is absent by the affirmative vote of a majority of the members
33 of the commission present at the meeting.

34 (5) No state official, public employee, or lobbyist, or immediate
35 family member of the official, employee, or lobbyist, subject to the
36 registration requirements of (~~chapter 42.17A~~) Title 29B RCW is
37 eligible for membership on the commission.

38 As used in this subsection the phrase "immediate family" means
39 the parents, spouse or domestic partner, siblings, children, or
40 dependent relative of the official or lobbyist whether or not living

1 in the household of the official or lobbyist, and the parent, spouse
2 or domestic partner, sibling, child, or dependent relative of the
3 employee, living in the household of the employee or who is dependent
4 in whole or in part for his or her support upon the earnings of the
5 state employee.

6 (6) (a) Upon a vacancy in any position on the commission, a
7 successor shall be selected and appointed to fill the unexpired term.
8 The selection and appointment shall be concluded within thirty days
9 of the date the position becomes vacant and shall be conducted in the
10 same manner as originally provided.

11 (b) Initial members appointed from congressional districts
12 created after July 22, 2011, shall be selected and appointed in the
13 manner provided in subsection (1) of this section. The selection and
14 appointment must be concluded within ninety days of the date the
15 district is created. The term of an initial member appointed under
16 this subsection terminates July 1st of an even-numbered year so that
17 at no point may the terms of more than one-half plus one of the
18 members selected under subsection (1) of this section terminate in
19 the same year.

20 **Sec. 521.** RCW 43.17.320 and 2011 c 60 s 35 are each amended to
21 read as follows:

22 For purposes of RCW 43.17.320 through 43.17.340, "state agency"
23 means:

24 (1) Any agency for which the executive officer is listed in RCW
25 42.17A.705(1) (as recodified by this act); and

26 (2) The office of the secretary of state; the office of the state
27 treasurer; the office of the state auditor; the department of natural
28 resources; the office of the insurance commissioner; and the office
29 of the superintendent of public instruction.

30 **Sec. 522.** RCW 43.52A.030 and 2011 c 60 s 36 are each amended to
31 read as follows:

32 The governor, with the consent of the senate, shall appoint two
33 residents of Washington state to the council pursuant to the act.
34 These persons shall undertake the functions and duties of members of
35 the council as specified in the act and in appropriate state law.
36 Upon appointment by the governor to the council, the nominee shall
37 make available to the senate such disclosure information as is

1 requested for the confirmation process, including that required in
2 RCW 42.17A.710 (as recodified by this act).

3 **Sec. 523.** RCW 43.59.156 and 2020 c 72 s 1 are each amended to
4 read as follows:

5 (1) Within amounts appropriated to the traffic safety commission,
6 the commission must convene the Cooper Jones active transportation
7 safety council comprised of stakeholders who have a unique interest
8 or expertise in the safety of pedestrians, bicyclists, and other
9 nonmotorists.

10 (2) The purpose of the council is to review and analyze data and
11 programs related to fatalities and serious injuries involving
12 pedestrians, bicyclists, and other nonmotorists to identify points at
13 which the transportation system can be improved including, whenever
14 possible, privately owned areas of the system such as parking lots,
15 and to identify patterns in pedestrian, bicyclist, and other
16 nonmotorist fatalities and serious injuries. The council may also:

17 (a) Monitor progress on implementation of existing council
18 recommendations; and

19 (b) Seek opportunities to expand consideration and implementation
20 of the principles of systematic safety, including areas where data
21 collection may need improvement.

22 (3)(a) The council may include, but is not limited to:

23 (i) A representative from the commission;

24 (ii) A coroner from the county in which pedestrian, bicyclist, or
25 nonmotorist deaths have occurred;

26 (iii) Multiple members of law enforcement who have investigated
27 pedestrian, bicyclist, or nonmotorist fatalities;

28 (iv) A traffic engineer;

29 (v) A representative from the department of transportation and a
30 representative from the department of health;

31 (vi) A representative from the association of Washington cities;

32 (vii) A representative from the Washington state association of
33 counties;

34 (viii) A representative from a pedestrian advocacy group; and

35 (ix) A representative from a bicyclist or other nonmotorist
36 advocacy group.

37 (b) The commission may invite other representatives of
38 stakeholder groups to participate in the council as deemed
39 appropriate by the commission. Additionally, the commission may

1 invite a victim or family member of a victim to participate in the
2 council.

3 (4) The council must meet at least quarterly. By December 31st of
4 each year, the council must issue an annual report detailing any
5 findings and recommendations to the governor and the transportation
6 committees of the legislature. The commission must provide the annual
7 report electronically to all municipal governments and state agencies
8 that participated in the council during that calendar year.
9 Additionally, the council must report any budgetary or fiscal
10 recommendations to the office of financial management and the
11 legislature by August 1st on a biennial basis.

12 (5) As part of the review of pedestrian, bicyclist, or
13 nonmotorist fatalities and serious injuries that occur in Washington,
14 the council may review any available information, including crash
15 information maintained in existing databases; statutes, rules,
16 policies, or ordinances governing pedestrians and traffic related to
17 the incidents; and any other relevant information. The council may
18 make recommendations regarding changes in statutes, ordinances,
19 rules, and policies that could improve pedestrian, bicyclist, or
20 nonmotorist safety. Additionally, the council may make
21 recommendations on how to improve traffic fatality and serious injury
22 data quality, including crashes that occur in privately owned
23 property such as parking lots. The council may consult with local
24 cities and counties, as well as local police departments and other
25 law enforcement agencies and associations representing those
26 jurisdictions on how to improve data quality regarding crashes
27 occurring on private property.

28 (6) (a) Documents prepared by or for the council are inadmissible
29 and may not be used in a civil or administrative proceeding, except
30 that any document that exists before its use or consideration in a
31 review by the council, or that is created independently of such
32 review, does not become inadmissible merely because it is reviewed or
33 used by the council. For confidential information, such as personally
34 identifiable information and medical records, which are obtained by
35 the council, neither the commission nor the council may publicly
36 disclose such confidential information. No person who was in
37 attendance at a meeting of the council or who participated in the
38 creation, retention, collection, or maintenance of information or
39 documents specifically for the commission or the council shall be
40 permitted to testify in any civil action as to the content of such

1 proceedings or of the documents and information prepared specifically
2 as part of the activities of the council. However, recommendations
3 from the council and the commission generally may be disclosed
4 without personal identifiers.

5 (b) The council may review, only to the extent otherwise
6 permitted by law or court rule when determined to be relevant and
7 necessary: Any law enforcement incident documentation, such as
8 incident reports, dispatch records, and victim, witness, and suspect
9 statements; any supplemental reports, probable cause statements, and
10 911 call taker's reports; and any other information determined to be
11 relevant to the review. The commission and the council must maintain
12 the confidentiality of such information to the extent required by any
13 applicable law.

14 (7) If acting in good faith, without malice, and within the
15 parameters of and protocols established under this chapter,
16 representatives of the commission and the council are immune from
17 civil liability for an activity related to reviews of particular
18 fatalities and serious injuries.

19 (8) This section must not be construed to provide a private civil
20 cause of action.

21 (9)(a) The council may receive gifts, grants, or endowments from
22 public or private sources that are made from time to time, in trust
23 or otherwise, for the use and benefit of the purposes of the council
24 and spend the gifts, grants, or endowments from the public or private
25 sources according to their terms, unless the receipt of the gifts,
26 grants, or endowments violates RCW 42.17A.560 (as recodified by this
27 act).

28 (b) Subject to the appropriation of funds for this specific
29 purpose, the council may provide grants targeted at improving
30 pedestrian, bicyclist, or nonmotorist safety in accordance with
31 recommendations made by the council.

32 (10) For purposes of this section:

33 (a) "Bicyclist fatality" means any death of a bicyclist resulting
34 from a collision, whether on a roadway, at an intersection, along an
35 adjacent sidewalk, or on a path that is contiguous with a roadway.

36 (b) "Council" means the Cooper Jones active transportation safety
37 council.

38 (c) "Nonmotorist" means anyone using the transportation system
39 who is not in a vehicle.

1 (d) "Pedestrian fatality" means any death of a pedestrian
2 resulting from a collision, whether on a roadway, at an intersection,
3 along an adjacent sidewalk, or on a path that is contiguous with a
4 roadway.

5 (e) "Serious injury" means any injury other than a fatal injury
6 that prevents the injured person from walking, driving, or normally
7 continuing the activities the person was capable of performing before
8 the injury occurred.

9 **Sec. 524.** RCW 43.60A.175 and 2014 c 179 s 2 are each amended to
10 read as follows:

11 (1) The department may receive gifts, grants, or endowments from
12 public or private sources that are made from time to time, in trust
13 or otherwise, for the use and benefit of the purposes of the veterans
14 innovations program and spend gifts, grants, or endowments or income
15 from the public or private sources according to their terms, unless
16 the receipt of the gifts, grants, or endowments violates RCW
17 42.17A.560 (as recodified by this act).

18 (2) The department may adopt rules under chapter 34.05 RCW as
19 necessary to carry out the purposes of RCW 43.60A.160 through
20 43.60A.185.

21 (3) The department may perform all acts and functions as
22 necessary or convenient to carry out the powers expressly granted or
23 implied under chapter 343, Laws of 2006.

24 **Sec. 525.** RCW 43.166.030 and 2022 c 259 s 3 are each amended to
25 read as follows:

26 (1) State lands development authorities have the power to:

27 (a) Accept gifts, grants, loans, or other aid from public and
28 private entities;

29 (b) Employ and appoint such agents, attorneys, officers, and
30 employees as may be necessary to implement its purposes and duties;

31 (c) Contract and enter into partnerships with individuals,
32 associations, corporations, and local, state, and federal
33 governments;

34 (d) Buy, own, and lease real and personal property;

35 (e) Sell real and personal property, subject to any rules and
36 restrictions contained in the proposal to establish a state lands
37 development authority under RCW 43.166.010;

38 (f) Hold in trust, improve, and develop land;

- 1 (g) Invest, deposit, and reinvest its funds;
- 2 (h) Incur debt in furtherance of its mission: Provided, however,
3 that state lands development authorities are expressly prohibited
4 from incurring debt on behalf of the state of Washington as defined
5 in Article VIII, section 1 of the state Constitution. A state lands
6 development authority obligation to repay borrowed money does not
7 constitute an obligation, either general, special, or moral, of the
8 state of Washington. State lands development authorities are
9 expressly prohibited from using, either directly or indirectly,
10 "general state revenues" as defined in Article VIII, section 1 of the
11 state Constitution to satisfy any state lands development authority
12 obligation to repay borrowed money;
- 13 (i) Lend or grant its funds for any lawful purposes. For purposes
14 of this section, "lawful purposes" includes without limitation, any
15 use of funds, including loans thereof to public or private parties,
16 authorized by agreements with the United States or any department or
17 agency thereof under which federal or private funds are obtained, or
18 authorized under federal laws and regulations pertinent to such
19 agreements; and
- 20 (j) Exercise such additional powers as may be authorized by law.
- 21 (2) A state lands development authority that accepts public funds
22 under subsection (1) (a) of this section:
- 23 (a) Is subject in all respects to Article VIII, section 5 or 7,
24 as appropriate, of the state Constitution, and RCW 42.17A.550 (as
25 recodified by this act); and
- 26 (b) May not use such funds to support or oppose a candidate,
27 ballot proposition, political party, or political committee.
- 28 (3) State lands development authorities do not have any authority
29 to levy taxes or assessments.

30 **Sec. 526.** RCW 43.167.020 and 2011 c 60 s 40 are each amended to
31 read as follows:

32 (1) A community preservation and development authority shall have
33 the power to:

34 (a) Accept gifts, grants, loans, or other aid from public or
35 private entities;

36 (b) Employ and appoint such agents, attorneys, officers, and
37 employees as may be necessary to implement the purposes and duties of
38 an authority;

1 (c) Contract and enter into partnerships with individuals,
2 associations, corporations, and local, state, and federal
3 governments;

4 (d) Buy, own, lease, and sell real and personal property;

5 (e) Hold in trust, improve, and develop land;

6 (f) Invest, deposit, and reinvest its funds;

7 (g) Incur debt in furtherance of its mission; and

8 (h) Lend its funds, property, credit, or services for corporate
9 purposes.

10 (2) A community preservation and development authority has no
11 power of eminent domain nor any power to levy taxes or special
12 assessments.

13 (3) A community preservation and development authority that
14 accepts public funds under subsection (1)(a) of this section:

15 (a) Is subject in all respects to Article VIII, section 5 or 7,
16 as appropriate, of the state Constitution, and to RCW 42.17A.550 (as
17 recodified by this act); and

18 (b) May not use the funds to support or oppose a candidate,
19 ballot proposition, political party, or political committee.

20 **Sec. 527.** RCW 43.384.060 and 2018 c 275 s 7 are each amended to
21 read as follows:

22 The board may receive gifts, grants, or endowments from public or
23 private sources that are made from time to time, in trust or
24 otherwise, for the use and benefit of the purposes of the authority
25 and spend gift, grants, or endowments or income from public or
26 private sources according to their terms, unless the receipt of
27 gifts, grants, or endowments violates RCW 42.17A.560 (as recodified
28 by this act).

29 **Sec. 528.** RCW 44.05.020 and 2011 c 60 s 41 are each amended to
30 read as follows:

31 The definitions set forth in this section apply throughout this
32 chapter, unless the context requires otherwise.

33 (1) "Chief election officer" means the secretary of state.

34 (2) "Federal census" means the decennial census required by
35 federal law to be prepared by the United States bureau of the census
36 in each year ending in zero.

1 (3) "Lobbyist" means an individual required to register with the
2 Washington public disclosure commission pursuant to RCW 42.17A.600
3 (as recodified by this act).

4 (4) "Plan" means a plan for legislative and congressional
5 redistricting mandated by Article II, section 43 of the state
6 Constitution.

7 **Sec. 529.** RCW 44.05.080 and 2018 c 301 s 10 are each amended to
8 read as follows:

9 In addition to other duties prescribed by law, the commission
10 shall:

11 (1) Adopt rules pursuant to the Administrative Procedure Act,
12 chapter 34.05 RCW, to carry out the provisions of Article II, section
13 43 of the state Constitution and of this chapter, which rules shall
14 provide that three voting members of the commission constitute a
15 quorum to do business, and that the votes of three of the voting
16 members are required for any official action of the commission;

17 (2) Act as the legislature's recipient of the final redistricting
18 data and maps from the United States Bureau of the Census;

19 (3) Comply with requirements to disclose and preserve public
20 records as specified in chapters 40.14 and 42.56 RCW;

21 (4) Hold open meetings pursuant to the open public meetings act,
22 chapter 42.30 RCW;

23 (5) Prepare and disclose its minutes pursuant to RCW 42.30.035;

24 (6) Be subject to the provisions of RCW 42.17A.700 (as recodified
25 by this act);

26 (7) Prepare and publish a report with the plan; the report will
27 be made available to the public at the time the plan is published.
28 The report will include but will not be limited to: (a) The
29 population and percentage deviation from the average district
30 population for every district; (b) an explanation of the criteria
31 used in developing the plan with a justification of any deviation in
32 a district from the average district population; (c) a map of all the
33 districts; and (d) the estimated cost incurred by the counties for
34 adjusting precinct boundaries;

35 (8) Adopt a districting plan for a noncharter county with a
36 population of (~~four hundred thousand~~) 400,000 or more, pursuant to
37 RCW 36.32.054.

1 **Sec. 530.** RCW 53.57.060 and 2015 c 35 s 7 are each amended to
2 read as follows:

3 A port development authority created under this chapter must
4 comply with applicable laws including, but not limited to, the
5 following:

6 (1) Requirements concerning local government audits by the state
7 auditor and applicable accounting requirements set forth in chapter
8 43.09 RCW;

9 (2) The public records act, chapter 42.56 RCW;

10 (3) Prohibitions on using facilities for campaign purposes under
11 RCW 42.17A.555 (as recodified by this act);

12 (4) The open public meetings act, chapter 42.30 RCW;

13 (5) The code of ethics for municipal officers under chapter 42.23
14 RCW; and

15 (6) Local government whistleblower protection laws set forth in
16 chapter 42.41 RCW.

17 **Sec. 531.** RCW 68.52.220 and 2020 c 83 s 6 are each amended to
18 read as follows:

19 (1) The affairs of the cemetery district must be managed by a
20 board of cemetery district commissioners composed of three members.
21 The board may provide, by resolution passed by the commissioners, for
22 the payment of compensation to each of its commissioners at a rate of
23 up to (~~ninety dollars~~) \$90 for each day or portion of a day spent
24 in actual attendance at official meetings of the district commission,
25 or in performance of other official services or duties on behalf of
26 the district. However, the compensation for each commissioner must
27 not exceed (~~eight thousand six hundred forty dollars~~) \$8,640 per
28 year.

29 (2) Any commissioner may waive all or any portion of his or her
30 compensation payable under this section as to any month or months
31 during his or her term of office, by a written waiver filed with the
32 clerk of the board. The waiver, to be effective, must be filed any
33 time after the commissioner's election and prior to the date on which
34 the compensation would otherwise be paid. The waiver must specify the
35 month or period of months for which it is made. The board must fix
36 the compensation to be paid the secretary and other employees of the
37 district. Cemetery district commissioners and candidates for cemetery
38 district commissioner are exempt from the requirements of (~~chapter~~
39 ~~42.17A~~) Title 29B RCW.

1 (3) The initial cemetery district commissioners must assume
2 office immediately upon their election and qualification. Staggering
3 of terms of office must be accomplished as follows: (a) The person
4 elected receiving the greatest number of votes is elected to a six-
5 year term of office if the election is held in an odd-numbered year
6 or a five-year term of office if the election is held in an even-
7 numbered year; (b) the person who is elected receiving the next
8 greatest number of votes is elected to a four-year term of office if
9 the election is held in an odd-numbered year or a three-year term of
10 office if the election is held in an even-numbered year; and (c) the
11 other person who is elected is elected to a two-year term of office
12 if the election is held in an odd-numbered year or a one-year term of
13 office if the election is held in an even-numbered year. The initial
14 commissioners must assume office immediately after they are elected
15 and qualified but their terms of office must be calculated from the
16 first day of January after the election.

17 (4) Thereafter, commissioners are elected to six-year terms of
18 office. Commissioners must serve until their successors are elected
19 and qualified and assume office as provided in RCW 29A.60.280.

20 (5) The dollar thresholds established in this section must be
21 adjusted for inflation by the office of financial management every
22 five years, beginning January 1, 2024, based upon changes in the
23 consumer price index during that time period. "Consumer price index"
24 means, for any calendar year, that year's annual average consumer
25 price index, for Washington state, for wage earners and clerical
26 workers, all items, compiled by the bureau of labor and statistics,
27 United States department of labor. If the bureau of labor and
28 statistics develops more than one consumer price index for areas
29 within the state, the index covering the greatest number of people,
30 covering areas exclusively within the boundaries of the state, and
31 including all items must be used for the adjustments for inflation in
32 this section. The office of financial management must calculate the
33 new dollar threshold and transmit it to the office of the code
34 reviser for publication in the Washington State Register at least one
35 month before the new dollar threshold is to take effect.

36 (6) A person holding office as commissioner for two or more
37 special purpose districts may receive only that per diem compensation
38 authorized for one of his or her commissioner positions as
39 compensation for attending an official meeting or conducting official
40 services or duties while representing more than one of his or her

1 districts. However, such commissioner may receive additional per diem
2 compensation if approved by resolution of all boards of the affected
3 commissions.

4 **Sec. 532.** RCW 70A.02.120 and 2021 c 314 s 21 are each amended to
5 read as follows:

6 (1) Nothing in chapter 314, Laws of 2021 prevents state agencies
7 that are not covered agencies from adopting environmental justice
8 policies and processes consistent with chapter 314, Laws of 2021.

9 (2) The head of a covered agency may, on a case-by-case basis,
10 exempt a significant agency action or decision process from the
11 requirements of RCW 70A.02.060 and 70A.02.080 upon determining that:

12 (a) Any delay in the significant agency action poses a
13 potentially significant threat to human health or the environment, or
14 is likely to cause serious harm to the public interest;

15 (b) An assessment would delay a significant agency decision
16 concerning the assessment, collection, or administration of any tax,
17 tax program, debt, revenue, receipt, a regulated entity's financial
18 filings, or insurance rate or form filing;

19 (c) The requirements of RCW 70A.02.060 and 70A.02.080 are in
20 conflict with:

21 (i) Federal law or federal program requirements;

22 (ii) The requirements for eligibility of employers in this state
23 for federal unemployment tax credits; or

24 (iii) Constitutional limitations or fiduciary obligations,
25 including those applicable to the management of state lands and state
26 forestlands as defined in RCW 79.02.010.

27 (3) A covered agency may not, for the purposes of implementing
28 any of its responsibilities under this chapter, contract with an
29 entity that employs a lobbyist registered under RCW 42.17A.600 (as
30 recodified by this act) that is lobbying on behalf of that entity.

31 **Sec. 533.** RCW 79A.25.830 and 2011 c 60 s 48 are each amended to
32 read as follows:

33 The recreation and conservation funding board or office may
34 receive gifts, grants, or endowments from public and private sources
35 that are made from time to time, in trust or otherwise, for the use
36 and benefit of the purposes of RCW 79A.25.800 through 79A.25.830 and
37 spend gifts, grants, or endowments or income from the public or
38 private sources according to their terms, unless the receipt of the

1 gifts, grants, or endowments violates RCW 42.17A.560 (as recodified
2 by this act).

3 **Sec. 534.** RCW 82.04.759 and 2023 c 286 s 2 are each amended to
4 read as follows:

5 (1) This chapter does not apply to amounts received by any person
6 for engaging in any of the following activities:

7 (a) Printing a newspaper, publishing a newspaper, or both; or

8 (b) Publishing eligible digital content by a person who reported
9 under the printing and publishing tax classification for the
10 reporting period that covers January 1, 2008, for engaging in
11 printing and/or publishing a newspaper, as defined on January 1,
12 2008.

13 (2) The exemption under this section must be reduced by an amount
14 equal to the value of any expenditure made by the person during the
15 tax reporting period. For purposes of this subsection, "expenditure"
16 has the meaning provided in (~~RCW 42.17A.005~~) section 223 of this
17 act.

18 (3) If a person who is primarily engaged in printing a newspaper,
19 publishing a newspaper, or publishing eligible digital content, or
20 any combination of these activities, charges a single, nonvariable
21 amount to advertise in, subscribe to, or access content in both a
22 publication identified in subsection (1) of this section and another
23 type of publication, the entire amount is exempt under this section.

24 (4) For purposes of this section, "eligible digital content"
25 means a publication that:

26 (a) Is published at regularly stated intervals of at least once
27 per month;

28 (b) Features written content, the largest category of which, as
29 determined by word count, contains material that identifies the
30 author or the original source of the material; and

31 (c) Is made available to readers exclusively in an electronic
32 format.

33 (5) The exemption under this section applies only to persons
34 primarily engaged in printing a newspaper, publishing a newspaper, or
35 publishing eligible digital content, or any combination of these
36 activities, unless these business activities were previously engaged
37 in by an affiliated person and were not the affiliated person's
38 primary business activity.

1 (6) For purposes of this section, the following definitions
2 apply:

3 (a) "Affiliated" has the same meaning as provided in RCW
4 82.04.299.

5 (b) "Primarily" means, with respect to a business activity or
6 combination of business activities of a taxpayer, more the 50 percent
7 of the taxpayer's gross worldwide income from all business
8 activities, whether subject to tax under this chapter or not, comes
9 from such activity or activities.

10 NEW SECTION. **Sec. 535.** Section 534 of this act expires January
11 1, 2034.

12 NEW SECTION. **Sec. 536.** This act takes effect January 1, 2026.

Passed by the Senate March 4, 2024.

Passed by the House February 27, 2024.

Approved by the Governor March 18, 2024.

Filed in Office of Secretary of State March 19, 2024.

--- END ---