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**SUBSTITUTE HOUSE BILL 2123**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** House State Government & Tribal Relations (originally sponsored by Representatives Fitzgibbon, Corry, Wylie, Gregerson, Ormsby, Reeves, and Pollet)

READ FIRST TIME 01/20/26.

1 AN ACT Relating to foreign national participation in Washington  
2 state elections; and amending RCW 29B.40.060, 29B.25.100, 29B.25.110,  
3 29B.25.120, 29B.25.130, 29B.25.140, and 29B.30.020.

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

5 **Sec. 1.** RCW 29B.40.060 and 2024 c 164 s 448 are each amended to  
6 read as follows:

7 (1) Each candidate or political committee that has accepted ((a  
8 ~~contribution~~)) one or more contributions, and each out-of-state  
9 committee that has accepted ((a—contribution)) one or more  
10 contributions reportable under RCW 29B.25.110 that total more than  
11 \$6,000 in the aggregate, adjusted for inflation by rule of the  
12 commission adopted under the authority of RCW 29B.20.050, from a  
13 partnership, association, corporation, organization, or other  
14 combination of persons must receive a certification from each  
15 contributor that:

16 (a) The ((~~contribution is~~)) contributions are not financed in any  
17 part by a foreign national; and

18 (b) Foreign nationals are not involved in making decisions  
19 regarding the ((~~contribution~~)) contributions in any way.

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

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

5 **Sec. 2.** RCW 29B.25.100 and 2024 c 164 s 427 are each amended to  
6 read as follows:

7 Each report required under RCW 29B.25.090 (1) through (4) must be  
8 certified as correct by the treasurer and the candidate and shall  
9 disclose the following, except an incidental committee only must  
10 disclose and certify as correct the information required under  
11 subsections (2)(d) and (7) of this section:

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

13 (2) The name and address of each person who has made one or more  
14 contributions during the period, together with the money value and  
15 date of each contribution and the aggregate value of all  
16 contributions received from each person during the campaign, or in  
17 the case of a continuing political committee, the current calendar  
18 year, with the following exceptions:

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

21 (b) Income that results from a fund-raising activity conducted in  
22 accordance with RCW 29B.25.080 may be reported as one lump sum, with  
23 the exception of that portion received from persons whose names and  
24 addresses are required to be included in the report required by RCW  
25 29B.25.080;

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

31 (d) Payments received by an incidental committee from any one  
32 person need not be reported unless the person is one of the  
33 committee's 10 largest sources of payments received, including any  
34 persons tied as the 10th largest source of payments received, during  
35 the current calendar year, and the value of the cumulative payments  
36 received from that person during the current calendar year is ten  
37 thousand dollars or greater. For payments to incidental committees  
38 from multiple persons received in aggregated form, any payment of  
39 more than ten thousand dollars from any single person must be

1 reported, but the aggregated payment itself may not be reported. The  
2 commission may suspend or modify reporting requirements for payments  
3 received by an incidental committee in cases of manifestly  
4 unreasonable hardship under this title;

5 (e) Payments from private foundations organized under section  
6 501(c)(3) of the internal revenue code to an incidental committee do  
7 not have to be reported if:

8 (i) The private foundation is contracting with the incidental  
9 committee for a specific purpose other than election campaign  
10 purposes;

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

13 (iii) Funding from the private foundation represents less than 25  
14 percent of the incidental committee's total budget;

15 (f) Commentary or analysis on a ballot proposition by an  
16 incidental committee is not considered a contribution if it does not  
17 advocate specifically to vote for or against the ballot proposition;  
18 and

19 (g) The money value of contributions of postage is the face value  
20 of the postage;

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

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

27 (5) A statement that the candidate or political committee has  
28 received a certification from any partnership, association,  
29 corporation, organization, or other combination of persons making ((  
30 ~~contribution~~)) one or more contributions to the candidate or  
31 political committee that total more than \$6,000 in the aggregate,  
32 adjusted for inflation by rule of the commission adopted under the  
33 authority of RCW 29B.20.050, that:

34 (a) The ((~~contribution is~~)) contributions are not financed in any  
35 part by a foreign national; and

36 (b) Foreign nationals are not involved in making decisions  
37 regarding the ((~~contribution~~)) contributions in any way;

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

1 (7) The name and address of each person to whom an expenditure  
2 was made in the aggregate amount of more than fifty dollars during  
3 the period covered by this report, the amount, date, and purpose of  
4 each expenditure, and the total sum of all expenditures. An  
5 incidental committee only must report on expenditures, made and  
6 reportable as contributions as defined in RCW 29B.10.160, to election  
7 campaigns. For purposes of this subsection, commentary or analysis on  
8 a ballot proposition by an incidental committee is not considered an  
9 expenditure if it does not advocate specifically to vote for or  
10 against the ballot proposition;

11 (8) The name, address, and electronic contact information of each  
12 person to whom an expenditure was made for soliciting or procuring  
13 signatures on an initiative or referendum petition, the amount of the  
14 compensation to each person, and the total expenditures made for this  
15 purpose. Such expenditures shall be reported under this subsection in  
16 addition to what is required to be reported under subsection (7) of  
17 this section;

18 (9) (a) The name and address of any person and the amount owed for  
19 any debt with a value of more than seven hundred fifty dollars that  
20 has not been paid for any invoices submitted, goods received, or  
21 services performed, within five business days during the period  
22 within 30 days before an election, or within 10 business days during  
23 any other period.

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

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

28 (11) The disposition made in accordance with RCW 29B.40.090 of  
29 any surplus funds; and

30 (12) Any other information required by the commission by rule in  
31 conformance with the policies and purposes of this title.

32 **Sec. 3.** RCW 29B.25.110 and 2024 c 164 s 428 are each amended to  
33 read as follows:

34 (1) An out-of-state political committee organized for the purpose  
35 of supporting or opposing candidates or ballot propositions in  
36 another state that is not otherwise required to report under RCW  
37 29B.25.020 through 29B.25.100 shall report as required in this  
38 section when it makes an expenditure supporting or opposing a

1 Washington state candidate or political committee. The committee  
2 shall file with the commission a statement disclosing:

3 (a) Its name and address;

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

5 (c) The names, addresses, and titles of its officers or, if it  
6 has no officers, the names, addresses, and the titles of its  
7 responsible leaders;

8 (d) The name, office sought, and party affiliation of each  
9 candidate in the state of Washington whom the out-of-state committee  
10 is supporting or opposing and, if the committee is supporting or  
11 opposing the entire ticket of any party, the name of the party;

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

15 (f) The name and address of each person residing in the state of  
16 Washington or corporation that has a place of business in the state  
17 of Washington who has made one or more contributions in the aggregate  
18 of more than twenty-five dollars to the out-of-state committee during  
19 the current calendar year, together with the money value and date of  
20 the contributions;

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

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

37 (i) A statement that the out-of-state committee has received a  
38 certification from any partnership, association, corporation,  
39 organization, or other combination of persons making ((a  
40 ~~contribution~~)) one or more contributions reportable under this

1 section that total more than \$6,000 in the aggregate, adjusted for  
2 inflation by rule of the commission adopted under the authority of  
3 RCW 29B.20.050, that:

4 (i) The (~~contribution is~~) contributions are not financed in any  
5 part by a foreign national; and

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

8 (j) Any other information as the commission may prescribe by rule  
9 in keeping with the policies and purposes of this title.

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

16 **Sec. 4.** RCW 29B.25.120 and 2024 c 164 s 429 are each amended to  
17 read as follows:

18 (1) For the purposes of this section the term "independent  
19 expenditure" means any expenditure that is made in support of or in  
20 opposition to any candidate or ballot proposition and is not  
21 otherwise required to be reported pursuant to RCW 29B.25.070,  
22 29B.25.090, and 29B.25.100. "Independent expenditure" does not  
23 include: An internal political communication primarily limited to the  
24 contributors to a political party organization or political action  
25 committee, or the officers, management staff, and stockholders of a  
26 corporation or similar enterprise, or the members of a labor  
27 organization or other membership organization; or the rendering of  
28 personal services of the sort commonly performed by volunteer  
29 campaign workers, or incidental expenses personally incurred by  
30 volunteer campaign workers not in excess of fifty dollars personally  
31 paid for by the worker. "Volunteer services," for the purposes of  
32 this section, means services or labor for which the individual is not  
33 compensated by any person.

34 (2) Within five days after the date of making an independent  
35 expenditure that by itself or when added to all other such  
36 independent expenditures made during the same election campaign by  
37 the same person equals one hundred dollars or more, or within five  
38 days after the date of making an independent expenditure for which no  
39 reasonable estimate of monetary value is practicable, whichever

1 occurs first, the person who made the independent expenditure shall  
2 file with the commission an initial report of all independent  
3 expenditures made during the campaign prior to and including such  
4 date.

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

9 (a) On the 21st day and the seventh day preceding the date on  
10 which the election is held; and

11 (b) On the 10th day of the first month after the election; and

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

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

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

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

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

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

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

1 (d) A statement from the person making (~~(an independent~~  
2 ~~expenditure)~~) one or more independent expenditures that total more  
3 than \$6,000 in the aggregate, adjusted for inflation by rule of the  
4 commission adopted under the authority of RCW 29B.20.050, that:

5 (i) The (~~expenditure is~~) expenditures are not financed in any  
6 part by a foreign national; and

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

9 (e) Such other information as shall be required by the commission  
10 by rule in conformance with the policies and purposes of this title.

11 **Sec. 5.** RCW 29B.25.130 and 2024 c 164 s 430 are each amended to  
12 read as follows:

13 (1) The sponsor of political advertising shall file a special  
14 report to the commission within 24 hours of, or on the first working  
15 day after, the date the political advertising is first published,  
16 mailed, or otherwise presented to the public, if the political  
17 advertising:

18 (a) Is published, mailed, or otherwise presented to the public  
19 within 21 days of an election; and

20 (b) Either:

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

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

27 (2) If a sponsor is required to file a special report under this  
28 section, the sponsor shall also deliver to the commission within the  
29 delivery period established in subsection (1) of this section a  
30 special report for each subsequent independent expenditure of any  
31 size supporting or opposing the same candidate who was the subject of  
32 the previous independent expenditure, supporting or opposing that  
33 candidate's opponent, or, in the case of a subsequent expenditure of  
34 any size made in support of or in opposition to a ballot proposition  
35 not otherwise required to be reported pursuant to RCW 29B.25.070,  
36 29B.25.090, or 29B.25.100, supporting or opposing the same ballot  
37 proposition that was the subject of the previous expenditure.

38 (3) The special report must include:

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

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

3 (c) A detailed description of the expenditure;

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

6 (e) The amount of the expenditure;

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

12 (g) A statement from the sponsor of political advertising that  
13 qualifies as an independent expenditure with a fair market value or  
14 actual cost of more than \$6,000 for political advertising supporting  
15 or opposing a candidate or a fair market value or actual cost of more  
16 than \$6,000 for political advertising supporting or opposing a ballot  
17 proposition, both adjusted for inflation by rule of the commission  
18 adopted under the authority of RCW 29B.20.050, that:

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

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

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

24 (4) All persons required to report under RCW 29B.25.070,  
25 29B.25.090, 29B.25.100, 29B.25.120, and 29B.30.020 are subject to the  
26 requirements of this section. The commission may determine that  
27 reports filed pursuant to this section also satisfy the requirements  
28 of RCW 29B.25.120.

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

1       **Sec. 6.** RCW 29B.25.140 and 2024 c 164 s 431 are each amended to  
2 read as follows:

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

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

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

16       (4) Special reporting periods, for purposes of this section,  
17 include:

18       (a) The period beginning on the day after the last report  
19 required by RCW 29B.25.090 and 29B.25.100 to be filed before a  
20 primary and concluding on the end of the day before that primary;

21       (b) The period 21 days preceding a general election; and

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

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

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

1 (a) The special report required of a contribution recipient under  
2 subsection (1) of this section shall be delivered to the commission  
3 within 48 hours of the time, or on the first working day after: The  
4 contribution of one thousand dollars or more is received by the  
5 candidate or treasurer; the aggregate received by the candidate or  
6 treasurer first equals one thousand dollars or more; or any  
7 subsequent contribution from the same source is received by the  
8 candidate or treasurer.

9 (b) The special report required of a contributor under subsection  
10 (2) of this section or RCW 29B.50.070 shall be delivered to the  
11 commission, and the candidate or political committee to whom the  
12 contribution or contributions are made, within 24 hours of the time,  
13 or on the first working day after: The contribution is made; the  
14 aggregate of contributions made first equals one thousand dollars or  
15 more; or any subsequent contribution to the same person or entity is  
16 made.

17 (7) The special report shall include:

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

19 (b) The date or dates of receipt;

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

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

22 (e) A statement that the candidate or political committee has  
23 received a certification from any partnership, association,  
24 corporation, organization, or other combination of persons making ((a  
25 ~~contribution~~)) one or more contributions reportable under this  
26 section that total more than \$6,000 in the aggregate, adjusted for  
27 inflation by rule of the commission adopted under the authority of  
28 RCW 29B.20.050, that:

29 (i) The ((~~contribution is~~)) contributions are not financed in any  
30 part by a foreign national; and

31 (ii) Foreign nationals are not involved in making decisions  
32 regarding the ((~~contribution~~)) contributions in any way; and

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

34 (8) Contributions reported under this section shall also be  
35 reported as required by other provisions of this title.

36 (9) The commission shall prepare daily a summary of the special  
37 reports made under this section and RCW 29B.50.070.

38 (10) Contributions governed by this section include, but are not  
39 limited to, contributions made or received indirectly through a third

1 party or entity whether the contributions are or are not reported to  
2 the commission as earmarked contributions under RCW 29B.25.150.

3 **Sec. 7.** RCW 29B.30.020 and 2024 c 164 s 434 are each amended to  
4 read as follows:

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

9 (a) Name and address of the sponsor;

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

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

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

25 (iii) A statement from the sponsor of electioneering  
26 communication that has a fair market value or actual cost of more  
27 than \$6,000, adjusted for inflation by rule of the commission adopted  
28 under the authority of RCW 29B.20.050, that:

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

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

33 (iv) Any other source information required or exempted by the  
34 commission by rule;

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

37 (d) A detailed description of each expenditure of more than one  
38 hundred dollars;

1 (e) The date the expenditure was made and the date the  
2 electioneering communication was first broadcast, transmitted,  
3 mailed, erected, distributed, or otherwise published;

4 (f) The amount of the expenditure;

5 (g) The name of each candidate clearly identified in the  
6 electioneering communication, the office being sought by each  
7 candidate, and the amount of the expenditure attributable to each  
8 candidate; and

9 (h) Any other information the commission may require or exempt by  
10 rule.

11 (2) Electioneering communications shall be reported as follows:  
12 The sponsor of an electioneering communication shall report to the  
13 commission within 24 hours of, or on the first working day after, the  
14 date the electioneering communication is broadcast, transmitted,  
15 mailed, erected, distributed, digitally or otherwise, or otherwise  
16 published.

17 (3) Electioneering communications shall be reported  
18 electronically by the sponsor using software provided or approved by  
19 the commission. The commission may make exceptions on a case-by-case  
20 basis for a sponsor who lacks the technological ability to file  
21 reports using the electronic means provided or approved by the  
22 commission.

23 (4) All persons required to report under RCW 29B.25.070,  
24 29B.25.090, 29B.25.100, and 29B.25.120 are subject to the  
25 requirements of this section, although the commission may determine  
26 by rule that persons filing according to those sections may be exempt  
27 from reporting some of the information otherwise required by this  
28 section. The commission may determine that reports filed pursuant to  
29 this section also satisfy the requirements of RCW 29B.25.120 and  
30 29B.25.130.

31 (5) Failure of any sponsor to report electronically under this  
32 section shall be a violation of this title.

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