



King County
Metropolitan King County Council
Committee of the Whole

STAFF REPORT

Agenda Item No.:	7	Date:	7 July 2010
Proposed Ordinance No.:	2009-0496	Prepared by:	Rebecha Cusack Nick Wagner

SUMMARY

Proposed Ordinance 2009-0496 (pp. 5-8 of these materials) would place on the November 2010 ballot a charter amendment eliminating, as redundant, the requirement that campaign-related finance reports be filed with the county director of elections as well as with the Washington State Public Disclosure Commission.¹

BACKGROUND

Candidates for state or local elective office and political committees are required by state law to file monthly reports of campaign receipts and expenditures with the Washington State Public Disclosure Commission (PDC) and with the county elections officer.² See RCW 42.17.080, pp. 11-12 of these materials. These are the reports referred to by the PDC as “C” reports. The reports must be filed on the 10th day of each month, including the month after the election.³ RCW 42.17.080(2)(b),(c).

King County Charter section 690 (p. 17 of these materials) requires candidates for county elective office to file a similar report with the county elections officer “within 10 days after the primary, general or special election, as the case may be.”⁴

¹ In the current title of the proposed ordinance, the ballot date is November 2009, since the ordinance was originally introduced in 2009. Title Amendment T1 would change the ballot date to November 2010.

² Since 2002, reports that were filed with the PDC electronically have *not* had to be filed locally. See RCW 42.17.080(9).

³ The reports must also be filed on the 21st day and the seventh day preceding the date of the election. RCW 42.17.080(2)(a). See also the PDC reporting schedules for 2010 and PDC FAQs (pp. 13-16 of these materials).

⁴ Section 690 provides in part: “Every candidate for nomination or election to an elective county office shall, within ten days after the primary, general or special election as the case may be, file an itemized statement with the executive department responsible for conducting elections showing all campaign contributions and pledges of manpower and material made to him or on his behalf and all campaign expenditures and obligations incurred by him or on his behalf.”

Section 690 is implemented by the county code, which requires in KCC 1.04.010 (p. 19 of these materials) that candidates use the state PDC forms for making the county filing. In practice, therefore, candidates can meet the requirement of charter section 690 by filing with King County Elections the same statements of campaign receipts and expenditures that they file with the state PDC.

The state PDC now makes available online the campaign financial statements that it receives from candidates. Arguably, this undercuts the need for local filing, since the information is readily available online from the state PDC. Accordingly, legislation signed by the governor on March 25 of this year, which will take effect on June 10, eliminates the requirement that candidates and political committees file “C” reports with their local county elections officer in addition to the state PDC. *See* Senate Bill 6243, Chapter 205, Laws of 2010 (pp. 21-34 of these materials).⁵

Charter section 690, however, remains in effect and continues to require “C” reports to be filed locally.

PROPOSED ORDINANCE 2009-0496

The charter amendment that would be placed on the ballot by Proposed Ordinance 2009-0496 (pp. 5-8 of these materials) would eliminate this seemingly redundant local filing requirement in King County by inserting the following sentence into charter section 690: “Timely filing of a statement of campaign receipts and expenditures with the Washington State Public Disclosure Commission in accordance with chapter 42.17 RCW satisfies the filing obligations of this section.”

The proposed amendment also includes technical changes to make the language of section 690 gender-neutral.

TITLE AMENDMENT

Title Amendment T1 would update the ordinance title to provide that the proposed charter amendment is to be placed on the ballot in 2010, rather than 2009 as originally drafted.

COUNCIL OPTIONS

The Council has at least two options:

1. Adopt Proposed Ordinance 2009-0496 (pp. 5-8 of these materials), which would place on the November 2010 ballot a charter amendment eliminating the requirement that campaign-related finance reports be filed with the county director of elections as well as with the Washington State Public Disclosure Commission;

⁵ The Final Bill Report, which summarizes the effect of SB6243, is included at pp. 35-36.

2. Take no action at this time.

TIMELINE

The charter deadline for Council action to place proposed amendments on the November 2010 ballot is September 17; however, adoption of a charter amendment at that late date, while complying with the county charter, would make it necessary for county elections staff to publish a supplemental voter pamphlet, which would entail substantial additional cost to the county. Adoption that late would also put additional time pressure on the process of recruiting individuals to serve on the pro-con committees and preparing the pro-con statements. *To avoid these undesirable consequences, the practical deadline for Council action to place a charter amendment on the ballot is the last Council meeting before the August recess: July 26.*

ATTACHMENTS

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KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

May 22, 2010

Ordinance

Proposed No. 2009-0496.1

Sponsors Lambert

1 AN ORDINANCE proposing an amendment to Section 690
2 of the King County Charter, to specify that timely filing of
3 a statement of campaign receipts and expenditures with the
4 Washington state Public Disclosure Commission in
5 accordance with chapter 42.17 RCW satisfies the filing
6 obligations of Section 690 of the King County Charter;
7 making technical corrections; and submitting the same to
8 the voters of the county for their ratification or rejection at
9 the November 2009 general election.

10 **STATEMENT OF FACTS:**

- 11 1. Section 690 of the King County Charter is redundant with requirements
12 in the RCW chapter 42.17 regarding the timely filing of statements of
13 campaign receipts and expenditures with the Washington State Public
14 Disclosure Commission.
- 15 2. The redundant filing of statements of campaign receipts and
16 expenditures is inefficient and not in the public interest.
- 17 3. Technological advances make records universally accessible
18 electronically, and it is more valuable and a better use of resources to have
19 records available electronically than in duplicate hard-copy format.

20 4. The county and the state have been performing the same function in
21 reporting campaign receipts and expenditures, but duplicating efforts is
22 not the most efficient use of public finances.

23 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24 SECTION 1. There shall be submitted to the voters of King County for their
25 approval and ratification or rejection, at the next general election to be held in this county
26 occurring more than forty-five days after the enactment of this ordinance, an amendment
27 to Section 690 of the King County Charter as set forth herein:

28 **Section 690 Statement of Campaign Contributions and Expenditures.**

29 Every candidate for nomination or election to an elective county office shall,
30 within ten days after the primary, general or special election as the case may be, file an
31 itemized statement with the executive department responsible for conducting elections
32 showing all campaign contributions and pledges of manpower and material made to
33 ~~((him))~~ the candidate or on ~~((his))~~ the candidate's behalf and all campaign expenditures
34 and obligations incurred by ~~((him))~~ the candidate or on ~~((his))~~ the candidate's behalf.

35 Such statement when filed shall be a public record. The county council shall by
36 ordinance prescribe the form of such statement. Timely filing of a statement of campaign
37 receipts and expenditures with the Washington State Public Disclosure Commission in
38 accordance with chapter 42.17 RCW satisfies the filing obligations of this section. A
39 willful violation of this section shall disqualify the candidate from holding county
40 elective office.

41 SECTION 2. The clerk of the council shall certify the proposition to the county
42 elections director, in substantially the following form, with such additions, deletions or
43 modifications as may be required by the prosecuting attorney:

44 Shall Section 690 of the King County Charter be amended to specify that
45 timely filing of a statement of campaign receipts and expenditures with the
46 Washington State Public Disclosure Commission in accordance with

47 chapter 42.17 RCW satisfies the filing obligations of Section 690 of the
48 King County Charter?
49

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Robert W. Ferguson, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None

June 2, 2010

T1

nw

Sponsor: Lambert

Proposed No.: 2009-0496

1 **AMENDMENT TO PROPOSED ORDINANCE 2009-0496, VERSION 1**

2 On page 1, line 9, strike "2009" and insert "2010"

3 **EFFECT: Corrects the year in which the proposed charter amendment will be**
4 **placed on the ballot.**

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*** CHANGE IN 2010 *** (SEE 2016-S2.SL) ***

*** CHANGE IN 2010 *** (SEE 6243.SL) ***

(1) On the day the treasurer is designated, each candidate or political committee shall file with the commission and the county auditor or elections officer of the county in which the candidate resides, or in the case of a political committee, the county in which the treasurer resides, in addition to any statement of organization required under RCW 42.17.040 or 42.17.050, a report of all contributions received and expenditures made prior to that date, if any.

(2) At the following intervals each treasurer shall file with the commission and the county auditor or elections officer of the county in which the candidate resides, or in the case of a political committee, the county in which the committee maintains its office or headquarters, and if there is no office or headquarters then in the county in which the treasurer resides, a report containing the information required by RCW 42.17.090:

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

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

(c) On the tenth day of each month in which no other reports are required to be filed under this section: PROVIDED, That such report shall only be filed if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars.

When there is no outstanding debt or obligation, and the campaign fund is closed, and the campaign is concluded in all respects, and in the case of a political committee, the committee has ceased to function and has dissolved, the treasurer shall file a final report. Upon submitting a final report, the duties of the treasurer shall cease and there shall be no obligation to make any further reports.

The report filed twenty-one days before the election shall report all contributions received and expenditures made as of the end of the one business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of the one business day before the date of the report. Reports filed on the tenth day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the current report.

(3) For the period beginning the first day of the fourth month preceding the date on which the special election is held, or for the period beginning the first day of the fifth month before the date on which the general election is held, and ending on the date of that special or general election, each Monday the treasurer shall file with the commission and the appropriate county elections officer a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds so deposited and the amount contributed by each person. However, contributions of no more than twenty-five dollars in the aggregate from any one person may be deposited without identifying the contributor. A copy of the report shall be retained by the treasurer for his or her records. In the event of deposits made by a deputy treasurer, the copy shall be forwarded to the treasurer for his or her records. Each report shall be certified as correct by the treasurer or deputy treasurer making the deposit.

(4) If a city requires that candidates or committees for city offices file reports with a city agency, the candidate or treasurer so filing need not also file the report with the county auditor or elections officer.

(5) The treasurer or candidate shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the eight days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the committee's statement of organization filed under RCW 42.17.040, the books of account must be open for public inspection by appointment at the designated place for inspections between 8:00 a.m. and 8:00 p.m. on any day from the eighth day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within twenty-four hours of the time and day that is requested for the inspection.

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

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

(8) Copies of all reports filed pursuant to this section shall be readily available for public inspection for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040, at the principal headquarters or, if there is no headquarters, at the address of the treasurer or such other place as may be authorized by the commission.

(9) After January 1, 2002, a report that is filed with the commission electronically need not also be filed with the county auditor or elections officer.

(10) The commission shall adopt administrative rules establishing requirements for filer participation in any system designed and implemented by the commission for the electronic filing of reports.

[2008 c 73 § 1; 2006 c 344 § 30; 2005 c 184 § 1; 2002 c 75 § 2; 2000 c 237 § 2; 1999 c 401 § 13; 1995 c 397 § 2; 1989 c 280 § 8; 1986 c 28 § 1; 1982 c 147 § 6; 1975 1st ex.s. c 294 § 6; 1973 c 1 § 8 (Initiative Measure No. 276, approved November 7, 1972).]

Notes:

Effective date -- 2006 c 344 §§ 1-16 and 18-40: See note following RCW 29A.04.311.

Effective date -- 1989 c 280: See note following RCW 42.17.020.

2010 Key Reporting Dates for Candidates

DATE	ACTIVITY	C-4 REPORT PERIOD
Within two weeks of becoming a candidate	File a C-1 (non-incumbents also file an F-1)	
Jan 11	File monthly C-4 & C-3, if necessary	close of last report thru Dec 31
Feb 10	“ “	close of last report thru Jan 31
Mar 10	“ “	close of last report thru Feb 28
Apr 12	“ “	close of last report thru Mar 31
May 10	“ “	close of last report thru Apr 30
June 1	Begin filing C-3 reports weekly, each Monday, for deposits made during previous 7 days (Monday thru Sunday)	
June 7 - 11	Declaration of candidacy filing week	
June 10	File monthly C-4, if necessary	close of last report thru May 31
July 6	Final day to change from mini to full reporting without special circumstances ¹	
July 27	21 day pre-primary C-4 due ²	June 1 thru July 26
Aug 9 - 16	Campaign books open for public inspection	
Aug 10	7 day pre-primary C-4 due	July 27 thru Aug 9
Aug 10 - 16	Special reports due if candidate receives contributions of \$1,000 or more from one source. ³	
Aug 17	PRIMARY ELECTION DAY	
Sept 10	Post-primary C-4 due	Aug 10 thru Aug 31
Sept 21	Final day to change from mini to full reporting without special circumstances ¹	
Oct 12	21 day pre-general C-4 due	Sep 1 thru Oct 11
Oct 12 – Nov 1	Special reports due if candidate receives contributions of \$1,000 or more in the aggregate from one source. Unless the contribution is from the <u>state committee</u> of a major political party or a minor party, a candidate may not now receive from one source contributions totaling over \$5,000 in the aggregate. ³	
Oct 25 – Nov 1	Campaign books open for public inspection	
Oct 26	7 day pre-general C-4 due	Oct 12 thru Oct 25
Nov 2	GENERAL ELECTION DAY	
Dec 10	Post-general C-4 due (and C-3, if necessary)	Oct 26 thru Nov 30
Jan 10 (2011)	End of election cycle C-4 due (and C-3, if necessary)	Dec 1 – Dec 31

¹ See WAC 390-16-125.

² Only required of candidates whose names will appear on the primary election ballot or who are running as write-in candidates in the primary election. Candidates who are only in the general election file monthly reports for June, July, and August – these reports are due on the 10th of the following month.

³ Does not constitute authority to exceed any applicable local or state contribution limit.

2010 Key Reporting Dates for Political Committees

DATE	ACTIVITY	C-4 REPORT PERIOD
Within two weeks of forming a committee	File a C-1pc (file an amended C-1pc within ten days of change in committee makeup) ¹	
Jan 11	File monthly C-4 & C-3, if necessary	close of last report thru Dec 31
Feb 10	“ “	close of last report thru Jan 31
Mar 10	“ “	close of last report thru Feb 28
Apr 12	“ “	close of last report thru Mar 31
May 10	“ “	close of last report thru Apr 30
June 1	Begin filing C-3 reports weekly, each Monday, for deposits made during previous 7 days (Monday thru Sunday)	
June 10	File monthly C-4, if necessary	close of last report thru May 31
July 6	Final day to change from mini to full reporting without special circumstances ²	
July 27	21 day pre-primary C-4 due ³	June 1 thru July 26
Aug 9 - 16	Committee books open for public inspection	
Aug 10	7 day pre-primary C-4 due	July 27 thru Aug 9
Aug 10 - 16	Special reports due if committee makes or receives contributions of \$1,000 or more from one source. ⁴	
Aug 17	PRIMARY ELECTION DAY	
Sept 10	Post-primary C-4 due	Aug 10 thru Aug 31
Sept 21	Final day to change from mini to full reporting without special circumstances ²	
Oct 12	21 day pre-general C-4 due	Sep 1 thru Oct 11
Oct 12 – Nov 1	Special reports due if committee makes or receives Contributions of \$1,000 or more in the aggregate. ³ Further, unless the contributor is a <u>state committee</u> of a bona fide Political party, no committee may now: 1) receive contributions over \$5,000 in the aggregate from one source or 2) make aggregate Contributions totaling over \$5,000 to a candidate or other political committee.	
Oct 25 – Nov 1	Campaign books open for public inspection	
Oct 26	7 day pre-general C-4 due	Oct 12 thru Oct 25
Nov 2	GENERAL ELECTION DAY	
Dec 10	Post-general C-4 due (and C-3, if necessary)	Oct 26 thru Nov 30
Jan 10 (2011)	End of election cycle C-4 due (and C-3, if necessary)	Dec 1 thru Dec 31

¹ Committees forming within 3 weeks of the election must file C-1pc within 3 business days of organizing.

² See WAC 390-16-125.

³ Primary reports not required of committees only supporting or opposing general election ballot issues. These committees file monthly reports for June, July, August – these reports are due on the 10th of the following month.

⁴ Does not constitute authority to exceed any applicable local or state contribution limit.

• What Starts the Whole Process?

Becoming a candidate. According to the disclosure law, you become a candidate when you do one of these things: raise or spend money for your campaign; reserve space or purchase advertising to promote your candidacy; authorize someone else to do any of these activities for you; state publicly that you're seeking office; or file a declaration of candidacy.

• Once I Become a Candidate, Then What?

Within two weeks of the date you become a candidate, you must file a Personal Financial Affairs Statement* (Form F-1) and a Candidate Registration form (Form C-1) with the PDC, if required. A copy of the C-1 must be filed with your county auditor or elections officer.

*An incumbent officeholder who has filed an F-1 earlier in the year does not need to file a second F-1 in the same year after becoming a candidate.

• Which Candidates Must File Disclosure Reports?

One of two things determines what a candidate discloses. For most candidates, it's the number of registered voters in the jurisdiction where the candidate runs for office. If you are a candidate running for office in a very small jurisdiction, the total amount of contributions you receive or expect to receive will determine whether you report contributions & expenditures.

You must file a Personal Financial Affairs Statement and campaign disclosure reports if you are:

- a state office candidate
- a county office candidate
- a local or judicial office candidate in a jurisdiction with 5,000 or more registered voters
- a candidate who receives or expects to receive contributions of \$5,000 or more in the aggregate regardless of the number of registered voters

File just a Personal Financial Affairs Statement if you are:

- a candidate for local or judicial office in a jurisdiction with 1,000 or more but less than 5,000 registered voters and you do not expect to receive contributions totaling \$5,000 or more

A candidate seeking election to an office in a jurisdiction with less than 1,000 registered voters who does not receive or expect to receive contributions totaling \$5,000 or more does not file any reports with the Public Disclosure Commission.

Registered voter counts are available from the PDC or your county elections office.

• Where Do I Get Blank Forms and Instructions?

Form templates, brochures, manuals, and training videos are available online at www.pdc.wa.gov under Filer Resources. Contact the PDC at 360-753-1111 or toll-free at 1-877-601-2828 if you do not have Internet access. The PDC offers free compliance training; the schedule is at www.pdc.wa.gov/filers.

• Electronic Filing

A candidate that expects to spend \$10,000 or more is required to file campaign finance reports electronically. The PDC's free software, ORCA, can be used to electronically file the required campaign disclosure reports. The PDC staff offers free ORCA training – the schedule is available at www.pdc.wa.gov/filers.

To work properly, campaign data from the start of the campaign must be entered into the system.

For assistance with electronic filing of campaign finance reports, go to the PDC web page at www.pdc.wa.gov/filers or call toll free at 1-877-601-2828.

• I Suspect There's More to Reporting . . . Right?

Probably. It depends on how much you're going to raise and spend on your campaign.

If you choose Mini Reporting (limiting what you raise or spend to \$5,000 and limiting contributions from one source other than yourself to \$500), the C-1 and the F-1 are the only PDC reports you have to file. Be sure to access and carefully review the Mini Reporting manual found at www.pdc.wa.gov/filers.

If you're going to raise and spend over \$5,000 to get elected (or less than that, but you want to accept more than \$500 from one or more donors), you must select the Full Reporting option. You'll be required to file frequent and detailed contribution and expenditure reports (Forms C-3 and C-4, respectively).

The PDC realizes that candidates are not always able to forecast campaign costs accurately, and may need to switch reporting options. Changing from mini to full reporting must be done at least 30 business days before the election and approved by the PDC staff. A candidate who wishes to change from mini to full reporting must notify all opponents in writing, amend the registration, file contribution & expenditure reports from the start of the campaign, and send a letter to the PDC confirming that these steps have been completed before exceeding the mini reporting limits. The change in reporting options will be approved only if all of these steps are completed at least 30 business days before the election.

The approval to change reporting options from mini to full reporting within 30 business days of the election is not automatic and will only be granted under circumstances outlined in WAC 390-16-125.

- **When are Contribution and Expenditure Reports Due?**

C-3 Contribution Reports: Before June 1 of the election year, candidates fill out a C-3 report for each bank deposit and file these reports with their C-4 reports. Beginning June 1, each time you make a deposit you must file a C-3 no later than the following Monday. Since contributions must be deposited within 5 business days of receipt, active campaigns will make at least one weekly deposit.

C-4 Summary Reports: This report, along with its attached schedules, summarizes the campaign's financial activity and shows itemized expenditures for a specific period. C-4s are due:

From the beginning of the campaign through May of the election year, if a campaign has over \$200 in contributions or expenditures during a month, a C-4 report is filed by the 10th of the following month. Beginning with June of the election year and continuing through the primary and general elections, C-4 reports are due 21 and 7 days *before* each election and on the 10th of the month *after* the month the election was held with the candidate's name on the ballot, even if there was little or no activity to report.

Specific filing dates are listed in the 2010 Key Reporting Dates for Candidates found under Filer Resources at www.pdc.wa.gov. All PDC reports are considered filed as of the postmark date or, if filed electronically, on the file transfer date.

- **Where Do I File PDC Reports?**

Send the original of all campaign reports (the "C" series) to the PDC; provide a copy of these campaign reports to your county elections officer. The personal financial affairs statement (F-1) is, in most cases, filed only with PDC in Olympia. By local ordinance, city office candidates may also have to file copies of "C" reports and the F-1 with their city clerk.

NOTE: Electronically filed reports are not required to be filed with the county auditor.

- **Must I Have a Separate Campaign Account?**

Candidates must open a separate campaign account in a bank, credit union or savings and loan institution if they accept monetary contributions. A candidate who personally funds his/her entire campaign and accepts no contributions does not have to open a bank account. These candidates are required to make all campaign records, which may include the personal checkbook register and bank statements, available for public inspection during the eight days before the election.

- **From Whom May I Accept Contributions?**

Generally, contributions from individuals, corporations, unions and other organizations are permitted. Candidates for legislative, state executive office, judicial, and some county offices have special contributor restrictions. By federal law, no foreign corporations or citizens (unless they have green cards), national banks and corporations organized by authority of Congress and federal government contractors may contribute to or spend funds on behalf of U.S. candidates.

A candidate may personally finance his/her entire campaign. Local restrictions may apply to candidates seeking some county and city offices. Check with your county elections office or your city clerk.

- **May I Serve as My Own Treasurer?**

Yes. However, candidates who select Full Reporting are strongly encouraged to enlist the aid of a treasurer who has the time and energy necessary to keep detailed, accurate records and file frequent reports. Your treasurer does not need to be a professional accountant.

- **Is There a Contribution Limit?**

State law sets contribution limits on donations to legislative, state executive, and judicial office candidates, as well as county office and port commissioner candidates in jurisdictions with more than 200,000 registered voters as of the last General Election [Clark, King, Pierce, Snohomish, and Spokane Counties and the Ports of Tacoma and Seattle in 2010] as well as bona fide political party and caucus political committees. See instruction manuals for details. **Beginning June 10, limits are extended to county office candidates in all counties, all mayoral candidates, and all city council candidates.**

During the 21 days before the general election, no contributor, except the state committee of a bona fide political party, may give more than a total of \$50,000 to a statewide office candidate or \$5,000 to any other candidate or political committee. This restriction also applies to a candidate's personal funds.

Candidates must not accept contributions that exceed their respective limits. Additional local restrictions may apply to candidates seeking local office.

- **Is There an Expenditure Limit?**

Candidates who choose Mini Reporting self-impose an expenditure limit of \$5,000. There are no expenditure limits for candidates who choose Full Reporting.

- **Must I Identify All Contributors?**

Anyone who donates monetary and in-kind contributions totaling more than \$25 over the course of your campaign must be identified by name and full address. Plus, if an individual gives you more than \$100 in the aggregate, you must show this person's occupation and the name, city and state of his or her employer.

- **May I Be Reimbursed for the Personal Funds I Spend on My Campaign?**

A candidate's contributions to his or her own campaign must first be reported as loans in order to be eligible for repayment. A candidate can be repaid up to \$4,700 for primary election loans and \$4,700 for general election loans. Reimbursements for the candidate's out-of-pocket campaign expenses must be made within three weeks or the reimbursement will count against the loan repayment limit.

- **Are There Laws Governing Political Ads?**

Yes. Details are in the PDC's Political Advertising brochure or the Political Advertising section in the instruction manual.

For more information, contact PDC at (360) 753-1111, toll-free 1-877-601-2828, pdc@pdc.wa.gov (e-mail), or visit PDC's Website (<http://www.pdc.wa.gov>).

King County Charter § 690

Section 690 Statement of Campaign Contributions and Expenditures.

Every candidate for nomination or election to an elective county office shall, within ten days after the primary, general or special election as the case may be, file an itemized statement with the executive department responsible for conducting elections showing all campaign contributions and pledges of manpower and material made to him or on his behalf and all campaign expenditures and obligations incurred by him or on his behalf. Such statement when filed shall be a public record. The county council shall by ordinance prescribe the form of such statement. A willful violation of this section shall disqualify the candidate from holding county elective office.

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King County Code § 1.04.010

1.04.010 Statement of contributions and expenditures. Each candidate for nomination or election to an elective office in King County shall, in compliance with the provisions of Article 6, Section 690 of the King County Charter, execute and file a statement of campaign contributions and expenditures on the form or forms required by the Public Disclosure Commission pursuant to chapter 42.17 of the Revised Code of Washington. (Ord. 4955 § 1, 1980: Ord. 287 § 1, 1970).

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CERTIFICATION OF ENROLLMENT

SENATE BILL 6243

Chapter 205, Laws of 2010

61st Legislature
2010 Regular Session

CAMPAIGN-RELATED REPORTS AND STATEMENTS--FILING

EFFECTIVE DATE: 06/10/10

Passed by the Senate February 5, 2010
YEAS 0 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 9, 2010
YEAS 0 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved March 25, 2010, 3:24 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6243** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 26, 2010

**Secretary of State
State of Washington**

SENATE BILL 6243

Passed Legislature - 2010 Regular Session

State of Washington **61st Legislature** **2010 Regular Session**

By Senators Fairley, Oemig, Swecker, and McDermott; by request of Public Disclosure Commission

Read first time 01/11/10. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to eliminating provisions for filings at locations
2 other than the public disclosure commission; amending RCW 42.17.040,
3 42.17.050, 42.17.060, 42.17.065, 42.17.067, 42.17.080, 42.17.100,
4 42.17.380, and 42.17.450; and repealing RCW 42.17.375 and 42.17.550.

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

6 **Sec. 1.** RCW 42.17.040 and 2007 c 358 s 2 are each amended to read
7 as follows:

8 (1) Every political committee, within two weeks after its
9 organization or, within two weeks after the date when it first has the
10 expectation of receiving contributions or making expenditures in any
11 election campaign, whichever is earlier, shall file a statement of
12 organization with the commission (~~and with the county auditor or~~
13 ~~elections officer of the county in which the candidate resides, or in~~
14 ~~the case of any other political committee, the county in which the~~
15 ~~treasurer resides)). A political committee organized within the last
16 three weeks before an election and having the expectation of receiving
17 contributions or making expenditures during and for that election
18 campaign shall file a statement of organization within three business~~

1 days after its organization or when it first has the expectation of
2 receiving contributions or making expenditures in the election
3 campaign.

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

6 (a) The name and address of the committee;

7 (b) The names and addresses of all related or affiliated committees
8 or other persons, and the nature of the relationship or affiliation;

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

12 (d) The name and address of its 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 the
17 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 accordance
21 with RCW 42.17.095, in the event of dissolution;

22 (i) The street address of the place and the hours during which the
23 committee will make available for public inspection its books of
24 account and all reports filed in accordance with RCW 42.17.080;

25 (j) Such other information as the commission may by regulation
26 prescribe, in keeping with the policies and purposes of this chapter;

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

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

34 (3) Any material change in information previously submitted in a
35 statement of organization shall be reported to the commission (~~and to~~
36 ~~the appropriate county elections officer~~) within the ten days
37 following the change.

1 **Sec. 2.** RCW 42.17.050 and 1989 c 280 s 3 are each amended to read
2 as follows:

3 (1) Each candidate, within two weeks after becoming a candidate,
4 and each political committee, at the time it is required to file a
5 statement of organization, shall designate and file with the commission
6 (~~and the appropriate county elections officer~~) the names and
7 addresses of:

8 (a) One legally competent individual, who may be the candidate, to
9 serve as a treasurer; and

10 (b) A bank, mutual savings bank, savings and loan association, or
11 credit union doing business in this state to serve as depository and
12 the name of the account or accounts maintained in it.

13 (2) A candidate, a political committee, or a treasurer may appoint
14 as many deputy treasurers as is considered necessary and may designate
15 not more than one additional depository in each other county in which
16 the campaign is conducted. The candidate or political committee shall
17 file the names and addresses of the deputy treasurers and additional
18 depositories with the commission (~~and the appropriate county elections~~
19 ~~officer~~)).

20 (3) A candidate may not knowingly establish, use, direct, or
21 control more than one political committee for the purpose of supporting
22 that candidate during a particular election campaign. This does not
23 prohibit: (a) In addition to a candidate's having his or her own
24 political committee, the candidate's participation in a political
25 committee established to support a slate of candidates which includes
26 the candidate; or (b) joint fund-raising efforts by candidates when a
27 separate political committee is established for that purpose and all
28 contributions are disbursed to and accounted for on a pro rata basis by
29 the benefiting candidates.

30 (4)(a) A candidate or political committee may at any time remove a
31 treasurer or deputy treasurer or change a designated depository.

32 (b) In the event of the death, resignation, removal, or change of
33 a treasurer, deputy treasurer, or depository, the candidate or
34 political committee shall designate and file with the commission (~~and~~
35 ~~the appropriate county elections officer~~) the name and address of any
36 successor.

37 (5) No treasurer, deputy treasurer, or depository may be deemed to

1 be in compliance with the provisions of this chapter until his name and
2 address is filed with the commission (~~(and the appropriate county~~
3 ~~elections officer)~~).

4 **Sec. 3.** RCW 42.17.060 and 1989 c 280 s 4 are each amended to read
5 as follows:

6 (1) All monetary contributions received by a candidate or political
7 committee shall be deposited by the treasurer or deputy treasurer in a
8 depository in an account established and designated for that purpose.
9 Such deposits shall be made within five business days of receipt of the
10 contribution.

11 (2) Political committees which support or oppose more than one
12 candidate or ballot proposition, or exist for more than one purpose,
13 may maintain multiple separate bank accounts within the same designated
14 depository for such purpose: PROVIDED, That each such account shall
15 bear the same name followed by an appropriate designation which
16 accurately identifies its separate purpose: AND PROVIDED FURTHER, That
17 transfers of funds which must be reported under RCW 42.17.090(1)(~~(d)~~)
18 (e) may not be made from more than one such account.

19 (3) Nothing in this section prohibits a candidate or political
20 committee from investing funds on hand in a depository in bonds,
21 certificates, tax-exempt securities, or savings accounts or other
22 similar instruments in financial institutions or mutual funds other
23 than the depository: PROVIDED, That the commission (~~(and the~~
24 ~~appropriate county elections officer)~~) is notified in writing of the
25 initiation and the termination of the investment: PROVIDED FURTHER,
26 That the principal of such investment when terminated together with all
27 interest, dividends, and income derived from the investment are
28 deposited in the depository in the account from which the investment
29 was made and properly reported to the commission (~~(and the appropriate~~
30 ~~county elections officer)~~) prior to any further disposition or
31 expenditure thereof.

32 (4) Accumulated unidentified contributions, other than those made
33 by persons whose names must be maintained on a separate and private
34 list by a political committee's treasurer pursuant to RCW
35 42.17.090(1)(b), which total in excess of one percent of the total
36 accumulated contributions received in the current calendar year or
37 three hundred dollars (whichever is more), may not be deposited, used,

1 or expended, but shall be returned to the donor, if his identity can be
2 ascertained. If the donor cannot be ascertained, the contribution
3 shall escheat to the state, and shall be paid to the state treasurer
4 for deposit in the state general fund.

5 (5) A contribution of more than fifty dollars in currency may not
6 be accepted unless a receipt, signed by the contributor and by the
7 candidate, treasurer, or deputy treasurer, is prepared and made a part
8 of the campaign's or political committee's financial records.

9 **Sec. 4.** RCW 42.17.065 and 2000 c 237 s 1 are each amended to read
10 as follows:

11 (1) In addition to the provisions of this section, a continuing
12 political committee shall file and report on the same conditions and at
13 the same times as any other committee in accordance with the provisions
14 of RCW 42.17.040, 42.17.050, and 42.17.060.

15 (2) A continuing political committee shall file with the commission
16 (~~((and the auditor or elections officer of the county in which the~~
17 ~~committee maintains its office or headquarters and if there is no such~~
18 ~~office or headquarters then in the county in which the committee~~
19 ~~treasurer resides))~~) a report on the tenth day of the month detailing
20 its activities for the preceding calendar month in which the committee
21 has received a contribution or made an expenditure(~~((: PROVIDED,~~
22 ~~That)).~~ However, such report shall only be filed if either the total
23 contributions received or total expenditures made since the last such
24 report exceed two hundred dollars(~~((: PROVIDED FURTHER, That after~~
25 ~~January 1, 2002, if the committee files with the commission~~
26 ~~electronically, it need not also file with the county auditor or~~
27 ~~elections officer)).~~ The report shall be on a form supplied by the
28 commission and shall include the following information:

29 (a) The information required by RCW 42.17.090;

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

32 (c) Such other information as the commission shall by rule
33 prescribe.

34 (3) If a continuing political committee shall make a contribution
35 in support of or in opposition to a candidate or ballot proposition
36 within sixty days prior to the date on which such candidate or ballot

1 proposition will be voted upon, such continuing political committee
2 shall report pursuant to RCW 42.17.080.

3 (4) A continuing political committee shall file reports as required
4 by this chapter until it is dissolved, at which time a final report
5 shall be filed. Upon submitting a final report, the duties of the
6 ((campaign)) treasurer shall cease and there shall be no obligation to
7 make any further reports.

8 (5) The ((campaign)) treasurer shall maintain books of account
9 accurately reflecting all contributions and expenditures on a current
10 basis within five business days of receipt or expenditure. During the
11 eight days immediately preceding the date of any election, for which
12 the committee has received any contributions or made any expenditures,
13 the books of account shall be kept current within one business day and
14 shall be open for public inspection in the same manner as provided for
15 candidates and other political committees in RCW 42.17.080(5).

16 (6) All reports filed pursuant to this section shall be certified
17 as correct by the ((campaign)) treasurer.

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

22 **Sec. 5.** RCW 42.17.067 and 1989 c 280 s 6 are each amended to read
23 as follows:

24 (1) Fund-raising activities which meet the standards of subsection
25 (2) of this section may be reported in accordance with the provisions
26 of this section in lieu of reporting in accordance with RCW 42.17.080.

27 (2) Standards:

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

29 (i) The retail sale of goods or services at a reasonable
30 approximation of the fair market value of each item or service sold at
31 the activity; or

32 (ii) A gambling operation which is licensed, conducted, or operated
33 in accordance with the provisions of chapter 9.46 RCW; or

34 (iii) A gathering where food and beverages are purchased, where the
35 price of admission or the food and beverages is no more than twenty-
36 five dollars; or

1 (iv) A concert, dance, theater performance, or similar
2 entertainment event where the price of admission is no more than
3 twenty-five dollars; or

4 (v) An auction or similar sale where the total fair market value of
5 items donated by any person for sale is no more than fifty dollars; and

6 (b) No person responsible for receiving money at such activity
7 knowingly accepts payments from a single person at or from such an
8 activity to the candidate or committee aggregating more than fifty
9 dollars unless the name and address of the person making such payment
10 together with the amount paid to the candidate or committee are
11 disclosed in the report filed pursuant to subsection (6) of this
12 section; and

13 (c) Such other standards as shall be established by rule of the
14 commission to prevent frustration of the purposes of this chapter.

15 (3) All funds received from a fund-raising activity which conforms
16 with subsection (2) of this section shall be deposited within five
17 business days of receipt by the treasurer or deputy treasurer in the
18 depository.

19 (4) At the time reports are required under RCW 42.17.080, the
20 treasurer or deputy treasurer making the deposit shall file with the
21 commission (~~and the appropriate county elections officer~~) a report of
22 the fund-raising activity which shall contain the following
23 information:

24 (a) The date of the activity;

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

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

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

31 (6) The treasurer shall report pursuant to RCW 42.17.080 and
32 42.17.090: (a) The name and address and the amount contributed of each
33 person who contributes goods or services with a fair market value of
34 more than fifty dollars to a fund-raising activity reported under
35 subsection (4) of this section, and (b) the name and address of each
36 person whose identity can be ascertained, and the amount paid, from
37 whom were knowingly received payments to the candidate or committee

1 aggregating more than fifty dollars at or from such a fund-raising
2 activity.

3 **Sec. 6.** RCW 42.17.080 and 2008 c 73 s 1 are each amended to read
4 as follows:

5 (1) On the day the treasurer is designated, each candidate or
6 political committee shall file with the commission (~~and the county~~
7 ~~auditor or elections officer of the county in which the candidate~~
8 ~~resides, or in the case of a political committee, the county in which~~
9 ~~the treasurer resides~~), in addition to any statement of organization
10 required under RCW 42.17.040 or 42.17.050, a report of all
11 contributions received and expenditures made prior to that date, if
12 any.

13 (2) At the following intervals each treasurer shall file with the
14 commission (~~and the county auditor or elections officer of the county~~
15 ~~in which the candidate resides, or in the case of a political~~
16 ~~committee, the county in which the committee maintains its office or~~
17 ~~headquarters, and if there is no office or headquarters then in the~~
18 ~~county in which the treasurer resides,~~) a report containing the
19 information required by RCW 42.17.090:

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

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

23 (c) On the tenth day of each month in which no other reports are
24 required to be filed under this section(~~PROVIDED, That~~). However,
25 such report shall only be filed if the committee has received a
26 contribution or made an expenditure in the preceding calendar month and
27 either the total contributions received or total expenditures made
28 since the last such report exceed two hundred dollars.

29 When there is no outstanding debt or obligation, and the campaign
30 fund is closed, and the campaign is concluded in all respects, and in
31 the case of a political committee, the committee has ceased to function
32 and has dissolved, the treasurer shall file a final report. Upon
33 submitting a final report, the duties of the treasurer shall cease and
34 there shall be no obligation to make any further reports.

35 The report filed twenty-one days before the election shall report
36 all contributions received and expenditures made as of the end of
37 (~~the~~) one business day before the date of the report. The report

1 filed seven days before the election shall report all contributions
2 received and expenditures made as of the end of ~~((the))~~ one business
3 day before the date of the report. Reports filed on the tenth day of
4 the month shall report all contributions received and expenditures made
5 from the closing date of the last report filed through the last day of
6 the month preceding the date of the current report.

7 (3) For the period beginning the first day of the fourth month
8 preceding the date on which the special election is held, or for the
9 period beginning the first day of the fifth month before the date on
10 which the general election is held, and ending on the date of that
11 special or general election, each Monday the treasurer shall file with
12 the commission ~~((and the appropriate county elections officer))~~ a
13 report of each bank deposit made during the previous seven calendar
14 days. The report shall contain the name of each person contributing
15 the funds so deposited and the amount contributed by each person.
16 However, contributions of no more than twenty-five dollars in the
17 aggregate from any one person may be deposited without identifying the
18 contributor. A copy of the report shall be retained by the treasurer
19 for his or her records. In the event of deposits made by a deputy
20 treasurer, the copy shall be forwarded to the treasurer for his or her
21 records. Each report shall be certified as correct by the treasurer or
22 deputy treasurer making the deposit.

23 (4) ~~((If a city requires that candidates or committees for city
24 offices file reports with a city agency, the candidate or treasurer so
25 filing need not also file the report with the county auditor or
26 elections officer.~~

27 ~~(5))~~ The treasurer or candidate shall maintain books of account
28 accurately reflecting all contributions and expenditures on a current
29 basis within five business days of receipt or expenditure. During the
30 eight days immediately preceding the date of the election the books of
31 account shall be kept current within one business day. As specified in
32 the committee's statement of organization filed under RCW 42.17.040,
33 the books of account must be open for public inspection by appointment
34 at the designated place for inspections between 8:00 a.m. and 8:00 p.m.
35 on any day from the eighth day immediately before the election through
36 the day immediately before the election, other than Saturday, Sunday,
37 or a legal holiday. It is a violation of this chapter for a candidate
38 or political committee to refuse to allow and keep an appointment for

1 an inspection to be conducted during these authorized times and days.
2 The appointment must be allowed at an authorized time and day for such
3 inspections that is within twenty-four hours of the time and day that
4 is requested for the inspection.

5 ~~((+6))~~ (5) The treasurer or candidate shall preserve books of
6 account, bills, receipts, and all other financial records of the
7 campaign or political committee for not less than five calendar years
8 following the year during which the transaction occurred.

9 ~~((+7))~~ (6) All reports filed pursuant to subsection (1) or (2) of
10 this section shall be certified as correct by the candidate and the
11 treasurer.

12 ~~((+8))~~ (7) Copies of all reports filed pursuant to this section
13 shall be readily available for public inspection for at least two
14 consecutive hours Monday through Friday, excluding legal holidays,
15 between 8:00 a.m. and 8:00 p.m., as specified in the committee's
16 statement of organization filed pursuant to RCW 42.17.040, at the
17 principal headquarters or, if there is no headquarters, at the address
18 of the treasurer or such other place as may be authorized by the
19 commission.

20 ~~((+9) After January 1, 2002, a report that is filed with the
21 commission electronically need not also be filed with the county
22 auditor or elections officer.~~

23 ~~(+10))~~ (8) The commission shall adopt administrative rules
24 establishing requirements for filer participation in any system
25 designed and implemented by the commission for the electronic filing of
26 reports.

27 **Sec. 7.** RCW 42.17.100 and 1995 c 397 s 28 are each amended to read
28 as follows:

29 (1) For the purposes of this section ~~((and RCW 42.17.550))~~ the term
30 "independent expenditure" means any expenditure that is made in support
31 of or in opposition to any candidate or ballot proposition and is not
32 otherwise required to be reported pursuant to RCW 42.17.060, 42.17.080,
33 or 42.17.090. "Independent expenditure" does not include: An internal
34 political communication primarily limited to the contributors to a
35 political party organization or political action committee, or the
36 officers, management staff, and stockholders of a corporation or
37 similar enterprise, or the members of a labor organization or other

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

7 (2) Within five days after the date of making an independent
8 expenditure that by itself or when added to all other such independent
9 expenditures made during the same election campaign by the same person
10 equals one hundred dollars or more, or within five days after the date
11 of making an independent expenditure for which no reasonable estimate
12 of monetary value is practicable, whichever occurs first, the person
13 who made the independent expenditure shall file with the commission
14 (~~(and the county elections officer of the county of residence for the~~
15 ~~candidate supported or opposed by the independent expenditure (or in~~
16 ~~the case of an expenditure made in support of or in opposition to a~~
17 ~~local ballot proposition, the county of residence for the person making~~
18 ~~the expenditure))~~) an initial report of all independent expenditures
19 made during the campaign prior to and including such date.

20 (3) At the following intervals each person who is required to file
21 an initial report pursuant to subsection (2) of this section shall file
22 with the commission (~~(and the county elections officer of the county of~~
23 ~~residence for the candidate supported or opposed by the independent~~
24 ~~expenditure (or in the case of an expenditure made in support of or in~~
25 ~~opposition to a ballot proposition, the county of residence for the~~
26 ~~person making the expenditure))~~) a further report of the independent
27 expenditures made since the date of the last report:

28 (a) On the twenty-first day and the seventh day preceding the date
29 on which the election is held; and

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

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

36 The report filed pursuant to paragraph (a) of this subsection (3)
37 shall be the final report, and upon submitting such final report the

1 duties of the reporting person shall cease, and there shall be no
2 obligation to make any further reports.

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

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

10 (a) The name and address of the person filing the report;

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

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

21 (d) Such other information as shall be required by the commission
22 by rule in conformance with the policies and purposes of this chapter.

23 **Sec. 8.** RCW 42.17.380 and 1982 c 35 s 196 are each amended to read
24 as follows:

25 ~~((1) The office of the secretary of state shall be designated as
26 a place where the public may file papers or correspond with the
27 commission and receive any form or instruction from the commission.~~

28 ~~(2))~~ The attorney general, through his office, shall supply such
29 assistance as the commission may require in order to carry out its
30 responsibilities under this chapter. The commission may employ
31 attorneys who are neither the attorney general nor an assistant
32 attorney general to carry out any function of the attorney general
33 prescribed in this chapter.

34 **Sec. 9.** RCW 42.17.450 and 1973 c 1 s 45 are each amended to read
35 as follows:

36 ~~((Persons with whom statements or reports or copies of statements~~

1 ~~or reports are required to be filed under this chapter shall preserve~~
2 ~~them for not less than six years.)~~ The commission(~~(, however, shall)~~)
3 must preserve (~~(such)~~) statements or reports required to be filed under
4 this chapter for not less than ten years.

5 NEW SECTION. **Sec. 10.** The following acts or parts of acts are
6 each repealed:

7 (1) RCW 42.17.375 (Reports filed with county elections official--
8 Rules governing) and 1983 c 294 s 1; and

9 (2) RCW 42.17.550 (Independent expenditure disclosure) and 1993 c
10 2 s 23.

Passed by the Senate February 5, 2010.

Passed by the House March 9, 2010.

Approved by the Governor March 25, 2010.

Filed in Office of Secretary of State March 26, 2010.

FINAL BILL REPORT

SB 6243

C 205 L 10
Synopsis as Enacted

Brief Description: Eliminating provisions for filings at locations other than the public disclosure commission.

Sponsors: Senators Fairley, Oemig, Swecker and McDermott; by request of Public Disclosure Commission.

Senate Committee on Government Operations & Elections
House Committee on State Government & Tribal Affairs

Background: Initiative 276, passed by voters in 1972, established disclosure of campaign finances, lobbyist activities, financial affairs of elective officers and candidates, and access to public records. That initiative also created the Public Disclosure Commission (PDC), a five member, bi-partisan citizen commission to enforce the provisions of the campaign finance disclosure law.

Among the statutory duties of the PDC are to: compile and maintain a current list of all filed reports; investigate whether properly completed statements and reports have been filed within the times required; and investigate and report apparent violations of campaign finance law to the appropriate authorities.

The law requires that political subcommittees file a statement of organization with both the PDC and the county auditor of the county in which the political committee's treasurer lives. This statement must be completed within two weeks of the committee's organization or within two weeks after the date when it first expects to receive contributions or make expenditures. The information required includes the names and addresses of the committee, any affiliated committees, its officers or responsible leaders, and its treasurer and depository. The statement of organization must also include information regarding the candidate the committee is supporting or opposing, or the ballot proposition the committee is supporting or opposing. A candidate, within two weeks after becoming a candidate, must also designate and file with the PDC and the county auditor the names and addresses of the campaign treasurer and depository.

Once the statement of organization is filed with the PDC and the county auditor, a committee must report all contributions received and expenditures made at the following times:

- on the 10th day of each month, provided that total contributions or expenditures exceed \$200 since the last report;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- on the 21st day and the 7th day immediately preceding the date of the election; and
- on the 10th day of the first month after the election.

A continuing political committee is required to report to the PDC and the county auditor (of the county in which the committee maintains its office or headquarters, or the county in which the committee treasurer resides) on the 10th day of every month detailing contributions and expenditures. If the continuing political committee files electronically with the PDC, then it need not report to the county auditor.

An independent expenditure is any expenditure that is made in support of, or in opposition to, any candidate or ballot proposition and is not otherwise required to report to the PDC and the county auditor. Persons making independent expenditures must file an initial report to the PDC and the county auditor within five days of making an independent expenditure of at least \$100. In addition, further reports are required to be filed with the PDC and the county auditor at the following times:

- on the 21st day and the 7th day preceding the date on which the election is held;
- on the 10th day of the first month after the election; and
- on the 10th day of each month in which no other reports are required to be filed and the person has made an independent expenditure since the last previous report was filed.

A person or entity making an independent expenditure by mailing 1,000 or more identical (or nearly identical) cumulative pieces of political advertising in a single calendar year must file a statement with the county auditor within two working days after the mailing date. The statement must disclose the number of pieces in the mailing and include an example of the mailed political advertising. The county auditor receiving the filing must be the county of residence for mailings the candidate supported or opposed by the campaign expenditure. For mailings made in support of, or in opposition to, a ballot proposition, the statement must be filed with the county auditor of the county of residence for the person making the expenditure.

Summary: The requirement that candidates and political committees file campaign-related reports and statements with their local county auditor in addition to the Public Disclosure Commission is eliminated.

Votes on Final Passage:

Senate	47	0	
House	95	1	(House amended)
House	93	0	(House receded)

Effective: June 10, 2010