

CERTIFICATION OF ENROLLMENT

SENATE BILL 6775

Chapter 237, Laws of 2000

56th Legislature
2000 Regular Session

PUBLIC DISCLOSURE COMMISSION--FILINGS

EFFECTIVE DATE: 6/8/00

Passed by the Senate March 9, 2000
YEAS 37 NAYS 7

BRAD OWEN
President of the Senate

Passed by the House March 8, 2000
YEAS 98 NAYS 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved March 30, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6775** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

March 30, 2000 - 3:47 p.m.

**Secretary of State
State of Washington**

SENATE BILL 6775

AS AMENDED BY THE HOUSE

Passed Legislature - 2000 Regular Session

State of Washington

56th Legislature

2000 Regular Session

By Senators Patterson, Horn, Haugen, Shin, Prentice, Goings, Gardner and Costa

Read first time 01/26/2000. Referred to Committee on State & Local Government.

1 AN ACT Relating to filing of reports with the public disclosure
2 commission; amending RCW 42.17.065, 42.17.080, 42.17.369, 42.17.3691,
3 and 42.17.461; and adding a new section to chapter 42.17 RCW.

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

5 **Sec. 1.** RCW 42.17.065 and 1989 c 280 s 5 are each amended to read
6 as follows:

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

11 (2) A continuing political committee shall file with the commission
12 and the auditor or elections officer of the county in which the
13 committee maintains its office or headquarters and if there is no such
14 office or headquarters then in the county in which the committee
15 treasurer resides a report on the tenth day of the month detailing its
16 activities for the preceding calendar month in which the committee has
17 received a contribution or made an expenditure: PROVIDED, That such
18 report shall only be filed if either the total contributions received
19 or total expenditures made since the last such report exceed two

1 hundred dollars: PROVIDED FURTHER, That after January 1, 2002, if the
2 committee files with the commission electronically, it need not also
3 file with the county auditor or elections officer. The report shall be
4 on a form supplied by the commission and shall include the following
5 information:

6 (a) The information required by RCW 42.17.090;

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

9 (c) Such other information as the commission shall by rule
10 prescribe.

11 (3) If a continuing political committee shall make a contribution
12 in support of or in opposition to a candidate or ballot proposition
13 within sixty days prior to the date on which such candidate or ballot
14 proposition will be voted upon, such continuing political committee
15 shall report pursuant to RCW 42.17.080.

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

21 (5) The campaign treasurer shall maintain books of account
22 accurately reflecting all contributions and expenditures on a current
23 basis within five business days of receipt or expenditure. During the
24 eight days immediately preceding the date of any election, for which
25 the committee has received any contributions or made any expenditures,
26 the books of account shall be kept current within one business day and
27 shall be open for public inspection (~~((for at least two consecutive~~
28 ~~hours Monday through Friday, excluding legal holidays, between 8:00~~
29 ~~a.m. and 8:00 p.m., as specified in the committee's statement of~~
30 ~~organization filed pursuant to RCW 42.17.040, at the principal campaign~~
31 ~~headquarters or, if there is no campaign headquarters, at the address~~
32 ~~of the campaign treasurer or such other place as may be authorized by~~
33 ~~the commission))~~ in the same manner as provided for candidates and
34 other political committees in RCW 42.17.080(5).

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

37 (7) The campaign treasurer shall preserve books of account, bills,
38 receipts, and all other financial records of the campaign or political

1 committee for not less than five calendar years following the year
2 during which the transaction occurred.

3 **Sec. 2.** RCW 42.17.080 and 1999 c 401 s 13 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 in
15 which the candidate resides, or in the case of a political committee,
16 the county in which the committee maintains its office or headquarters,
17 and if there is no office or headquarters then in the county in which
18 the treasurer resides, a report containing the information required by
19 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:
23 PROVIDED, That this report shall not be required following a primary
24 election from:

25 (i) A candidate whose name will appear on the subsequent general
26 election ballot; or

27 (ii) Any continuing political committee; and

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

34 When there is no outstanding debt or obligation, and the campaign
35 fund is closed, and the campaign is concluded in all respects, and in
36 the case of a political committee, the committee has ceased to function
37 and has dissolved, the treasurer shall file a final report. Upon

1 submitting a final report, the duties of the treasurer shall cease and
2 there shall be no obligation to make any further reports.

3 The report filed twenty-one days before the election shall report
4 all contributions received and expenditures made as of the end of the
5 fifth business day before the date of the report. The report filed
6 seven days before the election shall report all contributions received
7 and expenditures made as of the end of the one business day before the
8 date of the report. Reports filed on the tenth day of the month shall
9 report all contributions received and expenditures made from the
10 closing date of the last report filed through the last day of the month
11 preceding the date of the current report.

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

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

30 (5) The treasurer or candidate shall maintain books of account
31 accurately reflecting all contributions and expenditures on a current
32 basis within five business days of receipt or expenditure. During the
33 eight days immediately preceding the date of the election the books of
34 account shall be kept current within one business day. As specified in
35 the committee's statement of organization filed under RCW 42.17.040,
36 the books of account must be open for public inspection as follows:

37 (a) For at least two consecutive hours between 8:00 a.m. and 8:00
38 p.m. on the eighth day immediately before the election, (~~between 8:00~~
39 ~~a.m. and 8:00 p.m., as specified in the committee's statement of~~

1 ~~organization filed pursuant to RCW 42.17.040))~~ except when it is a
2 legal holiday, in which case on the seventh day immediately before the
3 election, at the principal headquarters or, if there is no
4 headquarters, at the address of the treasurer or such other place as
5 may be authorized by the commission; and

6 (b) By appointment for inspections to be conducted at the
7 designated place for inspections between 8:00 a.m. and 8:00 p.m. on any
8 other day from the seventh day through the day immediately before the
9 election, other than Saturday, Sunday, or a legal holiday. It is a
10 violation of this chapter for a candidate or political committee to
11 refuse to allow and keep an appointment for an inspection to be
12 conducted during these authorized times and days in the week prior to
13 the election. The appointment must be allowed at an authorized time
14 and day for such inspections that is within twenty-four hours of the
15 time and day that is requested for the inspection.

16 ~~((+5+))~~ (6) The treasurer or candidate shall preserve books of
17 account, bills, receipts, and all other financial records of the
18 campaign or political committee for not less than five calendar years
19 following the year during which the transaction occurred.

20 ~~((+6+))~~ (7) All reports filed pursuant to subsection~~((s))~~ (1) or
21 (2) of this section shall be certified as correct by the candidate and
22 the treasurer.

23 ~~((+7+))~~ (8) Copies of all reports filed pursuant to this section
24 shall be readily available for public inspection for at least two
25 consecutive hours Monday through Friday, excluding legal holidays,
26 between 8:00 a.m. and 8:00 p.m., as specified in the committee's
27 statement of organization filed pursuant to RCW 42.17.040, at the
28 principal headquarters or, if there is no headquarters, at the address
29 of the treasurer or such other place as may be authorized by the
30 commission.

31 ~~((+8+))~~ (9) After January 1, 2002, a report that is filed with the
32 commission electronically need not also be filed with the county
33 auditor or elections officer.

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

37 **Sec. 3.** RCW 42.17.369 and 1999 c 401 s 11 are each amended to read
38 as follows:

1 (1) By July 1, 1999, the commission shall ~~((offer every))~~ make
2 available to candidates, public officials, and political committees~~((~~
3 ~~and party organization))~~ that ~~((is))~~ are required to file reports under
4 this chapter ~~((the option of filing))~~ an electronic filing alternative
5 for submitting financial affairs reports, contribution reports, and
6 expenditure reports ~~((electronically))~~, including but not limited to
7 filing by diskette ~~((or via))~~, modem, satellite, or the Internet.

8 (2) By January 1, ~~((2001))~~ 2002, the commission shall ~~((offer all))~~
9 make available to lobbyists and lobbyists' employers required to file
10 reports under RCW 42.17.150, 42.17.170, 42.17.175, or 42.17.180 ~~((the~~
11 ~~option of filing))~~ an electronic filing alternative for submitting
12 these reports ~~((electronically))~~ including but not limited to filing by
13 diskette ~~((or via))~~, modem, satellite, or the Internet.

14 (3) The commission shall make available to ~~((each))~~ candidates,
15 public officials, political committees, lobbyists, and lobbyists'
16 employers~~((, and party organization))~~ an electronic copy of the
17 appropriate reporting forms at no charge.

18 **Sec. 4.** RCW 42.17.3691 and 1999 c 401 s 12 are each amended to
19 read as follows:

20 (1) Beginning January 1, ~~((2001))~~ 2002, each ~~((continuing))~~
21 candidate or political committee~~((~~ that expended ~~((ten))~~ twenty-five
22 thousand dollars or more in the preceding year or expects to expend
23 ~~((ten))~~ twenty-five thousand dollars or more ~~((in expenditures))~~ in the
24 current year~~((~~ shall file all contribution reports and expenditure
25 reports required by this chapter ~~((electronically by diskette or via~~
26 ~~modem, satellite, or the Internet))~~ by the electronic alternative
27 provided by the commission under RCW 42.17.369. The commission may
28 make exceptions on a case-by-case basis for candidates whose authorized
29 committees lack the technological ability to file reports using the
30 electronic alternative provided by the commission.

31 (2) Beginning January 1, 2004, each candidate or political
32 committee that expended ten thousand dollars or more in the preceding
33 year or expects to expend ten thousand dollars or more in the current
34 year shall file all contribution reports and expenditure reports
35 required by this chapter by the electronic alternative provided by the
36 commission under RCW 42.17.369. The commission may make exceptions on
37 a case-by-case basis for candidates whose authorized committees lack

1 the technological ability to file reports using the electronic
2 alternative provided by the commission.

3 (3) Failure by a ((continuing)) candidate or political committee
4 to comply with this section is a violation of this chapter.

5 **Sec. 5.** RCW 42.17.461 and 1999 c 401 s 2 are each amended to read
6 as follows:

7 (1) The commission shall establish goals that all reports, copies
8 of reports, or copies of the data or information included in reports,
9 filed under RCW 42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105,
10 42.17.150, 42.17.170, 42.17.175, and 42.17.180, that are:

11 (a) Submitted using the commission's electronic filing system shall
12 be accessible in the commission's office within two business days of
13 the commission's receipt of the report and shall be accessible on the
14 commission's web site within seven business days of the commission's
15 receipt of the report; and

16 (b) Submitted in any format or using any method other than as
17 described in (a) of this subsection, shall be accessible in the
18 commission's office within four business days of the actual physical
19 receipt of the report, and not the technical date of filing as provided
20 under RCW 42.17.420, and shall be accessible on the commission's web
21 site within fourteen business days of the actual physical receipt of
22 the report, and not the technical date of filing as provided under RCW
23 42.17.420, as specified in rule adopted by the commission.

24 (2) On January 1, 2001, or shortly thereafter, the commission shall
25 revise these goals to reflect that all reports, copies of reports, or
26 copies of the data or information included in reports, filed under RCW
27 42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150,
28 42.17.170, 42.17.175, and 42.17.180, that are:

29 (a) Submitted using the commission's electronic filing system shall
30 be accessible in the commission's office within two business days of
31 the commission's receipt of the report and on the commission's web site
32 within ((two)) four business days of the commission's receipt of the
33 report; and

34 (b) Submitted in any format or using any method other than as
35 described in (a) of this subsection, shall be accessible in the
36 commission's office within four business days of the actual physical
37 receipt of the report, and not the technical date of filing as provided
38 under RCW 42.17.420, and on the commission's web site within ((four))

1 seven business days of the actual physical receipt of the report, and
2 not the technical date of filing as provided under RCW 42.17.420, as
3 specified in rule adopted by the commission.

4 (3) On January 1, 2002, or shortly thereafter, the commission shall
5 revise these goals to reflect that all reports, copies of reports, or
6 copies of the data or information included in reports, filed under RCW
7 42.17.040, 42.17.065, 42.17.080, 42.17.100, 42.17.105, 42.17.150,
8 42.17.170, 42.17.175, and 42.17.180, that are:

9 (a) Submitted using the commission's electronic filing system must
10 be accessible in the commission's office and on the commission's web
11 site within two business days of the commission's receipt of the
12 report; and

13 (b) Submitted in any format or using any method other than as
14 described in (a) of this subsection, must be accessible in the
15 commission's office and on the commission's web site within four
16 business days of the actual physical receipt of the report, and not the
17 technical date of filing as provided under RCW 42.17.420, as specified
18 in rule adopted by the commission.

19 NEW SECTION. Sec. 6. A new section is added to chapter 42.17 RCW
20 to read as follows:

21 In addition to its regular telephone number, the commission shall
22 offer political committees and residents of this state the opportunity
23 to contact the commission by a toll-free telephone number.

Passed the Senate March 9, 2000.

Passed the House March 8, 2000.

Approved by the Governor March 30, 2000.

Filed in Office of Secretary of State March 30, 2000.