

SENATE BILL REPORT

SB 6109

As Passed Senate, March 14, 2001

Title: An act relating to special reporting of independent expenditures and contributions occurring in close proximity to elections.

Brief Description: Reporting election independent expenditures and contributions.

Sponsors: Senators Patterson, Gardner and Kline; by request of Public Disclosure Commission.

Brief History:

Committee Activity: State & Local Government: 2/26/01, 3/5/01 [DP, DNP].

Passed Senate: 3/14/01, 49-0.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Fairley, Vice Chair; Gardner, Hale, Kline and T. Sheldon.

Minority Report: Do not pass.

Signed by Senator Swecker.

Staff: Aaron Jennings (786-7445)

Background: Initiative 276 was approved by the voters in 1972. Among other requirements, Initiative 276 requires various reports of campaign contributions and expenditures to be filed with the Public Disclosure Commission (PDC) and county election officers.

In general, an independent expenditure is an expenditure for political advertising that:

- costs at least \$500 (either alone or in conjunction with other ads by the same sponsor benefitting or opposing the same candidate);
- supports or opposes a clearly identified candidate for state or local office;
- is paid for by someone other than a candidate, a candidate's committee or agent; and
- is paid for by some individual or entity who undertakes the advertising without having received the benefitting candidate's encouragement or approval or without collaborating with this candidate or the candidate's agent.

Candidates or political committees must prepare and deliver to the PDC a special report regarding any contribution, or aggregate of contributions, that exceeds \$500 and is received or made within 21 days preceding a general election. The special report must be delivered to the PDC within 48 hours or on the first working day after the reportable contribution is received by the candidate or treasurer.

Each person who makes an independent expenditure of \$100 or more during the same election campaign in support or opposition to a candidate or ballot proposition, who does not otherwise have to file a report as a candidate or political committee, must file a report of the independent expenditure at the following intervals: (1) the 21st day and the seventh day immediately preceding the election; (2) on day ten of the first month after the election; and (3) on day ten of each month in which no other reports are required to be filed.

A lobbyist or a lobbyist employee must prepare and deliver to the PDC a special report regarding any contribution or aggregate of contributions which exceeds \$500 and is made within 21 days preceding a general election.

Summary of Bill: Any sponsor of an independent expenditure with a market value of \$1,000 and made within 21 days of an election must file a special report. If the sponsor makes a subsequent independent expenditure, of any size, supporting or opposing the same candidate or ballot measure, the sponsor must file an additional report. The special report must include: the name and address of person making the expenditure; the name and address for whom the expenditure was made; a description of the expenditure; the date the expenditure was made; the date when the advertising was first made public; the amount of the expenditure; the name of the candidate and the office or ballot measure; whether the expenditure was in support or opposition; and any other information required by rule. An affidavit must be included declaring that the sponsorship was made independent of the candidate or any agent of that candidate.

Candidates or political committees must prepare and deliver to the PDC a special report regarding any contribution, or aggregate of contributions, that exceeds \$1000 and is received or made within 21 days preceding a general election.

A lobbyist or a lobbyist employee must prepare and deliver to the PDC a special report regarding any contribution, or aggregate of contributions, that exceeds \$1000 and is made within 21 days preceding a general election.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on January 1, 2002.

Testimony For: Raising the special reporting requirement threshold to \$1,000 is a level that deserves special attention. The 24-hour reporting requirement for sponsors of independent expenditures of \$1,000 or more will allow for the information to be released to the public earlier.

Testimony Against: None.

Testified: Cherie Davidson, League of Women Voters of WA (pro); Vicki Rippie, PDC (pro).