
SUBSTITUTE HOUSE BILL 1738

State of Washington

61st Legislature

2010 Regular Session

By House State Government & Tribal Affairs (originally sponsored by Representatives Liiias, Goodman, Appleton, Carlyle, Probst, Nelson, Hasegawa, Orwall, Rolfes, Dickerson, Hunt, Pettigrew, Cody, Darneille, White, Chase, Kenney, Dunshee, Ormsby, Miloscia, Moeller, Roberts, Simpson, Sells, Flannigan, Eddy, McCoy, Wood, Kagi, Wallace, Williams, and Green)

READ FIRST TIME 02/02/10.

1 AN ACT Relating to public funding for supreme court campaigns;
2 amending RCW 42.17.390; reenacting and amending RCW 3.62.060; adding
3 new sections to chapter 42.17 RCW; adding a new section to chapter
4 36.18 RCW; creating new sections; and prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** INTENT. The intent of this act is to
7 protect the fairness of elections for the highest court in Washington
8 state - the supreme court. Doing so will foster the public's trust in
9 the integrity and independence of the court in the face of increasingly
10 large sums of money raised and spent by special interest groups. That
11 flood of money threatens the impartiality, independence, and
12 credibility of our judiciary. To maintain public confidence in the
13 judiciary, we must prevent not only corruption, but the appearance of
14 corruption, for the judiciary is the one branch of government that must
15 be uniquely impartial, independent, and unbiased in order to best serve
16 the residents of Washington. It is destructive for our democracy to
17 allow the court to become influenced by large amounts of money, and for
18 our citizens to think that judicial decisions are influenced by those

1 large amounts of money. This act is necessary to ensure that our
2 highest courts continue to be unbiased and insulated from special
3 interests.

4 Therefore, this act, the judicial election reform act, introduces
5 a voluntary pilot project to provide an alternative source of financing
6 candidates for the Washington supreme court who demonstrate public
7 support and voluntarily accept strict fundraising and spending limits.

8 The provisions of this act shall be broadly interpreted to carry
9 out the purpose and intent of this act.

10 NEW SECTION. **Sec. 2.** DEFINITIONS. In addition to the definitions
11 in RCW 42.17.020, the definitions in this section apply throughout
12 sections 1 through 18 and 20 of this act unless the context clearly
13 requires otherwise.

14 (1) "Contested election" means an election in which there are two
15 or more candidates running for the same office whose names will appear
16 on the ballot.

17 (2) "Nonparticipating candidate" means a candidate for supreme
18 court justice who is on the ballot but has chosen not to apply for
19 public funds from the judicial election reform act fund or a candidate
20 who is on the ballot and has applied but has not been certified to
21 receive public funds from the judicial election reform act fund.

22 (3) "Publicly financed candidate" means a candidate who becomes
23 certified to receive public campaign funds under section 6 of this act.

24 (4) "Qualifying contribution" means a contribution in an amount of
25 at least ten dollars, but no more than twenty-five percent of the
26 maximum contribution limit allowed under RCW 42.17.645, made by a
27 registered voter of the state, and is received during the qualifying
28 period.

29 (5) "Qualifying period" means the period beginning February 1st of
30 the election year and ending one week after the close of the regular
31 filing period for the office.

32 (6) "Uncontested election" means an election in which a candidate
33 running for a specified office has no opponent on the ballot.

34 NEW SECTION. **Sec. 3.** JUDICIAL ELECTION REFORM ACT FUND. (1) The
35 judicial election reform act fund is created in the custody of the
36 state treasurer. All receipts under sections 4 through 17 of this act

1 required to be deposited into the fund must be deposited into the fund.
2 Expenditures from the fund may be used only for the purposes of the
3 judicial election reform act, sections 1 through 18 and 20 of this act.
4 Only the commission may authorize expenditures from the fund. The fund
5 is subject to allotment procedures under chapter 43.88 RCW, but an
6 appropriation is not required for expenditures.

7 (2) When the funds in the account have been fully distributed, the
8 commission and treasurer shall cease making any public funds
9 disbursements under sections 12 and 13 of this act. No candidate may
10 receive any disbursement of funds beyond those authorized under
11 sections 12 and 13 of this act, nor may any candidate receive any
12 further disbursements of funds under sections 12 and 13 of this act
13 when the appropriation has been exhausted. The commission may adopt
14 rules to address distribution of remaining funds in the account for
15 pending requests.

16 NEW SECTION. **Sec. 4.** VOLUNTARY LIMITATIONS ON CONTRIBUTIONS FOR
17 JUDICIAL CAMPAIGNS. A publicly financed candidate and a publicly
18 financed candidate's authorized committee shall:

19 (1) Only accept contributions from individuals, and only as
20 qualifying contributions under section 5 of this act;

21 (2) During the qualifying period for the purpose of raising
22 qualifying contributions, accept no more than two times the
23 contribution limit under RCW 42.17.645 of the candidate's personal
24 funds;

25 (3) Collect at least five hundred qualifying contributions that, in
26 the aggregate total at least twenty-five times the filing fee for the
27 office of supreme court justice in accordance with section 5 of this
28 act;

29 (4) File the required reports regarding qualifying and expenditures
30 to the commission;

31 (5) Expend only funds received from the judicial election reform
32 act fund after being certified as a publicly funded candidate;

33 (6) Sign a joint statement with the treasurer of the publicly
34 financed candidate's authorized committee, under oath, promising to
35 comply with the provisions of this chapter; and

36 (7) Comply with the provisions of this chapter to the extent

1 required for publicly funded candidates as prescribed by the
2 commission.

3 NEW SECTION. **Sec. 5.** APPLICATION FOR CERTIFICATION. A candidate
4 who wishes to receive public campaign funds must:

5 (1) File an application with the commission declaring his or her
6 intent to participate in the program as a candidate for the supreme
7 court. The application must be filed before or during the qualifying
8 period. In the application, the candidate shall affirm that only one
9 political committee, identified with its treasurer, shall handle all
10 contributions, expenditures, and obligations for the publicly financed
11 candidate and that the candidate will comply with the provisions set
12 forth in sections 1 through 18 and 20 of this act and rules adopted by
13 the commission; and

14 (2) Obtain at least five hundred qualifying contributions that, in
15 the aggregate total at least twenty-five times the filing fee for the
16 office by the end of the qualifying period. No payment, gift, or
17 anything of value may be given in exchange for a qualifying
18 contribution. A qualifying contribution must be:

19 (a) Made by a registered voter of the state;

20 (b) Made by a person who is not given anything of value in exchange
21 for the qualifying contribution;

22 (c) In an amount of at least ten dollars but not more than twenty-
23 five percent of the contribution limit allowed under RCW 42.17.645;

24 (d) Received during the qualifying period by the candidate or on
25 behalf of the candidate; and

26 (e) Made by check, money order, or credit card.

27 NEW SECTION. **Sec. 6.** CERTIFICATION AS A PUBLICLY FINANCED
28 CANDIDATE. (1) Upon receipt of an application, the commission shall
29 determine whether or not the candidate has complied with the following
30 requirements:

31 (a) Signed and filed an application to participate;

32 (b) Submitted a report itemizing the qualifying contributions
33 received. The report must include the name, home address, telephone
34 number, and county of residence for each person who made a contribution
35 and the date the contribution was received, and any other information
36 required by the commission;

1 (c) Submitted a check or money order equal to the total qualifying
2 contributions, less money expended for the purpose of raising
3 qualifying contributions received by the candidate in accordance with
4 section 7 of this act, made out to the judicial election reform act
5 fund; and

6 (d) Submitted affidavits signed by persons collecting qualifying
7 contributions stating that, to the best of his or her knowledge, the
8 contribution was made by a registered voter of the state.

9 (2) Once the requirements in subsection (1) of this section are
10 met, the commission must verify that pursuant to section 5 of this act,
11 a sufficient number of qualifying contributions were made by registered
12 voters of the state at the time the contribution was made.

13 (3) The commission must determine if a candidate meets the
14 requirements for public financing within seven calendar days of the
15 filing of an application. If the requirements of subsection (2) of
16 this section are met, the commission must certify the candidate for
17 public financing. If the commission denies certification, it must
18 provide written reasons why certification is denied. Any candidate who
19 is denied certification may reapply one time by submitting the required
20 information or the number of qualifying contributions needed to
21 complete the certification within fourteen calendar days of the date of
22 the commission's decision.

23 (4) A candidate who is certified as a publicly financed candidate
24 may use that designation in campaign materials and will be so
25 designated in the state voters' pamphlet.

26 NEW SECTION. **Sec. 7.** QUALIFYING CONTRIBUTIONS. A publicly
27 financed candidate may expend money received as qualifying
28 contributions, as well as the candidate's personal funds, to pay for
29 expenses related to raising qualifying contributions. The amount of
30 qualifying contributions used for this purpose may not exceed twenty-
31 five percent of the minimum dollar amount of qualifying contributions
32 required under section 5 of this act. Expenditures made for the
33 purpose of this section must be reported as required under RCW
34 42.17.080 and 42.17.090 or as determined by the commission by rule.

35 NEW SECTION. **Sec. 8.** CONTROLS ON A PUBLICLY FINANCED CANDIDATE'S

1 AUTHORIZED COMMITTEE. A publicly financed candidate and the publicly
2 financed candidate's authorized committee shall file the reports
3 required pursuant to this chapter as determined by the commission.

4 NEW SECTION. **Sec. 9.** USES OF PUBLIC FUNDS. (1) Money in the
5 account of a publicly financed candidate's authorized committee may
6 only be used for purposes directly related to the candidate's campaign.

7 (2) Money in the account of a publicly financed candidate's
8 authorized committee may not be used to pay fines or civil penalties,
9 for costs or legal fees related to representation before the
10 commission, or for defense of an enforcement action under this chapter.
11 Nothing in this chapter prevents a publicly financed candidate from
12 having a legal defense fund.

13 NEW SECTION. **Sec. 10.** RETURN OF FUNDS. (1) If a candidate
14 attempts to qualify for public funding but does not meet the threshold
15 for qualification, withdraws from the program before certification, is
16 denied certification under section 6 of this act, or revokes
17 participation under section 11 of this act, the candidate must pay to
18 the fund the total dollar amount of qualifying contributions received
19 during the qualifying period, less money expended for the purpose of
20 raising qualifying contributions in accordance with section 7 of this
21 act.

22 (2) Publicly financed candidates must return all unused funds to
23 the judicial election reform act fund within thirty calendar days of
24 the date they are no longer a candidate.

25 NEW SECTION. **Sec. 11.** REVOCATION. (1) A publicly financed
26 candidate may revoke in writing to the commission a decision to
27 participate in the public financing program no later than June 30th in
28 the year of the election. After a timely revocation, that candidate
29 may accept and expend money outside the provisions of this act. Within
30 thirty days after revocation, a candidate must return to the commission
31 all money received from the judicial election reform act fund.

32 (2) A publicly financed candidate who revokes a decision to
33 participate in the public financing program after the time period
34 established in subsection (1) of this section must return all money

1 received from the judicial election reform act fund and pay a fine of
2 one thousand dollars per day for each day beyond the allowed revocation
3 period and the day the candidate revokes.

4 NEW SECTION. **Sec. 12.** CAMPAIGN FUNDING. (1)(a) Within five
5 business days after a publicly financed candidate's name is approved to
6 appear on the primary ballot by the appropriate elections officer, the
7 commission shall authorize the state treasurer to distribute to the
8 account of the authorized committee of each certified publicly financed
9 candidate an amount set, by rule, based on the number of participating
10 candidates filing for office. No candidate may receive an amount
11 greater than one hundred times the filing fee as established in RCW
12 29A.24.091 for the primary.

13 (b) Within five business days after a publicly financed candidate's
14 name is approved to appear on the general election ballot, the
15 commission shall authorize the state treasurer to distribute funds to
16 the account of the authorized committee of each certified publicly
17 financed candidate in an amount equal to one hundred twenty-five times
18 the filing fee for the office as established in RCW 29A.24.091.

19 (c) Participating candidates in uncontested elections shall receive
20 four times the filing fee as established in RCW 29A.24.091, plus the
21 net amount of qualifying contributions previously remitted to the
22 commission pursuant to section 6(1)(c) of this act.

23 (2) A publicly financed candidate shall return within ten calendar
24 days to the judicial election reform act fund any amount distributed
25 for an election that is unspent and uncommitted as of the date the
26 candidate ceases to be a candidate or as of the date of the election,
27 whichever occurs first.

28 (3) The commission shall authorize and the state treasurer shall
29 distribute funds to publicly financed candidates in a manner that
30 ensures accountability and safeguards the integrity of the fund.

31 NEW SECTION. **Sec. 13.** RESCUE FUNDS. (1) When a report is filed
32 under this chapter or other evidence comes to the attention of the
33 commission indicating that a nonparticipating candidate has raised more
34 money than his or her publicly financed opponent has received in public
35 funding, the commission shall notify the publicly financed candidate of
36 his or her eligibility for rescue funds.

1 (a) A publicly financed candidate may receive rescue funds equal to
2 the difference between the total amount received by the
3 nonparticipating candidate for each election and the amount received by
4 the publicly financed candidate for each election. If there are
5 multiple nonparticipating candidates who have raised more money than
6 the publicly financed candidate has received, the publicly financed
7 candidate is eligible for rescue funds based on the difference between
8 the total amount raised by the nonparticipating candidate who has
9 received the most money and the amount received by the publicly
10 financed candidate.

11 (b) The total amount a publicly financed candidate may receive in
12 rescue funds is five hundred times the filing fee for the office. If
13 rescue funds are triggered under this section, up to seventy-five
14 percent of the funds are available to a publicly financed candidate for
15 the primary election. If a publicly financed candidate is opposed by
16 only one candidate, all of the authorized rescue funds may be used for
17 the primary. A publicly financed candidate may determine when to
18 access available rescue funds.

19 (2)(a) Independent expenditures and electioneering communications
20 opposing a publicly financed candidate or supporting one or more
21 nonparticipating opponents of a publicly financed candidate shall be
22 considered as contributions to each opposing candidate and the
23 commission shall authorize rescue funds pursuant to subsection (1) of
24 this section to the publicly financed candidate.

25 (b) Independent expenditures and electioneering communications
26 supporting a publicly financed candidate shall be considered, for every
27 opposing publicly financed candidate, as though the independent
28 expenditures or electioneering communications were a contribution to a
29 nonparticipating opponent and the commission shall authorize rescue
30 funds pursuant to subsection (1) of this section to each opposing
31 publicly financed candidate.

32 (c) For purposes of this section, expenditures made by a
33 nonparticipating candidate and independent expenditures and
34 electioneering communications are deemed to have been made the day the
35 independent expenditure or electioneering communication is contracted
36 for, agreed to, or otherwise obligated.

37 (3) If adequate funding is not available to fully equalize funding

1 for publicly financed candidates under this section, the commission may
2 authorize a lesser amount.

3 NEW SECTION. **Sec. 14.** REPORTS. (1)(a) Any nonparticipating
4 candidate who has a publicly financed opponent shall report total
5 contributions received to the commission electronically within twenty-
6 four hours after the total amount of contributions received exceeds
7 eighty percent of the amount authorized for publicly financed
8 candidates under section 12 of this act, and shall make subsequent
9 reports as required by the commission to monitor contributions.

10 (b) Any person making independent expenditures or electioneering
11 communications in excess of three thousand dollars in support of or
12 opposition to a publicly financed candidate, or in support of a
13 candidate opposing a publicly financed candidate, shall file a report
14 with the commission within twenty-four hours of the date the
15 independent expenditure or electioneering communication is contracted
16 for, agreed to, or otherwise obligated. The report shall include the
17 following information:

18 (i) The name and address of the sponsor;

19 (ii) The source of funds for the independent expenditure or
20 electioneering communication;

21 (iii) Any other source information required by the commission by
22 rule;

23 (iv) The name and address of the person to whom the independent
24 expenditure or electioneering communication expenditure was made;

25 (v) A detailed description of the expenditure;

26 (vi) The date the expenditure was contracted for, agreed to, or
27 otherwise obligated;

28 (vii) The amount of the expenditure; and

29 (viii) Any other information the commission may require.

30 (c) The commission may adopt rules implementing the provisions of
31 this section, including rules that determine (i) whether filing under
32 this section satisfies the filing requirements under other provisions
33 of this chapter, and (ii) when the reporting requirements of this
34 section are no longer warranted because a publicly financed candidate
35 has received the maximum amount of rescue funds permitted by this
36 section.

1 (2) Publicly financed candidates shall report in accordance with
2 rules adopted by the commission. A publicly financed candidate who
3 revokes his or her participation in the program, who ceases to be a
4 candidate, or who loses an election shall file a final report with the
5 commission and return any unspent disbursements received from the
6 judicial election reform act fund. In developing reporting
7 requirements for publicly financed candidates, the commission shall use
8 existing campaign reporting procedures when determined practicable by
9 the commission.

10 (3) Any person who fails to report a contribution or expenditure as
11 required by this section is subject to a civil penalty equal to the
12 contribution or expenditure not reported.

13 (4) The commission shall ensure prompt public access to the reports
14 received under this section.

15 NEW SECTION. **Sec. 15.** DISQUALIFICATION FROM PROGRAM. If the
16 commission finds that a publicly financed candidate or the publicly
17 financed candidate's committee is accepting or expending money outside
18 the provisions of section 4 of this act, the candidate shall be
19 disqualified from the program, shall be subject to a civil penalty
20 under RCW 42.17.390, and shall return all money received from the
21 judicial election reform act fund.

22 NEW SECTION. **Sec. 16.** IMPLEMENTATION AND ENFORCEMENT DUTIES. In
23 implementing the provisions of the judicial election reform act, the
24 commission shall:

25 (1) Prescribe forms for reports, statements, notices, and other
26 documents as required by sections 1 through 18 and 20 of this act;

27 (2) Prepare and publish instructions to facilitate compliance with
28 sections 1 through 18 and 20 of this act and explaining the duties of
29 persons and committees under sections 1 through 18 and 20 of this act;

30 (3) Adopt rules to carry out the policies of sections 1 through 18
31 and 20 of this act. These rules are not subject to the time
32 restrictions of RCW 42.17.370(1); and

33 (4) Enforce the provisions of sections 1 through 18 and 20 of this
34 act, ensure that money transferred from the judicial election reform
35 act fund into the account of an authorized committee of a publicly
36 financed candidate is spent as specified, and monitor reports filed and

1 financial records of candidates as needed to ensure that rescue funds
2 are promptly authorized to opposing qualified candidates under section
3 13 of this act.

4 NEW SECTION. **Sec. 17.** EXPEDITED ADMINISTRATIVE REVIEW. (1) The
5 commission shall develop an expedited administrative review process
6 that is not subject to the adjudicative proceedings of chapter 34.05
7 RCW. However, commission findings are subject to judicial review under
8 RCW 34.05.570(4).

9 (2) The following individuals may seek expedited administrative
10 review of commission decisions:

11 (a) Candidates and potential candidates whom the commission finds
12 ineligible to participate in the program;

13 (b) Publicly financed candidates who are denied rescue funds; and

14 (c) Opponents of a publicly financed candidate who disagree with a
15 decision by the commission to grant rescue funds to a publicly financed
16 candidate.

17 (3) In an expedited administrative review process, the commission
18 shall issue a final decision no more than five calendar days after
19 review is requested.

20 (4) The commission may adopt rules to implement this section.

21 (5) Any petition for judicial review of a final decision in an
22 expedited administrative review must be filed within five calendar days
23 of the final decision. In any judicial review, the court shall not
24 grant a stay or temporary relief unless it finds the conditions
25 specified in RCW 34.05.550(3) (a), (b), and (c).

26 NEW SECTION. **Sec. 18.** The commission shall not offer the program
27 in sections 1 through 17 of this act until one million dollars is in
28 the judicial election reform act fund.

29 **Sec. 19.** RCW 42.17.390 and 2006 c 315 s 2 are each amended to read
30 as follows:

31 One or more of the following civil remedies and sanctions may be
32 imposed by court order in addition to any other remedies provided by
33 law:

34 (1) If the court finds that the violation of any provision of this
35 chapter by any candidate or political committee probably affected the

1 outcome of any election, the result of said election may be held void
2 and a special election held within sixty days of such finding. Any
3 action to void an election shall be commenced within one year of the
4 date of the election in question. It is intended that this remedy be
5 imposed freely in all appropriate cases to protect the right of the
6 electorate to an informed and knowledgeable vote.

7 (2) If any lobbyist or sponsor of any grass roots lobbying campaign
8 violates any of the provisions of this chapter, his or her registration
9 may be revoked or suspended and he or she may be enjoined from
10 receiving compensation or making expenditures for lobbying: PROVIDED,
11 HOWEVER, That imposition of such sanction shall not excuse said
12 lobbyist from filing statements and reports required by this chapter.

13 (3) Any person who violates any of the provisions of this chapter
14 may be subject to a civil penalty of not more than ten thousand dollars
15 for each such violation. However, a person or entity who violates RCW
16 42.17.640 and 42.17.645 may be subject to a civil penalty of ten
17 thousand dollars or three times the amount of the contribution
18 illegally made or accepted, whichever is greater.

19 (4) Any person who fails to file a properly completed statement or
20 report within the time required by this chapter may be subject to a
21 civil penalty of ten dollars per day for each day each such delinquency
22 continues.

23 (5) Any person who fails to report a contribution or expenditure as
24 required by this chapter may be subject to a civil penalty equivalent
25 to the amount not reported as required.

26 (6) The court may enjoin any person to prevent the doing of any act
27 herein prohibited, or to compel the performance of any act required
28 herein.

29 (7)(a) The civil penalty for a violation of a contribution or
30 expenditure limit established under section 4 of this act by or on
31 behalf of a publicly financed candidate is ten times the amount by
32 which the expenditures or contributions exceed the applicable limit.
33 If the violation occurs within five days of an election, the civil
34 penalty is twenty times the amount by which the expenditures or
35 contributions exceed the applicable limit. A publicly financed
36 candidate found to have knowingly committed a violation of the
37 expenditure or contribution limits under section 4 of this act shall

1 pay the applicable fines, surrender all money in the candidate's
2 authorized committee account to the judicial election reform act fund,
3 and will cease to be a publicly financed candidate.

4 (b) In addition to any other penalties imposed by law, the civil
5 penalty for a violation by or on behalf of a publicly financed
6 candidate of a reporting requirement imposed by this chapter is one
7 hundred dollars per day. A civil penalty imposed under this subsection
8 (7)(b) may not exceed twice the amount of expenditures or contributions
9 not reported in a timely manner. The candidate and the candidate's
10 authorized committee are jointly and severally responsible for a civil
11 penalty imposed under this subsection.

12 (c) The civil penalty for a violation of the revocation requirement
13 imposed by section 11 of this act is one thousand dollars per day for
14 each day past the period allowed for a timely revocation.

15 (d) The civil penalty for a violation of the reporting provisions
16 in section 14 of this act shall be equal to the amount not reported.

17 (e) All civil penalties collected under this subsection must be
18 deposited into the judicial election reform act fund.

19 NEW SECTION. Sec. 20. The commission may solicit and accept
20 gifts, grants, conveyances, bequests, and devises of real or personal
21 property, or both, in trust or otherwise, and sell, lease, exchange,
22 invest, or expend these donations or the proceeds, rents, profits, and
23 income from the donations except as limited by the donor's terms.
24 Moneys received under this section shall be deposited into the judicial
25 election reform act fund established in section 3 of this act and may
26 only be used for the purposes of sections 1 through 18 of this act.

27 **Sec. 21.** RCW 3.62.060 and 2009 c 572 s 1 and 2009 c 372 s 1 are
28 each reenacted and amended to read as follows:

29 Clerks of the district courts shall collect the following fees for
30 their official services:

31 (1) In any civil action commenced before or transferred to a
32 district court, the plaintiff shall, at the time of such commencement
33 or transfer, pay to such court a filing fee of forty-three dollars plus
34 any surcharge authorized by RCW 7.75.035. Any party filing a
35 counterclaim, cross-claim, or third-party claim in such action shall
36 pay to the court a filing fee of forty-three dollars plus any surcharge

1 authorized by RCW 7.75.035. No party shall be compelled to pay to the
2 court any other fees or charges up to and including the rendition of
3 judgment in the action other than those listed.

4 (2) For issuing a writ of garnishment or other writ, or for filing
5 an attorney issued writ of garnishment, a fee of twelve dollars.

6 (3) For filing a supplemental proceeding a fee of twenty dollars.

7 (4) For demanding a jury in a civil case a fee of one hundred
8 twenty-five dollars to be paid by the person demanding a jury.

9 (5) For preparing a transcript of a judgment a fee of twenty
10 dollars.

11 (6) For certifying any document on file or of record in the clerk's
12 office a fee of five dollars.

13 (7) At the option of the district court:

14 (a) For preparing a certified copy of an instrument on file or of
15 record in the clerk's office, for the first page or portion of the
16 first page, a fee of five dollars, and for each additional page or
17 portion of a page, a fee of one dollar;

18 (b) For authenticating or exemplifying an instrument, a fee of two
19 dollars for each additional seal affixed;

20 (c) For preparing a copy of an instrument on file or of record in
21 the clerk's office without a seal, a fee of fifty cents per page;

22 (d) When copying a document without a seal or file that is in an
23 electronic format, a fee of twenty-five cents per page;

24 (e) For copies made on a compact disc, an additional fee of twenty
25 dollars for each compact disc.

26 (8) For preparing the record of a case for appeal to superior court
27 a fee of forty dollars including any costs of tape duplication as
28 governed by the rules of appeal for courts of limited jurisdiction
29 (RALJ).

30 (9) At the option of the district court, for clerk's services such
31 as processing ex parte orders, performing historical searches,
32 compiling statistical reports, and conducting exceptional record
33 searches, a fee not to exceed twenty dollars per hour or portion of an
34 hour.

35 (10) For duplication of part or all of the electronic recording of
36 a proceeding ten dollars per tape or other electronic storage medium.

37 (11) For filing any abstract of judgment or transcript of judgment

1 from a municipal court or municipal department of a district court
2 organized under the laws of this state a fee of forty-three dollars.

3 (12) At the option of the district court, a service fee of up to
4 three dollars for the first page and one dollar for each additional
5 page for receiving faxed documents, pursuant to Washington state rules
6 of court, general rule 17.

7 (13) Until July 1, 2011, in addition to the fees required by
8 subsection (1) of this section, clerks of the district courts shall
9 collect a surcharge of twenty dollars on all fees required by
10 subsection (1) of this section, which shall be remitted to the state
11 treasurer for deposit in the judicial stabilization trust account.
12 This surcharge is not subject to the division and remittance
13 requirements of RCW 3.62.020.

14 (14) Effective July 1, 2010, in addition to the fees required by
15 subsection (1) of this section, clerks of the district courts shall
16 collect a judicial integrity surcharge of three dollars on all fees
17 required by subsection (1) of this section, which shall be remitted to
18 the state treasurer for deposit in the judicial election reform act
19 fund. This surcharge is not subject to the division and remittance
20 requirements of RCW 3.62.020.

21 The fees or charges imposed under this section shall be allowed as
22 court costs whenever a judgment for costs is awarded.

23 NEW SECTION. Sec. 22. A new section is added to chapter 36.18 RCW
24 to read as follows:

25 Effective July 1, 2010, a three-dollar judicial integrity surcharge
26 shall be added to each of the fees in RCW 36.18.012, except for
27 subsection (10), RCW 36.18.016, and 36.18.020, and shall be remitted to
28 the state treasurer for deposit in the judicial election reform act
29 fund. Surcharges collected under this section are not subject to the
30 division and remittance requirements of RCW 36.18.025 or 27.24.070.

31 NEW SECTION. Sec. 23. Sections 1 through 18 and 20 of this act
32 may be known and cited as the judicial election reform act.

33 NEW SECTION. Sec. 24. Sections 1 through 18, 20, and 26 of this
34 act are each added to chapter 42.17 RCW.

1 NEW SECTION. **Sec. 25.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 26.** The public disclosure commission shall
6 report to the governor and to the appropriate committees of the
7 legislature in January of even-numbered years on the effectiveness of
8 the judicial election reform act once the program is offered.

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