
SENATE BILL 5748

State of Washington

63rd Legislature

2013 Regular Session

By Senator Roach

Read first time 02/13/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to extending contribution limits to candidates for
2 public hospital district boards of commissioners; and amending RCW
3 42.17A.405.

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

5 **Sec. 1.** RCW 42.17A.405 and 2012 c 202 s 1 are each amended to read
6 as follows:

7 (1) The contribution limits in this section apply to:

8 (a) Candidates for legislative office;

9 (b) Candidates for state office other than legislative office;

10 (c) Candidates for county office;

11 (d) Candidates for special purpose district office if that district
12 is authorized to provide freight and passenger transfer and terminal
13 facilities and that district has over two hundred thousand registered
14 voters;

15 (e) Candidates for city council office;

16 (f) Candidates for mayoral office;

17 (g) Candidates for school board office;

18 (h) Candidates for public hospital district board of commissioners;

1 (i) Persons holding an office in (a) through ~~((g))~~ (h) of this
2 subsection against whom recall charges have been filed or to a
3 political committee having the expectation of making expenditures in
4 support of the recall of a person holding the office;

5 ~~((i))~~ (j) Caucus political committees;

6 ~~((j))~~ (k) Bona fide political parties.

7 (2) No person, other than a bona fide political party or a caucus
8 political committee, may make contributions to a candidate for a
9 legislative office, county office, city council office, mayoral office,
10 ~~((e))~~ school board office, or public hospital district board of
11 commissioners that in the aggregate exceed eight hundred dollars or to
12 a candidate for a public office in a special purpose district or a
13 state office other than a legislative office that in the aggregate
14 exceed one thousand six hundred dollars for each election in which the
15 candidate is on the ballot or appears as a write-in candidate.
16 Contributions to candidates subject to the limits in this section made
17 with respect to a primary may not be made after the date of the
18 primary. However, contributions to a candidate or a candidate's
19 authorized committee may be made with respect to a primary until thirty
20 days after the primary, subject to the following limitations: (a) The
21 candidate lost the primary; (b) the candidate's authorized committee
22 has insufficient funds to pay debts outstanding as of the date of the
23 primary; and (c) the contributions may only be raised and spent to
24 satisfy the outstanding debt. Contributions to candidates subject to
25 the limits in this section made with respect to a general election may
26 not be made after the final day of the applicable election cycle.

27 (3) No person, other than a bona fide political party or a caucus
28 political committee, may make contributions to a state official, a
29 county official, a city official, a school board member, a public
30 hospital district commissioner, or a public official in a special
31 purpose district against whom recall charges have been filed, or to a
32 political committee having the expectation of making expenditures in
33 support of the recall of the state official, county official, city
34 official, school board member, public hospital district commissioner,
35 or public official in a special purpose district during a recall
36 campaign that in the aggregate exceed eight hundred dollars if for a
37 legislative office, county office, school board office, public hospital

1 district office, or city office, or one thousand six hundred dollars if
2 for a special purpose district office or a state office other than a
3 legislative office.

4 (4)(a) Notwithstanding subsection (2) of this section, no bona fide
5 political party or caucus political committee may make contributions to
6 a candidate during an election cycle that in the aggregate exceed (i)
7 eighty cents multiplied by the number of eligible registered voters in
8 the jurisdiction from which the candidate is elected if the contributor
9 is a caucus political committee or the governing body of a state
10 organization, or (ii) forty cents multiplied by the number of
11 registered voters in the jurisdiction from which the candidate is
12 elected if the contributor is a county central committee or a
13 legislative district committee.

14 (b) No candidate may accept contributions from a county central
15 committee or a legislative district committee during an election cycle
16 that when combined with contributions from other county central
17 committees or legislative district committees would in the aggregate
18 exceed forty cents times the number of registered voters in the
19 jurisdiction from which the candidate is elected.

20 (5)(a) Notwithstanding subsection (3) of this section, no bona fide
21 political party or caucus political committee may make contributions to
22 a state official, county official, city official, school board member,
23 public hospital district commissioner, or a public official in a
24 special purpose district against whom recall charges have been filed,
25 or to a political committee having the expectation of making
26 expenditures in support of the state official, county official, city
27 official, school board member, public hospital district commissioner,
28 or a public official in a special purpose district during a recall
29 campaign that in the aggregate exceed (i) eighty cents multiplied by
30 the number of eligible registered voters in the jurisdiction entitled
31 to recall the state official if the contributor is a caucus political
32 committee or the governing body of a state organization, or (ii) forty
33 cents multiplied by the number of registered voters in the jurisdiction
34 from which the candidate is elected if the contributor is a county
35 central committee or a legislative district committee.

36 (b) No official holding an office specified in subsection (1) of
37 this section against whom recall charges have been filed, no authorized
38 committee of the official, and no political committee having the

1 expectation of making expenditures in support of the recall of the
2 official may accept contributions from a county central committee or a
3 legislative district committee during an election cycle that when
4 combined with contributions from other county central committees or
5 legislative district committees would in the aggregate exceed forty
6 cents multiplied by the number of registered voters in the jurisdiction
7 from which the candidate is elected.

8 (6) For purposes of determining contribution limits under
9 subsections (4) and (5) of this section, the number of eligible
10 registered voters in a jurisdiction is the number at the time of the
11 most recent general election in the jurisdiction.

12 (7) Notwithstanding subsections (2) through (5) of this section, no
13 person other than an individual, bona fide political party, or caucus
14 political committee may make contributions reportable under this
15 chapter to a caucus political committee that in the aggregate exceed
16 eight hundred dollars in a calendar year or to a bona fide political
17 party that in the aggregate exceed four thousand dollars in a calendar
18 year. This subsection does not apply to loans made in the ordinary
19 course of business.

20 (8) For the purposes of RCW 42.17A.125, 42.17A.405 through
21 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560, and
22 42.17A.565, a contribution to the authorized political committee of a
23 candidate or of an official specified in subsection (1) of this section
24 against whom recall charges have been filed is considered to be a
25 contribution to the candidate or official.

26 (9) A contribution received within the twelve-month period after a
27 recall election concerning an office specified in subsection (1) of
28 this section is considered to be a contribution during that recall
29 campaign if the contribution is used to pay a debt or obligation
30 incurred to influence the outcome of that recall campaign.

31 (10) The contributions allowed by subsection (3) of this section
32 are in addition to those allowed by subsection (2) of this section, and
33 the contributions allowed by subsection (5) of this section are in
34 addition to those allowed by subsection (4) of this section.

35 (11) RCW 42.17A.125, 42.17A.405 through 42.17A.415, 42.17A.450
36 through 42.17A.495, 42.17A.500, 42.17A.560, and 42.17A.565 apply to a
37 special election conducted to fill a vacancy in an office specified in
38 subsection (1) of this section. However, the contributions made to a

1 candidate or received by a candidate for a primary or special election
2 conducted to fill such a vacancy shall not be counted toward any of the
3 limitations that apply to the candidate or to contributions made to the
4 candidate for any other primary or election.

5 (12) Notwithstanding the other subsections of this section, no
6 corporation or business entity not doing business in Washington state,
7 no labor union with fewer than ten members who reside in Washington
8 state, and no political committee that has not received contributions
9 of ten dollars or more from at least ten persons registered to vote in
10 Washington state during the preceding one hundred eighty days may make
11 contributions reportable under this chapter to a state office
12 candidate, to a state official against whom recall charges have been
13 filed, or to a political committee having the expectation of making
14 expenditures in support of the recall of the official. This subsection
15 does not apply to loans made in the ordinary course of business.

16 (13) Notwithstanding the other subsections of this section, no
17 county central committee or legislative district committee may make
18 contributions reportable under this chapter to a candidate specified in
19 subsection (1) of this section, or an official specified in subsection
20 (1) of this section against whom recall charges have been filed, or
21 political committee having the expectation of making expenditures in
22 support of the recall of an official specified in subsection (1) of
23 this section if the county central committee or legislative district
24 committee is outside of the jurisdiction entitled to elect the
25 candidate or recall the official.

26 (14) No person may accept contributions that exceed the
27 contribution limitations provided in this section.

28 (15) The following contributions are exempt from the contribution
29 limits of this section:

30 (a) An expenditure or contribution earmarked for voter
31 registration, for absentee ballot information, for precinct caucuses,
32 for get-out-the-vote campaigns, for precinct judges or inspectors, for
33 sample ballots, or for ballot counting, all without promotion of or
34 political advertising for individual candidates;

35 (b) An expenditure by a political committee for its own internal
36 organization or fund-raising without direct association with individual
37 candidates; or

1 (c) An expenditure or contribution for independent expenditures as
2 defined in RCW 42.17A.005 or electioneering communications as defined
3 in RCW 42.17A.005.

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