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HOUSE BILL 2210

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State of Washington

62nd Legislature

2012 Regular Session

By Representatives Billig, Carlyle, Lytton, Dahlquist, Asay, Fitzgibbon, Appleton, Warnick, Klippert, Hurst, Stanford, Kelley, Goodman, Ryu, Hudgins, Ormsby, Nealey, Hunt, Haigh, Hargrove, Finn, Tharinger, Santos, Moeller, Takko, Armstrong, McCoy, Jinkins, Probst, Van De Wege, Maxwell, Green, Sells, Reykdal, Ladenburg, Hasegawa, Pollet, Kenney, and Kagi

Prefiled 12/15/11. Read first time 01/09/12. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to extending contribution limits to school board  
2 candidates; and reenacting and amending RCW 42.17A.405.

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

4 **Sec. 1.** RCW 42.17A.405 and 2010 c 206 s 1 and 2010 c 204 s 602 are  
5 each reenacted and amended to read as follows:

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

7 (a) Candidates for legislative office;

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

9 (c) Candidates for county office;

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

14 (e) Candidates for city council office;

15 (f) Candidates for mayoral office;

16 (g) Candidates for school board office;

17 (h) Persons holding an office in (a) through ~~((+f+))~~ (g) of this  
18 subsection against whom recall charges have been filed or to a

1 political committee having the expectation of making expenditures in  
2 support of the recall of a person holding the office;

3 ~~((h))~~ (i) Caucus political committees;

4 ~~((i))~~ (j) Bona fide political parties.

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

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

37 (4)(a) Notwithstanding subsection (2) of this section, no bona fide  
38 political party or caucus political committee may make contributions to

1 a candidate during an election cycle that in the aggregate exceed (i)  
2 eighty cents multiplied by the number of eligible registered voters in  
3 the jurisdiction from which the candidate is elected if the contributor  
4 is a caucus political committee or the governing body of a state  
5 organization, or (ii) forty cents multiplied by the number of  
6 registered voters in the jurisdiction from which the candidate is  
7 elected if the contributor is a county central committee or a  
8 legislative district committee.

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

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

30 (b) No official holding an office specified in subsection (1) of  
31 this section against whom recall charges have been filed, no authorized  
32 committee of the official, and no political committee having the  
33 expectation of making expenditures in support of the recall of the  
34 official may accept contributions from a county central committee or a  
35 legislative district committee during an election cycle that when  
36 combined with contributions from other county central committees or  
37 legislative district committees would in the aggregate exceed forty

1 cents multiplied by the number of registered voters in the jurisdiction  
2 from which the candidate is elected.

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

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

15 (8) For the purposes of RCW 42.17A.125, 42.17A.405 through  
16 42.17A.415, 42.17A.450 through 42.17A.495, 42.17A.500, 42.17A.560, and  
17 42.17A.565, a contribution to the authorized political committee of a  
18 candidate or of an official specified in subsection (1) of this section  
19 against whom recall charges have been filed is considered to be a  
20 contribution to the candidate or official.

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

26 (10) The contributions allowed by subsection (3) of this section  
27 are in addition to those allowed by subsection (2) of this section, and  
28 the contributions allowed by subsection (5) of this section are in  
29 addition to those allowed by subsection (4) of this section.

30 (11) RCW 42.17A.125, 42.17A.405 through 42.17A.415, 42.17A.450  
31 through 42.17A.495, 42.17A.500, 42.17A.560, and 42.17A.565 apply to a  
32 special election conducted to fill a vacancy in an office specified in  
33 subsection (1) of this section. However, the contributions made to a  
34 candidate or received by a candidate for a primary or special election  
35 conducted to fill such a vacancy shall not be counted toward any of the  
36 limitations that apply to the candidate or to contributions made to the  
37 candidate for any other primary or election.

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

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

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

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

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

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

34 (c) An expenditure or contribution for independent expenditures as  
35 defined in RCW 42.17A.005 or electioneering communications as defined  
36 in RCW 42.17A.005.

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