
SENATE BILL 5738

State of Washington

64th Legislature

2015 Regular Session

By Senator Chase

Read first time 01/30/15. Referred to Committee on Government Operations & Security.

1 AN ACT Relating to creating equality in contribution limits for
2 state-level, county-level, and district-level party political
3 committees; and amending RCW 42.17A.405.

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

5 **Sec. 1.** RCW 42.17A.405 and 2013 c 311 s 1 are each amended to
6 read 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
12 district is authorized to provide freight and passenger transfer and
13 terminal facilities and that district has over two hundred thousand
14 registered 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
19 commissioners in districts with a population over one hundred fifty
20 thousand;

1 (i) Persons holding an office in (a) through (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 (j) Caucus political committees;

6 (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
10 office, school board office, or public hospital district board of
11 commissioners that in the aggregate exceed (~~eight~~) nine hundred
12 fifty dollars or to a candidate for a public office in a special
13 purpose district or a state office other than a legislative office
14 that in the aggregate exceed one thousand (~~six~~) nine hundred
15 dollars for each election in which the candidate is on the ballot or
16 appears as a write-in candidate. Contributions to candidates subject
17 to the limits in this section made with respect to a primary may not
18 be made after the date of the primary. However, contributions to a
19 candidate or a candidate's authorized committee may be made with
20 respect to a primary until thirty days after the primary, subject to
21 the following limitations: (a) The candidate lost the primary; (b)
22 the candidate's authorized committee has insufficient funds to pay
23 debts outstanding as of the date of the primary; and (c) the
24 contributions may only be raised and spent to satisfy the outstanding
25 debt. Contributions to candidates subject to the limits in this
26 section made with respect to a general election may not be made after
27 the final day of the applicable election cycle.

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

1 thousand (~~six~~) nine hundred dollars if for a special purpose
2 district office or a state office other than a legislative office.

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

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

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

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

1 recall of the official may accept contributions from a county central
2 committee or a legislative district committee during an election
3 cycle that when combined with contributions from other county central
4 committees or legislative district committees would in the aggregate
5 exceed (~~forty~~) ninety-five cents multiplied by the number of
6 registered voters in the jurisdiction from which the candidate is
7 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,
13 no person other than an individual, bona fide political party, or
14 caucus political committee may make contributions reportable under
15 this chapter to a caucus political committee that in the aggregate
16 exceed (~~eight~~) nine hundred fifty dollars in a calendar year or to
17 a bona fide political party that in the aggregate exceed (~~four~~)
18 five thousand dollars in a calendar year. This subsection does not
19 apply to loans made in the ordinary 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,
22 and 42.17A.565, a contribution to the authorized political committee
23 of a candidate or of an official specified in subsection (1) of this
24 section against whom recall charges have been filed is considered to
25 be a contribution to the candidate or official.

26 (9) A contribution received within the twelve-month period after
27 a 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,
33 and the contributions allowed by subsection (5) of this section are
34 in 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
38 in subsection (1) of this section. However, the contributions made to
39 a candidate or received by a candidate for a primary or special
40 election conducted to fill such a vacancy shall not be counted toward

1 any of the limitations that apply to the candidate or to
2 contributions made to the candidate for any other primary or
3 election.

4 (12) Notwithstanding the other subsections of this section, no
5 corporation or business entity not doing business in Washington
6 state, no labor union with fewer than ten members who reside in
7 Washington state, and no political committee that has not received
8 contributions of ten dollars or more from at least ten persons
9 registered to vote in Washington state during the preceding one
10 hundred eighty days may make contributions reportable under this
11 chapter to a state office candidate, to a state official against whom
12 recall charges have been filed, or to a political committee having
13 the expectation of making expenditures in support of the recall of
14 the official. This subsection does not apply to loans made in the
15 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
19 in subsection (1) of this section, or an official specified in
20 subsection (1) of this section against whom recall charges have been
21 filed, or political committee having the expectation of making
22 expenditures in support of the recall of an official specified in
23 subsection (1) of this section if the county central committee or
24 legislative district committee is outside of the jurisdiction
25 entitled to elect the 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,
33 for sample ballots, or for ballot counting, all without promotion of
34 or 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
37 individual candidates; or

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

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