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SENATE BILL 5309

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State of Washington

66th Legislature

2019 Regular Session

By Senators Cleveland, Mullet, Keiser, and Palumbo

1 AN ACT Relating to applying campaign contribution limits to  
2 candidates for all special purpose districts authorized to provide  
3 freight and passenger transfer and terminal facilities; and amending  
4 RCW 42.17A.405.

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

6 **Sec. 1.** RCW 42.17A.405 and 2013 c 311 s 1 are each amended to  
7 read as follows:

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

9 (a) Candidates for legislative office;

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

11 (c) Candidates for county office;

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

16 (e) Candidates for city council office;

17 (f) Candidates for mayoral office;

18 (g) Candidates for school board office;

19 (h) Candidates for public hospital district board of  
20 commissioners in districts with a population over one hundred fifty  
21 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 hundred dollars or  
12 to a candidate for a public office in a (~~special purpose~~) port  
13 district or a state office other than a legislative office that in  
14 the aggregate exceed one thousand six hundred dollars for each  
15 election in which the candidate is on the ballot or appears as a  
16 write-in candidate. Contributions to candidates subject to the limits  
17 in this section made with respect to a primary may not be made after  
18 the date of the primary. However, contributions to a candidate or a  
19 candidate's authorized committee may be made with respect to a  
20 primary until thirty days after the primary, subject to the following  
21 limitations: (a) The candidate lost the primary; (b) the candidate's  
22 authorized committee has insufficient funds to pay debts outstanding  
23 as of the date of the primary; and (c) the contributions may only be  
24 raised and spent to satisfy the outstanding debt. Contributions to  
25 candidates subject to the limits in this section made with respect to  
26 a general election may not be made after the final day of the  
27 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~~) port district against whom recall charges have been filed,  
33 or to a political committee having the expectation of making  
34 expenditures in support of the recall of the state official, county  
35 official, city official, school board member, public hospital  
36 district commissioner, or public official in a (~~special purpose~~)  
37 port district during a recall campaign that in the aggregate exceed  
38 eight hundred dollars if for a legislative office, county office,  
39 school board office, public hospital district office, or city office,

1 or one thousand six hundred dollars if for a (~~special purpose~~) port  
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 cents multiplied by the number of  
7 eligible registered voters in the jurisdiction from which the  
8 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 cents times the number of registered voters in the  
18 jurisdiction from which the candidate is elected.

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

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

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

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

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

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

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

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

1 contributions made to the candidate for any other primary or  
2 election.

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

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

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

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

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

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