

Initiative Measure No. 1385 filed January 20, 2015

TAXPAYER PROTECTION ACT

AN ACT Relating to taxpayer protection; adding a new section to chapter 42.17A RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** A new section is added to chapter 42.17A RCW to read as follows:

(1) Public resources are prohibited from being used to collect or help collect money for a political purpose. Commingling political funds with funds collected by means of a public resource is also prohibited. This act's provisions shall be overseen by and be subject to the policies, procedures, and penalties of the Washington state Public Disclosure Commission.

(a) This section does not apply to resources used or spent preparing, printing or distributing an official voters' pamphlet or conducting an election.

(b) For purposes of this section, money shall be deemed used for a political purpose if any portion of the money, including in-kind contributions, pass-through contributions, and independent expenditures, was contributed to a candidate, political committee, committee for or against a ballot measure, including any effort to collect signatures to place a measure on the ballot, and any effort to solicit signatures for an initiative, referendum, or recall petition or to discourage citizens from signing a petition.

(c) For purposes of this section, public resources shall include public money, public employee time on the job during working hours, and public buildings, equipment and supplies. For purposes of this section, a "resource" shall be deemed to have been used, even if the public entity is reimbursed for the cost of using or providing it; and "entity" shall include individuals, corporations, firms, partnerships, limited liability companies, joint stock

companies, unions, organizations, associations, committees and other such groups.

(d) Nothing in this section shall be construed as limiting the right of any person or entity to donate to political causes, provided that they do so without the use of a public resource.

(e) If a person or entity violates this act and uses, for a political purpose, any money collected for it by means of a public resource, or if a person or entity commingles political funds with funds collected wholly or in part by means of a public resource, the person or entity is subject to penalties imposed by the Washington state Public Disclosure Commission and, thereafter, no public employer or government entity may collect money for any purpose for that person or entity.

(f) This act supersedes any preexisting law, rule, policy, or ordinance with which it conflicts.

(g) If any phrase, clause, or part of this section is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall remain in full force and effect. This section shall not be applied so as to violate the right to free speech, freedom of association, or any other right guaranteed under the United State Constitution, but shall be effective in all circumstances and for all individuals and groups for which no violation or infringement has been found.

NEW SECTION. **Sec. 2.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

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

NEW SECTION. **Sec. 4.** This act is called the "Taxpayer Protection Act."

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