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**SUBSTITUTE HOUSE BILL 1681**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** House Committee on State Government (originally sponsored by Representatives Eide, Dyer, Pruitt, Vance, Kessler, Locke, G. Fisher, Anderson, Roland, Zellinsky, Brough, Jones, R. Meyers, Dorn, Leonard, Finkbeiner, J. Kohl and Johanson)

Read first time 03/01/93.

1 AN ACT Relating to political advertising; and amending RCW  
2 42.17.510 and 42.17.540.

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

4 **Sec. 1.** RCW 42.17.510 and 1993 c 2 s 22 (Initiative Measure No.  
5 134, approved November 3, 1992) are each amended to read as follows:

6 (1) Except as provided in subsection (5) of this section, all  
7 written political advertising, whether relating to candidates or ballot  
8 propositions, shall include the sponsor's name and address. All radio  
9 and television political advertising, whether relating to candidates or  
10 ballot propositions, shall include the sponsor's name. The use of an  
11 assumed name shall be unlawful. The party with which a candidate files  
12 shall be clearly identified in political advertising for partisan  
13 office.

14 (2) In addition to the materials required by subsection (1) of this  
15 section, all political advertising undertaken as an independent  
16 expenditure by a person or entity other than a party organization must  
17 include the following statement on the communication "NOTICE TO VOTERS  
18 (Required by law): This advertisement is not authorized or approved by  
19 any candidate. It is paid for by (name, address, city, state)." If

1 the advertisement is undertaken by a nonindividual, then the following  
2 notation must also be included: "Top Five Contributors," followed by  
3 a listing of the names of the five persons or entities making the  
4 largest contributions reportable under this chapter during the twelve-  
5 month period before the date of the advertisement.

6 (3) The statements and listings of contributors required by  
7 subsections (1) and (2) of this section shall:

8 (a) Appear on each page or fold of the written communication in at  
9 least ten-point type, or in type at least ten percent of the largest  
10 size type used in a written communication directed at more than one  
11 voter, such as a billboard or poster, whichever is larger;

12 (b) Not be subject to the half-tone or screening process;

13 (c) Be in a printed or drawn box set apart from any other printed  
14 matter; and

15 (d) Be clearly spoken on any broadcast advertisement.

16 (4) Except as provided in subsection (5) of this section, all  
17 written political advertising shall include the following signed  
18 statement: "I fully accept responsibility for the accuracy of this  
19 message." The statement shall be signed by the responsible party. For  
20 radio or television political advertising, the same statement shall be  
21 signed by the responsible party and filed with the broadcasting company  
22 before the advertising is broadcast. The statement shall contain a  
23 reference which identifies the advertising for which it is filed. Such  
24 a statement shall be open to public inspection as provided by RCW  
25 42.17.110 for other advertising documents.

26 For the purposes of RCW 42.17.540 and this subsection, the  
27 "responsible party" is as follows: If the sponsor of the advertising  
28 is a candidate or the political committee of a candidate, the candidate  
29 is the responsible party; if the sponsor of the advertising is a  
30 political committee other than the political committee of a candidate,  
31 the chairperson or other chief officer of the committee is the  
32 responsible party, unless the committee has no such chairperson or  
33 chief officer in which case the committee's treasurer is the  
34 responsible party; and if the advertising is paid for by an independent  
35 campaign expenditure, as defined in RCW 42.17.100, the sponsor of the  
36 advertising is the responsible party.

37 (5) Political yard signs are exempt from the requirement of  
38 subsections (1) and (2) of this section that the name and address of  
39 the sponsor of political advertising be listed on the advertising and

1 from the requirements of subsection (4) of this section. In addition,  
2 the public disclosure commission shall, by rule, exempt from the  
3 identification requirements of subsections (1) and (2) of this section  
4 and from the requirements of subsection (4) of this section forms of  
5 political advertising such as campaign buttons, balloons, pens,  
6 pencils, sky-writing, inscriptions, and other forms of advertising  
7 where identification or statement is impractical.

8 ((+5)) (6) For the purposes of this section, "yard sign" means any  
9 outdoor sign with dimensions no greater than eight feet by four feet.

10 **Sec. 2.** RCW 42.17.540 and 1984 c 216 s 4 are each amended to read  
11 as follows:

12 (1) Except as provided in subsection (2) of this section, the  
13 responsibility for compliance with RCW 42.17.510 through 42.17.530  
14 shall rest with the sponsor of the political advertising or the  
15 advertising's responsible party and not with the broadcasting station  
16 or other medium.

17 (2) If a broadcasting station or other medium changes the content  
18 of a political advertisement, the station or medium shall be  
19 responsible for any failure of the advertisement to comply with RCW  
20 42.17.510 through 42.17.530 that results from that change.

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