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**State Government & Tribal Affairs**  
**Committee**

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**HB 1038**

**Brief Description:** Requiring sponsor identification on certain telephone campaign advertising.

**Sponsors:** Representatives Appleton, Armstrong, Blake, Frockt, Finn, Roberts, Dickerson, Hurst and Moeller; by request of Public Disclosure Commission.

**Brief Summary of Bill**

- Creates a definition of "persuasive poll" or "push poll" with respect election campaigns for political office or ballot propositions.
- Establishes a regulatory scheme governing political advertising by telephone with respect to candidates and ballot propositions.

**Hearing Date:** 1/13/11

**Staff:** Thamas Osborn (786-7129).

**Background:**

Political advertising is subject to extensive regulation under statute. Such advertising includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other specified means of mass communication for political purposes relating to candidates or ballot propositions.

The various forms of political advertising, whether relating to candidates or ballot propositions, are required to meet disclosure and formatting requirements tailored to the specific type of advertising being used. For example, written political advertising must include the sponsor's name and address. Radio and television advertising requires disclosures that include the sponsor's name. For partisan offices, a candidate running as an independent or as a member of a

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party must clearly identify his or her independent status or party affiliation in electioneering communications and political advertising.

**Summary of Bill:**

The Act creates a definition of "persuasive poll" or "push poll" that means in-person or automated telephone calls to voters that:

- canvass persons by means other than an established method of scientific sampling;
- ask questions or provide other information in a manner designed to appeal, directly or indirectly, for votes or for financial or other support or opposition in any election campaign for any state, local, or judicial office, or ballot proposition; and
- are conducted in such a manner as to masquerade as a scientific survey or poll.

The Act creates new regulatory provisions governing political advertising by telephone with respect to candidates and ballot propositions. These regulations require that all telephone political advertising of 500 or more identical or substantially similar calls in the 12 month period prior to the election must include the sponsor's name and city, and be clearly spoken or recorded. All telephone political advertising conducted as a persuasive poll must include the sponsor's name and city, and be clearly spoken or recorded. Such telephone sponsor information must be provided at the beginning of the call.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.