

# SENATE BILL REPORT

## SB 5258

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As of January 31, 2013

**Title:** An act relating to aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements.

**Brief Description:** Aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements.

**Sponsors:** Senators Benton, Roach, Hasegawa, Conway, Billig, Rivers and Fraser; by request of Public Disclosure Commission.

**Brief History:**

**Committee Activity:** Governmental Operations: 1/31/13.

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### SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

**Staff:** Samuel Brown (786-7470)

**Background:** All written political advertising must include the sponsor's name and address. Broadcasted political advertising must include the sponsor's name. All electioneering communications and political advertising undertaken as an independent expenditure by a person or entity other than a party organization must include a statement indicating that the advertisement is not authorized by any candidate, and information about who paid for the advertisement. If an advertisement is an electioneering communication or independent expenditure sponsored by a political committee, the top five contributions must be listed.

If the sponsor of the advertisement is a political committee established, maintained, or controlled directly or indirectly through the formation of one or more political committees, or by an individual, corporation, union, association, or other entity, the full name of that individual or entity must also be listed in the advertisement.

Independent expenditures pertain to advertisements made in support of, or in opposition to, a candidate. Electioneering communications are advertisements that clearly identify a candidate by either specifically naming the candidate, or identifying the candidate without using the candidate's name.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A political committee means any person, except a candidate or an individual dealing with personal funds or property, having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

Political advertising costing \$1,000 or more that supports or opposes a ballot measure, and is sponsored by a political committee, must include a listing of the names of the five persons or entities making the largest contributions in excess of \$700 during the 12-month period before the date of the advertisement.

**Summary of Bill:** A political committee must list the names of its five largest contributors on broadcasted or written advertising that supports or opposes a ballot measure when the cumulative value of the committee's advertisements about that ballot measure is at least \$1,000.

Yard signs, and other forms of advertising where identification is impractical, such as campaign buttons, balloons, pens, pencils, skywriting, and inscriptions, are exempt from the sponsor identification requirement.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This is essentially a technical clean-up measure to apply the law in the way it was intended to work. The law right now does not address the question of how one measures the cost or value of advertising when a series of the same or similar ads are run. The Public Disclosure Commission (PDC) is concerned that measuring ads individually would invite an easy opportunity to avoid disclosure requirements by piecemealing an ad campaign into a series of smaller purchases. The bill adds a missing cross-reference to print advertisements. We have not identified any opposition with regard to this bill.

**Persons Testifying:** PRO: Andrea McNamara Doyle, PDC.