
SUBSTITUTE SENATE BILL 5108

State of Washington

65th Legislature

2018 Regular Session

By Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Billig, Miloscia, Hunt, Palumbo, Llias, Fain, Saldaña, Pedersen, Carlyle, Keiser, Cleveland, Mullet, Conway, and Kuderer)

READ FIRST TIME 01/29/18.

1 AN ACT Relating to contributions from political committees to
2 other political committees; adding a new section to chapter 42.17A
3 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the public has
6 the right to know who is contributing to election campaigns in
7 Washington state and that campaign finance disclosure deters
8 corruption, increases public confidence in Washington state
9 elections, raises the level of debate, and strengthens our
10 representative democracy.

11 The legislature finds that campaign finance disclosure is
12 overwhelmingly supported by the citizens of Washington state as
13 evidenced by the two initiatives that largely established
14 Washington's current system. Both passed with more than seventy-two
15 percent of the popular vote, as well as winning margins in every
16 county in the state.

17 One of the cornerstones of Washington state's campaign finance
18 disclosure laws is the requirement that political advertisements
19 disclose the sponsor and the sponsor's top five donors. Many
20 political action committees have avoided this important transparency
21 requirement by funneling money from political action committee to

1 political action committee so the top five donors listed are
2 deceptive political action committee names rather than the real
3 donors. The legislature finds that this practice, sometimes called
4 "gray money" or "donor washing," undermines the intent of Washington
5 state's campaign finance laws and impairs the transparency required
6 for fair elections and a healthy democracy.

7 Therefore, the legislature intends to close this disclosure
8 loophole, increase transparency and accountability, raise the level
9 of discourse, deter corruption, and strengthen confidence in the
10 election process by prohibiting political committees from receiving
11 an overwhelming majority of their funds from one or a combination of
12 political committees.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.17A
14 RCW to read as follows:

15 (1) For any requirement of including "top five contributors"
16 information under RCW 42.17A.320 or any other provision of this
17 chapter, the persons or entities making the largest contributions
18 shall be determined solely as follows:

19 (a) The sponsor must first identify the five persons or entities
20 making the largest contributions in excess of seven hundred dollars
21 reportable under this chapter during the twelve-month period
22 preceding the date on which the advertisement is initially to be
23 published or otherwise presented to the public;

24 (b) For any political committee that qualifies as one of the top
25 five contributors identified under (a) of this subsection, the top
26 five contributors to that political committee during the same period
27 must then be identified, and so on, until the individuals or entities
28 other than political committees that have contributed the most to all
29 political committees involved with the advertisement have been
30 identified; and

31 (c) The sponsor's advertisement must then list the top five
32 individuals or entities other than political committees contributing
33 in excess of seven hundred dollars and making the largest aggregate
34 contributions among all those identified under (a) and (b) of this
35 subsection.

36 (2) Contributions to the sponsor that are earmarked, tracked, and
37 used for purposes other than the advertisement in question should not
38 be counted in identifying the top five contributors under subsection
39 (1) of this section.

1 (3) The commission is authorized to adopt rules, as needed, to
2 prevent circumvention and effectuate the purposes of top five
3 contributors information requirements, which are intended to inform
4 voters about the individuals and entities sponsoring political
5 advertisements.

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