
SENATE BILL 6075

State of Washington 65th Legislature 2018 Regular Session

By Senators Palumbo, Billig, Rolfes, Mullet, Carlyle, Hunt, Conway, Kuderer, and Hasegawa

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1 AN ACT Relating to disclosure of contributors to online political
2 advertising; and amending RCW 42.17A.235 and 42.17A.320.

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

4 **Sec. 1.** RCW 42.17A.235 and 2015 c 54 s 1 are each amended to
5 read as follows:

6 (1) In addition to the information required under RCW 42.17A.205
7 and 42.17A.210, on the day the treasurer is designated, each
8 candidate or political committee must file with the commission a
9 report of all contributions received and expenditures made prior to
10 that date, if any.

11 (2) Each treasurer shall file with the commission a report
12 containing the information required by RCW 42.17A.240 at the
13 following intervals:

14 (a) On the twenty-first day and the seventh day immediately
15 preceding the date on which the election is held;

16 (b) On the tenth day of the first month after the election; and

17 (c) On the tenth day of each month in which no other reports are
18 required to be filed under this section only if the committee has
19 received a contribution or made an expenditure in the preceding
20 calendar month and either the total contributions received or total

1 expenditures made since the last such report exceed two hundred
2 dollars.

3 The report filed twenty-one days before the election shall report
4 all contributions received and expenditures made as of the end of one
5 business day before the date of the report. The report filed seven
6 days before the election shall report all contributions received and
7 expenditures made as of the end of one business day before the date
8 of the report. Reports filed on the tenth day of the month shall
9 report all contributions received and expenditures made from the
10 closing date of the last report filed through the last day of the
11 month preceding the date of the current report.

12 (3) For the period beginning the first day of the fourth month
13 preceding the date of the special election, or for the period
14 beginning the first day of the fifth month before the date of the
15 general election, and ending on the date of that special or general
16 election, each Monday the treasurer shall file with the commission a
17 report of each bank deposit made during the previous seven calendar
18 days. The report shall contain the name of each person contributing
19 the funds and the amount contributed by each person. However, persons
20 who contribute no more than twenty-five dollars in the aggregate are
21 not required to be identified in the report. A copy of the report
22 shall be retained by the treasurer for his or her records. In the
23 event of deposits made by a deputy treasurer, the copy shall be
24 forwarded to the treasurer for his or her records. Each report shall
25 be certified as correct by the treasurer or deputy treasurer making
26 the deposit.

27 (4)(a) The treasurer or candidate shall maintain books of account
28 accurately reflecting all contributions and expenditures on a current
29 basis within five business days of receipt or expenditure. During the
30 eight days immediately preceding the date of the election the books
31 of account shall be kept current within one business day. As
32 specified in the committee's statement of organization filed under
33 RCW 42.17A.205, the books of account must be open for public
34 inspection by appointment at the designated place for inspections
35 between 8:00 a.m. and 8:00 p.m. on any day from the eighth day
36 immediately before the election through the day immediately before
37 the election, other than Saturday, Sunday, or a legal holiday. It is
38 a violation of this chapter for a candidate or political committee to
39 refuse to allow and keep an appointment for an inspection to be
40 conducted during these authorized times and days. The appointment

1 must be allowed at an authorized time and day for such inspections
2 that is within twenty-four hours of the time and day that is
3 requested for the inspection.

4 (b) At the time of making the appointment, a person wishing to
5 inspect the books of account must provide the treasurer the name and
6 telephone number of the person wishing to inspect the books of
7 account. The person inspecting the books of account must show photo
8 identification before the inspection begins.

9 (c) A treasurer may refuse to show the books of account to any
10 person who does not make an appointment or provide the required
11 identification.

12 (d) Any social media site must make available records of
13 purchasers of small online advertising supporting or opposing a
14 candidate or ballot measure in Washington state or otherwise directed
15 at Washington state users of the social media site upon request by
16 any person.

17 (5) Copies of all reports filed pursuant to this section shall be
18 readily available for public inspection by appointment, pursuant to
19 subsection (4) of this section, at the principal headquarters or, if
20 there is no headquarters, at the address of the treasurer or such
21 other place as may be authorized by the commission.

22 (6) The treasurer or candidate shall preserve books of account,
23 bills, receipts, and all other financial records of the campaign or
24 political committee for not less than five calendar years following
25 the year during which the transaction occurred.

26 (7) All reports filed pursuant to subsection (1) or (2) of this
27 section shall be certified as correct by the candidate and the
28 treasurer.

29 (8) When there is no outstanding debt or obligation, the campaign
30 fund is closed, and the campaign is concluded in all respects or in
31 the case of a political committee, the committee has ceased to
32 function and has dissolved, the treasurer shall file a final report.
33 Upon submitting a final report, the duties of the treasurer shall
34 cease and there is no obligation to make any further reports.

35 **Sec. 2.** RCW 42.17A.320 and 2013 c 138 s 1 are each amended to
36 read as follows:

37 (1) All written political advertising, whether relating to
38 candidates or ballot propositions, shall include the sponsor's name
39 and address. All radio and television political advertising, whether

1 relating to candidates or ballot propositions, shall include the
2 sponsor's name. The use of an assumed name for the sponsor of
3 electioneering communications, independent expenditures, ((~~or~~)
4 political advertising ((~~shall be~~)), or small online political
5 advertising is unlawful. For partisan office, if a candidate has
6 expressed a party or independent preference on the declaration of
7 candidacy, that party or independent designation shall be clearly
8 identified in electioneering communications, independent
9 expenditures, or political advertising.

10 (2) In addition to the information required by subsection (1) of
11 this section, except as specifically addressed in subsections (4) and
12 (5) of this section, all political advertising undertaken as an
13 independent expenditure or an electioneering communication by a
14 person or entity other than a bona fide political party must include
15 as part of the communication:

16 (a) The statement: "No candidate authorized this ad. It is paid
17 for by (name, address, city, state)";

18 (b) If the sponsor is a political committee, the statement: "Top
19 Five Contributors," followed by a listing of the names of the five
20 persons or entities making the largest contributions in excess of
21 seven hundred dollars reportable under this chapter during the
22 twelve-month period before the date of the advertisement or
23 communication; and

24 (c) If the sponsor is a political committee established,
25 maintained, or controlled directly, or indirectly through the
26 formation of one or more political committees, by an individual,
27 corporation, union, association, or other entity, the full name of
28 that individual or entity.

29 (3) The information required by subsections (1) and (2) of this
30 section shall:

31 (a) Appear on the first page or fold of the written advertisement
32 or communication in at least ten-point type, or in type at least ten
33 percent of the largest size type used in a written advertisement or
34 communication directed at more than one voter, such as a billboard or
35 poster, whichever is larger;

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

37 (c) Be set apart from any other printed matter.

38 (4)(a) In an independent expenditure or electioneering
39 communication transmitted via television or other medium that
40 includes a visual image, the following statement must either be

1 clearly spoken, or appear in print and be visible for at least four
2 seconds, appear in letters greater than four percent of the visual
3 screen height, and have a reasonable color contrast with the
4 background: "No candidate authorized this ad. Paid for by (name,
5 city, state)."

6 (b) If the advertisement or communication is undertaken by a
7 nonindividual other than a party organization, then the following
8 notation must also be included: "Top Five Contributors" followed by a
9 listing of the names of the five persons or entities making the
10 largest contributions in excess of seven hundred dollars reportable
11 under this chapter during the twelve-month period preceding the date
12 on which the advertisement is initially published or otherwise
13 presented to the public.

14 (c) Abbreviations may be used to describe contributing entities
15 if the full name of the entity has been clearly spoken previously
16 during the broadcast advertisement.

17 (5) The following statement shall be clearly spoken in an
18 independent expenditure or electioneering communication transmitted
19 by a method that does not include a visual image: "No candidate
20 authorized this ad. Paid for by (name, city, state)." If the
21 independent expenditure or electioneering communication is undertaken
22 by a nonindividual other than a party organization, then the
23 following statement must also be included: "Top Five Contributors"
24 followed by a listing of the names of the five persons or entities
25 making the largest contributions in excess of seven hundred dollars
26 reportable under this chapter during the twelve-month period
27 preceding the date on which the advertisement is initially published
28 or otherwise presented to the public. Abbreviations may be used to
29 describe contributing entities if the full name of the entity has
30 been clearly spoken previously during the broadcast advertisement.

31 (6) Political advertising costing one thousand dollars or more
32 supporting or opposing ballot measures sponsored by a political
33 committee must include the information on the "Top Five Contributors"
34 consistent with subsections (2), (4), and (5) of this section. A
35 series of political advertising sponsored by the same political
36 committee, each of which is under one thousand dollars, must include
37 the "Top Five Contributors" information required by this section once
38 their cumulative value reaches one thousand dollars or more.

39 (7) Political yard signs are exempt from the requirements of this
40 section that the sponsor's name and address, and "Top Five

1 Contributor" information, be listed on the advertising. In addition,
2 the public disclosure commission shall, by rule, exempt from the
3 identification requirements of this section forms of political
4 advertising such as campaign buttons, balloons, pens, pencils, sky-
5 writing, inscriptions, and other forms of advertising where
6 identification is impractical.

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

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