
HOUSE BILL 1586

State of Washington

67th Legislature

2021 Regular Session

By Representatives Pollet, Valdez, Ramos, Shewmake, and Duerr

Read first time 04/24/21. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to disclosures by grassroots lobbyists; amending
2 RCW 42.17A.640; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that it is in the
5 interest of the state to promote greater transparency from the
6 persons and entities who seek to influence the passage of legislation
7 by informing the public and news media of the sources and sponsorship
8 of information that is designed to sway and procure political
9 interest, allegiance, and active support to pass or defeat proposed
10 legislation. This need for transparency requires the disclosure of
11 those parties who sponsor grassroots efforts to influence
12 legislation. The legislature finds that it has become common for
13 powerful political and corporate interests to use grassroots
14 movements to hide behind and further their own legislative agendas in
15 a practice known as "astroturfing." The legislature believes that
16 Washington citizens have the right to know who is exerting influence
17 on legislation in our state and whether the messages being conveyed
18 to them are emanating from concerned citizens, nonprofits, political
19 organizations, corporations, or other sources.

20 Therefore, the legislature intends to require anyone who sponsors
21 grassroots campaigns aimed at influencing legislation to file a

1 report with the public disclosure commission within 24 hours of the
2 first expenditure. The legislature finds that it is vital for
3 transparency and trust in the legislative process and debate to also
4 require disclosure of the names of the sponsors who paid over \$1,000
5 for communications to the public. Prompt initial and weekly reports
6 will ensure that the public, media, and legislators have an
7 opportunity to determine who is responsible for lobbying efforts in
8 the same manner that direct lobbying expenditures must be disclosed
9 and campaign communications must reveal who is paying for them.

10 **Sec. 2.** RCW 42.17A.640 and 2010 c 204 s 809 are each amended to
11 read as follows:

12 (1) Any person who has made expenditures (~~((, not reported by a~~
13 ~~registered lobbyist under RCW 42.17A.615 or by a candidate or~~
14 ~~political committee under RCW 42.17A.225 or 42.17A.235,))~~) exceeding
15 one thousand dollars in the aggregate within any three-month period
16 or exceeding five hundred dollars in the aggregate within any one-
17 month period in presenting a program to the public, a substantial
18 portion of which is intended, designed, or calculated primarily to
19 influence legislation, shall register and report, as provided in
20 subsection (2) of this section, as a sponsor of a grassroots lobbying
21 campaign.

22 (2) Within (~~(thirty days))~~ 24 hours of, or on the first working
23 day after, the date of becoming a sponsor of a grassroots lobbying
24 campaign, the sponsor shall register by filing with the commission a
25 registration statement, in such detail as the commission shall
26 prescribe, showing:

27 (a) The sponsor's name, address, and business or occupation, and,
28 if the sponsor is not an individual, the names, addresses, and titles
29 of the controlling persons responsible for managing the sponsor's
30 affairs;

31 (b) The names, addresses, and business or occupation of all
32 persons organizing and managing the campaign, or hired to assist the
33 campaign, including any public relations or advertising firms
34 participating in the campaign, and the terms of compensation for all
35 such persons;

36 (c) The names and addresses of each person contributing twenty-
37 five dollars or more to the campaign, and the aggregate amount
38 contributed;

1 (d) The purpose of the campaign, including the specific
2 legislation, rules, rates, standards, or proposals that are the
3 subject matter of the campaign;

4 (e) The totals of all expenditures made or incurred to date on
5 behalf of the campaign segregated according to financial category,
6 including but not limited to the following: Advertising, segregated
7 by media, and in the case of large expenditures (as provided by rule
8 of the commission), by outlet; contributions; entertainment,
9 including food and refreshments; office expenses including rent and
10 the salaries and wages paid for staff and secretarial assistance, or
11 the proportionate amount paid or incurred for lobbying campaign
12 activities; consultants; and printing and mailing expenses.

13 (3)(a) A mass communication produced as part of a grassroots
14 lobbying campaign must include the following disclosures:

15 (i) All written communications shall include the sponsor's name
16 and address. All radio and television communications shall include
17 the sponsor's name. The use of an assumed name for the sponsor is
18 unlawful.

19 (ii) If the sponsor is a political committee established,
20 maintained, or controlled directly, or indirectly through the
21 formation of one or more political committees, by an individual,
22 corporation, union, association, or other entity, the communication
23 must include the full name of that individual or entity.

24 (iii) If the communication's cost exceeds \$1,000, the
25 communication must include the statement "Top Five Contributors,"
26 followed by a listing of the names of the five persons making the
27 largest aggregate contributions to the sponsor using the same
28 methodology as provided in RCW 42.17A.350(1); and if necessary, the
29 statement "Top Three Donors to PAC Contributors," followed by a
30 listing of the names of the three individuals or entities other than
31 political committees making the largest aggregate contributions to
32 political committees using the same methodology as provided in RCW
33 42.17A.350(2). Abbreviations may be used to describe contributing
34 entities if the full name of the entity has been clearly spoken
35 previously during the communication.

36 (b) The information required by (a) of this subsection shall:

37 (i) In a written communication:

38 (A) Appear on the first page or fold of the written advertisement
39 or communication in at least ten-point type, or in type at least 10
40 percent of the largest size type used in a written communication

1 directed at more than one voter, such as a billboard or poster,
2 whichever is larger;

3 (B) Not be subject to the half-tone or screening process; and

4 (C) Be set apart from any other printed matter. No text may be
5 before, after, or immediately adjacent to the information required by
6 (a) of this subsection; or

7 (ii) In a communication transmitted via television or another
8 medium that includes a visual image or audio:

9 (A) Be clearly spoken; or

10 (B) Appear in print and be visible for at least four seconds,
11 appear in letters greater than four percent of the visual screen
12 height on a solid black background on the entire bottom one-third of
13 the television or visual display screen, or bottom one-fourth of the
14 screen if the sponsor does not have or is otherwise not required to
15 list its top five contributors, and have a reasonable color contrast
16 with the background.

17 (4)(a) Every sponsor who has registered under this section shall
18 file (~~monthly~~) the following reports with the commission:

19 (i) Weekly reports must be filed each Monday for any reportable
20 activity from the preceding week during:

21 (A) The period beginning on the 30th day before a regular session
22 convenes and continuing through the date of final adjournment; and

23 (B) The period beginning on the date that a special legislative
24 session has been called or 30 days before the special legislative
25 session is scheduled to convene, whichever is later, and continuing
26 through the date of final adjournment;

27 (ii) Monthly reports must be filed with the commission by the
28 tenth day of the month for (~~the~~) any reportable activity (~~during~~)
29 from the preceding month during all other periods of the year.

30 (b) The reports shall update the information contained in the
31 sponsor's registration statement and in prior reports and shall show
32 contributions received and totals of expenditures made during the
33 (~~month~~) reporting period, in the same manner as provided for in the
34 registration statement.

35 (~~(4)~~) (5) When the campaign has been terminated, the sponsor
36 shall file a notice of termination with the final monthly report. The
37 final report shall state the totals of all contributions and

1 expenditures made on behalf of the campaign, in the same manner as
2 provided for in the registration statement.

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