
HOUSE BILL 1787

State of Washington

61st Legislature

2009 Regular Session

By Representative Kelley

1 AN ACT Relating to political advertising sponsor identification;
2 amending RCW 42.17.510; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
5 improve disclosure to voters by requiring, as part of the
6 communication, identification of the controlling person and top
7 contributors in instances where an individual or entity establishes one
8 or more political committees as a vehicle to receive and pass through
9 funds.

10 **Sec. 2.** RCW 42.17.510 and 2005 c 445 s 9 are each amended to read
11 as follows:

12 (1) All written political advertising, whether relating to
13 candidates or ballot propositions, shall include the sponsor's name and
14 address. All radio and television political advertising, whether
15 relating to candidates or ballot propositions, shall include the
16 sponsor's name. The use of an assumed name for the sponsor of
17 electioneering communications, independent expenditures, or political
18 advertising shall be unlawful. For partisan office, if a candidate has

1 expressed a party or independent preference on the declaration of
2 candidacy, that party or independent designation shall be clearly
3 identified in electioneering communications, independent expenditures,
4 or political advertising.

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

12 (a) ~~The~~ ~~((following))~~ ~~statement~~ ~~((as part of the communication~~
13 ~~"NOTICE TO VOTERS (Required by law): This advertisement is not~~
14 ~~authorized or approved by any candidate)):~~ "No candidate authorized
15 this ad. It is paid for by (name, address, city, state)((-))i"

16 (b) ~~If the~~ ~~((advertisement undertaken as an independent expenditure~~
17 ~~or electioneering communication is undertaken by a nonindividual other~~
18 ~~than a party organization, then the following notation must also be~~
19 ~~included))~~ sponsor is a political committee, the statement: "Top Five
20 Contributors," followed by a listing of the names of the five persons
21 or entities making the largest contributions in excess of seven hundred
22 dollars reportable under this chapter during the twelve-month period
23 before the date of the advertisement or communication; and

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

29 (3) ~~The~~ ~~((statements and listings of contributors))~~ information
30 required by subsections (1) and (2) of this 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.

1 (4) In an independent expenditure or electioneering communication
2 transmitted via television or other medium that includes a visual
3 image, the following statement must either be clearly spoken, or appear
4 in print and be visible for at least four seconds, appear in letters
5 greater than four percent of the visual screen height, and have a
6 reasonable color contrast with the background: "No candidate
7 authorized this ad. Paid for by (name, city, state)." If the
8 advertisement or communication is undertaken by a nonindividual other
9 than a party organization, then the following notation must also be
10 included: "Top Five Contributors" followed by a listing of the names
11 of the five persons or entities making the largest contributions in
12 excess of seven hundred dollars reportable under this chapter during
13 the twelve-month period before the date of the advertisement.
14 Abbreviations may be used to describe contributing entities if the full
15 name of the entity has been clearly spoken previously during the
16 broadcast advertisement.

17 (5) The following statement shall be clearly spoken in an
18 independent expenditure or electioneering communication transmitted by
19 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 following
23 statement must also be included: "Top Five Contributors" followed by
24 a listing of the names of the five persons or entities making the
25 largest contributions in excess of seven hundred dollars reportable
26 under this chapter during the twelve-month period before the date of
27 the advertisement. Abbreviations may be used to describe contributing
28 entities if the full name of the entity has been clearly spoken
29 previously during the broadcast advertisement.

30 (6) Political yard signs are exempt from the requirement of
31 subsections (1) and (2) of this section that the name and address of
32 the sponsor of political advertising be listed on the advertising. In
33 addition, the public disclosure commission shall, by rule, exempt from
34 the identification requirements of subsections (1) and (2) of this
35 section forms of political advertising such as campaign buttons,
36 balloons, pens, pencils, sky-writing, inscriptions, and other forms of
37 advertising where identification is impractical.

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

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