
SENATE BILL 6089

State of Washington

62nd Legislature

2012 Regular Session

By Senators Pridemore, Swecker, Keiser, Ranker, Conway, Kline, Prentice, Shin, Rolfes, Parlette, Zarelli, Eide, Schoesler, Kastama, Roach, Kohl-Welles, Benton, and Sheldon; by request of Public Disclosure Commission

Read first time 01/11/12. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to the disclosure of telephone campaign advertising
2 in state and local election campaigns; amending RCW 42.17A.320; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds an important and even
6 compelling public interest in the increased transparency and public
7 disclosure of who is conducting telephone campaign advertising.
8 Therefore, the legislature intends to require accurate and timely
9 sponsor identification of telephone advertising.

10 **Sec. 2.** RCW 42.17A.320 and 2010 c 204 s 505 are each amended to
11 read 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 telephone political advertising of five hundred or more
15 identical or substantially similar calls in the twelve-month period
16 prior to the election, whether relating to candidates or ballot
17 propositions, shall include the sponsor's name, city, and state clearly
18 spoken or recorded. All radio and television political advertising,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

--- END ---