H-3544.1

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**HOUSE BILL 2253**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Representatives Thai, Hudgins, Kilduff, Ryu, Appleton, Frame, Senn, Ormsby, and Gregerson

AN ACT Relating to disclaimers for election-related advertising that encourages votes or includes endorsements for people that are not candidates in that election or for that office; adding a new section to chapter 42.17A RCW; and declaring an emergency.

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

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

(1) All advertising related to an election that encourages, directly or indirectly, people to vote for a person who, as of the date the advertisement is first presented to the public, is not a candidate for that office must include the following statement: "This ad encourages you to vote for a person who is not a candidate for this office as of . . . . . (the date the advertising is first presented to the public)."

(2) All advertising related to an election that incorrectly conveys, directly or indirectly, that a person has the endorsement of an entity or individual for an office in an election, when that person does not have that endorsement for that office in that election, must include the following statement: "As of . . . . . (the date the advertising is first presented to the public) this person does not actually have the endorsement of . . . . . (list individuals or entities whose endorsement was stated or implied) for this office in this election."

(3) In a written communication, the information required by subsections (1) and (2) of this section must:

(a) Appear in a size equal to or greater than the largest size type otherwise used in the communication, adjacent to the text that:

(i) Encourages a vote, for the disclaimer in subsection (1) of this section; or

(ii) Conveys an endorsement, for the disclaimer in subsection (2) of this section;

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

(c) Be set apart from any other printed matter. Except as provided in (a) of this subsection, no text may be before, after, or immediately adjacent to the information required by subsections (1) and (2) of this section.

(4) In a communication that is being transmitted by television or other medium that includes a visual image, the information required by subsections (1) and (2) of this section must either:

(a) Be clearly spoken; or

(b) Appear in print and be visible for at least four seconds, in letters greater than four percent of the visual screen height, with a reasonable color contrast with the background.

(5) In a communication that does not include a visual image, the information required by subsections (1) and (2) of this section must be clearly spoken.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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