
SUBSTITUTE SENATE BILL 6075

State of Washington

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By Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Palumbo, Billig, Rolfes, Mullet, Carlyle, Hunt, Conway, Kuderer, and Hasegawa)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to disclosure of contributors to online political
2 advertising; amending RCW 42.17A.320 and 42.17A.345; and reenacting
3 and amending RCW 42.17A.005.

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

5 **Sec. 1.** RCW 42.17A.005 and 2011 c 145 s 2 and 2011 c 60 s 19 are
6 each reenacted and amended to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Actual malice" means to act with knowledge of falsity or
10 with reckless disregard as to truth or falsity.

11 (2) "Agency" includes all state agencies and all local agencies.
12 "State agency" includes every state office, department, division,
13 bureau, board, commission, or other state agency. "Local agency"
14 includes every county, city, town, municipal corporation, quasi-
15 municipal corporation, or special purpose district, or any office,
16 department, division, bureau, board, commission, or agency thereof,
17 or other local public agency.

18 (3) "Authorized committee" means the political committee
19 authorized by a candidate, or by the public official against whom
20 recall charges have been filed, to accept contributions or make
21 expenditures on behalf of the candidate or public official.

1 (4) "Ballot proposition" means any "measure" as defined by RCW
2 29A.04.091, or any initiative, recall, or referendum proposition
3 proposed to be submitted to the voters of the state or any municipal
4 corporation, political subdivision, or other voting constituency from
5 and after the time when the proposition has been initially filed with
6 the appropriate election officer of that constituency before its
7 circulation for signatures.

8 (5) "Benefit" means a commercial, proprietary, financial,
9 economic, or monetary advantage, or the avoidance of a commercial,
10 proprietary, financial, economic, or monetary disadvantage.

11 (6) "Bona fide political party" means:

12 (a) An organization that has been recognized as a minor political
13 party by the secretary of state;

14 (b) The governing body of the state organization of a major
15 political party, as defined in RCW 29A.04.086, that is the body
16 authorized by the charter or bylaws of the party to exercise
17 authority on behalf of the state party; or

18 (c) The county central committee or legislative district
19 committee of a major political party. There may be only one
20 legislative district committee for each party in each legislative
21 district.

22 (7) "Candidate" means any individual who seeks nomination for
23 election or election to public office. An individual seeks nomination
24 or election when he or she first:

25 (a) Receives contributions or makes expenditures or reserves
26 space or facilities with intent to promote his or her candidacy for
27 office;

28 (b) Announces publicly or files for office;

29 (c) Purchases commercial advertising space or broadcast time to
30 promote his or her candidacy; or

31 (d) Gives his or her consent to another person to take on behalf
32 of the individual any of the actions in (a) or (c) of this
33 subsection.

34 (8) "Caucus political committee" means a political committee
35 organized and maintained by the members of a major political party in
36 the state senate or state house of representatives.

37 (9) "Commercial advertiser" means any person who sells the
38 service of communicating messages or producing printed material for
39 broadcast or distribution to the general public or segments of the
40 general public whether through the use of newspapers, magazines,

1 television and radio stations, billboard companies, direct mail
2 advertising companies, printing companies, internet platforms, or
3 otherwise.

4 (10) "Commission" means the agency established under RCW
5 42.17A.100.

6 (11) "Compensation" unless the context requires a narrower
7 meaning, includes payment in any form for real or personal property
8 or services of any kind. For the purpose of compliance with RCW
9 42.17A.710, "compensation" does not include per diem allowances or
10 other payments made by a governmental entity to reimburse a public
11 official for expenses incurred while the official is engaged in the
12 official business of the governmental entity.

13 (12) "Continuing political committee" means a political committee
14 that is an organization of continuing existence not established in
15 anticipation of any particular election campaign.

16 (13)(a) "Contribution" includes:

17 (i) A loan, gift, deposit, subscription, forgiveness of
18 indebtedness, donation, advance, pledge, payment, transfer of funds
19 between political committees, or anything of value, including
20 personal and professional services for less than full consideration;

21 (ii) An expenditure made by a person in cooperation,
22 consultation, or concert with, or at the request or suggestion of, a
23 candidate, a political committee, the person or persons named on the
24 candidate's or committee's registration form who direct expenditures
25 on behalf of the candidate or committee, or their agents;

26 (iii) The financing by a person of the dissemination,
27 distribution, or republication, in whole or in part, of broadcast,
28 written, graphic, or other form of political advertising or
29 electioneering communication prepared by a candidate, a political
30 committee, or its authorized agent;

31 (iv) Sums paid for tickets to fund-raising events such as dinners
32 and parties, except for the actual cost of the consumables furnished
33 at the event.

34 (b) "Contribution" does not include:

35 (i) Standard interest on money deposited in a political
36 committee's account;

37 (ii) Ordinary home hospitality;

38 (iii) A contribution received by a candidate or political
39 committee that is returned to the contributor within five business

1 days of the date on which it is received by the candidate or
2 political committee;

3 (iv) A news item, feature, commentary, or editorial in a
4 regularly scheduled news medium that is of primary interest to the
5 general public, that is in a news medium controlled by a person whose
6 business is that news medium, and that is not controlled by a
7 candidate or a political committee;

8 (v) An internal political communication primarily limited to the
9 members of or contributors to a political party organization or
10 political committee, or to the officers, management staff, or
11 stockholders of a corporation or similar enterprise, or to the
12 members of a labor organization or other membership organization;

13 (vi) The rendering of personal services of the sort commonly
14 performed by volunteer campaign workers, or incidental expenses
15 personally incurred by volunteer campaign workers not in excess of
16 fifty dollars personally paid for by the worker. "Volunteer
17 services," for the purposes of this subsection, means services or
18 labor for which the individual is not compensated by any person;

19 (vii) Messages in the form of reader boards, banners, or yard or
20 window signs displayed on a person's own property or property
21 occupied by a person. However, a facility used for such political
22 advertising for which a rental charge is normally made must be
23 reported as an in-kind contribution and counts towards any applicable
24 contribution limit of the person providing the facility;

25 (viii) Legal or accounting services rendered to or on behalf of:

26 (A) A political party or caucus political committee if the person
27 paying for the services is the regular employer of the person
28 rendering such services; or

29 (B) A candidate or an authorized committee if the person paying
30 for the services is the regular employer of the individual rendering
31 the services and if the services are solely for the purpose of
32 ensuring compliance with state election or public disclosure laws; or

33 (ix) The performance of ministerial functions by a person on
34 behalf of two or more candidates or political committees either as
35 volunteer services defined in (b)(vi) of this subsection or for
36 payment by the candidate or political committee for whom the services
37 are performed as long as:

38 (A) The person performs solely ministerial functions;

39 (B) A person who is paid by two or more candidates or political
40 committees is identified by the candidates and political committees

1 on whose behalf services are performed as part of their respective
2 statements of organization under RCW 42.17A.205; and

3 (C) The person does not disclose, except as required by law, any
4 information regarding a candidate's or committee's plans, projects,
5 activities, or needs, or regarding a candidate's or committee's
6 contributions or expenditures that is not already publicly available
7 from campaign reports filed with the commission, or otherwise engage
8 in activity that constitutes a contribution under (a)(ii) of this
9 subsection.

10 A person who performs ministerial functions under this subsection
11 (13)(b)(ix) is not considered an agent of the candidate or committee
12 as long as he or she has no authority to authorize expenditures or
13 make decisions on behalf of the candidate or committee.

14 (c) Contributions other than money or its equivalent are deemed
15 to have a monetary value equivalent to the fair market value of the
16 contribution. Services or property or rights furnished at less than
17 their fair market value for the purpose of assisting any candidate or
18 political committee are deemed a contribution. Such a contribution
19 must be reported as an in-kind contribution at its fair market value
20 and counts towards any applicable contribution limit of the provider.

21 (14) "Depository" means a bank, mutual savings bank, savings and
22 loan association, or credit union doing business in this state.

23 (15) "Elected official" means any person elected at a general or
24 special election to any public office, and any person appointed to
25 fill a vacancy in any such office.

26 (16) "Election" includes any primary, general, or special
27 election for public office and any election in which a ballot
28 proposition is submitted to the voters. An election in which the
29 qualifications for voting include other than those requirements set
30 forth in Article VI, section 1 (Amendment 63) of the Constitution of
31 the state of Washington shall not be considered an election for
32 purposes of this chapter.

33 (17) "Election campaign" means any campaign in support of or in
34 opposition to a candidate for election to public office and any
35 campaign in support of, or in opposition to, a ballot proposition.

36 (18) "Election cycle" means the period beginning on the first day
37 of January after the date of the last previous general election for
38 the office that the candidate seeks and ending on December 31st after
39 the next election for the office. In the case of a special election
40 to fill a vacancy in an office, "election cycle" means the period

1 beginning on the day the vacancy occurs and ending on December 31st
2 after the special election.

3 (19)(a) "Electioneering communication" means any broadcast,
4 cable, or satellite television or radio transmission, United States
5 postal service mailing, billboard, newspaper, or periodical, or
6 internet or digital communication that:

7 (i) Clearly identifies a candidate for a state, local, or
8 judicial office either by specifically naming the candidate, or
9 identifying the candidate without using the candidate's name;

10 (ii) Is broadcast, transmitted, mailed, erected, distributed, or
11 otherwise published within sixty days before any election for that
12 office in the jurisdiction in which the candidate is seeking
13 election; and

14 (iii) Either alone, or in combination with one or more
15 communications identifying the candidate by the same sponsor during
16 the sixty days before an election, has a fair market value of one
17 thousand dollars or more.

18 (b) "Electioneering communication" does not include:

19 (i) Usual and customary advertising of a business owned by a
20 candidate, even if the candidate is mentioned in the advertising when
21 the candidate has been regularly mentioned in that advertising
22 appearing at least twelve months preceding his or her becoming a
23 candidate;

24 (ii) Advertising for candidate debates or forums when the
25 advertising is paid for by or on behalf of the debate or forum
26 sponsor, so long as two or more candidates for the same position have
27 been invited to participate in the debate or forum;

28 (iii) A news item, feature, commentary, or editorial in a
29 regularly scheduled news medium that is:

30 (A) Of primary interest to the general public;

31 (B) In a news medium controlled by a person whose business is
32 that news medium; and

33 (C) Not a medium controlled by a candidate or a political
34 committee;

35 (iv) Slate cards and sample ballots;

36 (v) Advertising for books, films, dissertations, or similar works
37 (A) written by a candidate when the candidate entered into a contract
38 for such publications or media at least twelve months before becoming
39 a candidate, or (B) written about a candidate;

40 (vi) Public service announcements;

1 (vii) A mailed internal political communication primarily limited
2 to the members of or contributors to a political party organization
3 or political committee, or to the officers, management staff, or
4 stockholders of a corporation or similar enterprise, or to the
5 members of a labor organization or other membership organization;

6 (viii) An expenditure by or contribution to the authorized
7 committee of a candidate for state, local, or judicial office; or

8 (ix) Any other communication exempted by the commission through
9 rule consistent with the intent of this chapter.

10 (20) "Expenditure" includes a payment, contribution,
11 subscription, distribution, loan, advance, deposit, or gift of money
12 or anything of value, and includes a contract, promise, or agreement,
13 whether or not legally enforceable, to make an expenditure.
14 "Expenditure" also includes a promise to pay, a payment, or a
15 transfer of anything of value in exchange for goods, services,
16 property, facilities, or anything of value for the purpose of
17 assisting, benefiting, or honoring any public official or candidate,
18 or assisting in furthering or opposing any election campaign. For the
19 purposes of this chapter, agreements to make expenditures, contracts,
20 and promises to pay may be reported as estimated obligations until
21 actual payment is made. "Expenditure" shall not include the partial
22 or complete repayment by a candidate or political committee of the
23 principal of a loan, the receipt of which loan has been properly
24 reported.

25 (21) "Final report" means the report described as a final report
26 in RCW 42.17A.235(2).

27 (22) "General election" for the purposes of RCW 42.17A.405 means
28 the election that results in the election of a person to a state or
29 local office. It does not include a primary.

30 (23) "Gift" has the definition in RCW 42.52.010.

31 (24) "Immediate family" includes the spouse or domestic partner,
32 dependent children, and other dependent relatives, if living in the
33 household. For the purposes of the definition of "intermediary" in
34 this section, "immediate family" means an individual's spouse or
35 domestic partner, and child, stepchild, grandchild, parent,
36 stepparent, grandparent, brother, half brother, sister, or half
37 sister of the individual and the spouse or the domestic partner of
38 any such person and a child, stepchild, grandchild, parent,
39 stepparent, grandparent, brother, half brother, sister, or half

1 sister of the individual's spouse or domestic partner and the spouse
2 or the domestic partner of any such person.

3 (25) "Incumbent" means a person who is in present possession of
4 an elected office.

5 (26) "Independent expenditure" means an expenditure that has each
6 of the following elements:

7 (a) It is made in support of or in opposition to a candidate for
8 office by a person who is not (i) a candidate for that office, (ii)
9 an authorized committee of that candidate for that office, (iii) a
10 person who has received the candidate's encouragement or approval to
11 make the expenditure, if the expenditure pays in whole or in part for
12 political advertising supporting that candidate or promoting the
13 defeat of any other candidate or candidates for that office, or (iv)
14 a person with whom the candidate has collaborated for the purpose of
15 making the expenditure, if the expenditure pays in whole or in part
16 for political advertising supporting that candidate or promoting the
17 defeat of any other candidate or candidates for that office;

18 (b) The expenditure pays in whole or in part for political
19 advertising that either specifically names the candidate supported or
20 opposed, or clearly and beyond any doubt identifies the candidate
21 without using the candidate's name; and

22 (c) The expenditure, alone or in conjunction with another
23 expenditure or other expenditures of the same person in support of or
24 opposition to that candidate, has a value of eight hundred dollars or
25 more. A series of expenditures, each of which is under eight hundred
26 dollars, constitutes one independent expenditure if their cumulative
27 value is eight hundred dollars or more.

28 (27)(a) "Intermediary" means an individual who transmits a
29 contribution to a candidate or committee from another person unless
30 the contribution is from the individual's employer, immediate family,
31 or an association to which the individual belongs.

32 (b) A treasurer or a candidate is not an intermediary for
33 purposes of the committee that the treasurer or candidate serves.

34 (c) A professional fund-raiser is not an intermediary if the
35 fund-raiser is compensated for fund-raising services at the usual and
36 customary rate.

37 (d) A volunteer hosting a fund-raising event at the individual's
38 home is not an intermediary for purposes of that event.

39 (28) "Legislation" means bills, resolutions, motions, amendments,
40 nominations, and other matters pending or proposed in either house of

1 the state legislature, and includes any other matter that may be the
2 subject of action by either house or any committee of the legislature
3 and all bills and resolutions that, having passed both houses, are
4 pending approval by the governor.

5 (29) "Legislative office" means the office of a member of the
6 state house of representatives or the office of a member of the state
7 senate.

8 (30) "Lobby" and "lobbying" each mean attempting to influence the
9 passage or defeat of any legislation by the legislature of the state
10 of Washington, or the adoption or rejection of any rule, standard,
11 rate, or other legislative enactment of any state agency under the
12 state administrative procedure act, chapter 34.05 RCW. Neither
13 "lobby" nor "lobbying" includes an association's or other
14 organization's act of communicating with the members of that
15 association or organization.

16 (31) "Lobbyist" includes any person who lobbies either in his or
17 her own or another's behalf.

18 (32) "Lobbyist's employer" means the person or persons by whom a
19 lobbyist is employed and all persons by whom he or she is compensated
20 for acting as a lobbyist.

21 (33) "Ministerial functions" means an act or duty carried out as
22 part of the duties of an administrative office without exercise of
23 personal judgment or discretion.

24 (34) "Participate" means that, with respect to a particular
25 election, an entity:

26 (a) Makes either a monetary or in-kind contribution to a
27 candidate;

28 (b) Makes an independent expenditure or electioneering
29 communication in support of or opposition to a candidate;

30 (c) Endorses a candidate before contributions are made by a
31 subsidiary corporation or local unit with respect to that candidate
32 or that candidate's opponent;

33 (d) Makes a recommendation regarding whether a candidate should
34 be supported or opposed before a contribution is made by a subsidiary
35 corporation or local unit with respect to that candidate or that
36 candidate's opponent; or

37 (e) Directly or indirectly collaborates or consults with a
38 subsidiary corporation or local unit on matters relating to the
39 support of or opposition to a candidate, including, but not limited
40 to, the amount of a contribution, when a contribution should be

1 given, and what assistance, services or independent expenditures, or
2 electioneering communications, if any, will be made or should be made
3 in support of or opposition to a candidate.

4 (35) "Person" includes an individual, partnership, joint venture,
5 public or private corporation, association, federal, state, or local
6 governmental entity or agency however constituted, candidate,
7 committee, political committee, political party, executive committee
8 thereof, or any other organization or group of persons, however
9 organized.

10 (36) "Political advertising" includes any advertising displays,
11 newspaper ads, billboards, signs, brochures, articles, tabloids,
12 flyers, letters, radio or television presentations, internet or
13 digital advertising, or other means of mass communication, used for
14 the purpose of appealing, directly or indirectly, for votes or for
15 financial or other support or opposition in any election campaign.

16 (37) "Political committee" means any person (except a candidate
17 or an individual dealing with his or her own funds or property)
18 having the expectation of receiving contributions or making
19 expenditures in support of, or opposition to, any candidate or any
20 ballot proposition.

21 (38) "Primary" for the purposes of RCW 42.17A.405 means the
22 procedure for nominating a candidate to state or local office under
23 chapter 29A.52 RCW or any other primary for an election that uses, in
24 large measure, the procedures established in chapter 29A.52 RCW.

25 (39) "Public office" means any federal, state, judicial, county,
26 city, town, school district, port district, special district, or
27 other state political subdivision elective office.

28 (40) "Public record" has the definition in RCW 42.56.010.

29 (41) "Recall campaign" means the period of time beginning on the
30 date of the filing of recall charges under RCW 29A.56.120 and ending
31 thirty days after the recall election.

32 (42)(a) "Sponsor" for purposes of an electioneering
33 communications, independent expenditures, or political advertising
34 means the person paying for the electioneering communication,
35 independent expenditure, or political advertising. If a person acts
36 as an agent for another or is reimbursed by another for the payment,
37 the original source of the payment is the sponsor.

38 (b) "Sponsor," for purposes of a political committee, means any
39 person, except an authorized committee, to whom any of the following
40 applies:

1 (i) The committee receives eighty percent or more of its
2 contributions either from the person or from the person's members,
3 officers, employees, or shareholders;

4 (ii) The person collects contributions for the committee by use
5 of payroll deductions or dues from its members, officers, or
6 employees.

7 (43) "Sponsored committee" means a committee, other than an
8 authorized committee, that has one or more sponsors.

9 (44) "State office" means state legislative office or the office
10 of governor, lieutenant governor, secretary of state, attorney
11 general, commissioner of public lands, insurance commissioner,
12 superintendent of public instruction, state auditor, or state
13 treasurer.

14 (45) "State official" means a person who holds a state office.

15 (46) "Surplus funds" mean, in the case of a political committee
16 or candidate, the balance of contributions that remain in the
17 possession or control of that committee or candidate subsequent to
18 the election for which the contributions were received, and that are
19 in excess of the amount necessary to pay remaining debts incurred by
20 the committee or candidate with respect to that election. In the case
21 of a continuing political committee, "surplus funds" mean those
22 contributions remaining in the possession or control of the committee
23 that are in excess of the amount necessary to pay all remaining debts
24 when it makes its final report under RCW 42.17A.255.

25 (47) "Treasurer" and "deputy treasurer" mean the individuals
26 appointed by a candidate or political committee, pursuant to RCW
27 42.17A.210, to perform the duties specified in that section.

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

30 (1) All written political advertising, whether relating to
31 candidates or ballot propositions, shall include the sponsor's name
32 and address. All radio and television political advertising, whether
33 relating to candidates or ballot propositions, shall include the
34 sponsor's name. Small online political advertising shall include the
35 sponsor's name and may provide additional required disclosures
36 through alternatives specified by the commission. The use of an
37 assumed name for the sponsor of electioneering communications,
38 independent expenditures, or political advertising shall be unlawful.
39 For partisan office, if a candidate has expressed a party or

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

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

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

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

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

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

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

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

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

32 (4) In an independent expenditure or electioneering communication
33 transmitted via television or other medium that includes a visual
34 image, the following statement must either be clearly spoken, or
35 appear in print and be visible for at least four seconds, appear in
36 letters greater than four percent of the visual screen height, and
37 have a reasonable color contrast with the background: "No candidate
38 authorized this ad. Paid for by (name, city, state)." If the
39 advertisement or communication is undertaken by a nonindividual other
40 than a party organization, then the following notation must also be

1 included: "Top Five Contributors" followed by a listing of the names
2 of the five persons or entities making the largest contributions in
3 excess of seven hundred dollars reportable under this chapter during
4 the twelve-month period preceding the date on which the advertisement
5 is initially published or otherwise presented to the public.
6 Abbreviations may be used to describe contributing entities if the
7 full name of the entity has been clearly spoken previously during the
8 broadcast advertisement.

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

23 (6) Political advertising costing one thousand dollars or more
24 supporting or opposing ballot measures sponsored by a political
25 committee must include the information on the "Top Five Contributors"
26 consistent with subsections (2), (4), and (5) of this section. A
27 series of political advertising sponsored by the same political
28 committee, each of which is under one thousand dollars, must include
29 the "Top Five Contributors" information required by this section once
30 their cumulative value reaches one thousand dollars or more.

31 (7) Political yard signs are exempt from the requirements of this
32 section that the sponsor's name and address, and "Top Five
33 Contributor" information, be listed on the advertising. In addition,
34 the public disclosure commission shall, by rule, exempt from the
35 identification requirements of this section forms of political
36 advertising such as campaign buttons, balloons, pens, pencils, sky-
37 writing, inscriptions, and other forms of advertising where
38 identification is impractical.

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

1 **Sec. 3.** RCW 42.17A.345 and 2010 c 204 s 508 are each amended to
2 read as follows:

3 (1) Each commercial advertiser who has accepted or provided
4 political advertising or electioneering communications during the
5 election campaign shall maintain documents and books of account that
6 shall be open for public inspection during normal business hours
7 during the campaign and for a period of no less than three years
8 after the date of the applicable election. The documents and books of
9 account shall specify:

10 (a) The names and addresses of persons from whom it accepted
11 political advertising or electioneering communications;

12 (b) The exact nature and extent of the services rendered; and

13 (c) The total cost and the manner of payment for the services.

14 (2) A commercial advertiser may, as an alternative to making the
15 documents and books of account required by subsection (1) of this
16 section open for inspection at its physical office, post the same
17 information on a web site easily accessible to the public.

18 (3) At the request of the commission, each commercial advertiser
19 required to comply with subsection (1) of this section shall deliver
20 to the commission copies of the information that must be maintained
21 and be open for public inspection pursuant to subsection (1) of this
22 section. The commercial advertiser must deliver the records in
23 electronic or paper format within five days of receipt of the
24 request, or within twenty-four hours if the advertisement is
25 presented to the public within twenty-one days of the election.

--- END ---