

# FINAL BILL REPORT

## SSB 6152

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C 152 L 20  
Synopsis as Enacted

**Brief Description:** Concerning the level of foreign national ownership and control of entities that participate in Washington state elections.

**Sponsors:** Senate Committee on State Government, Tribal Relations & Elections (originally sponsored by Senators Salomon, Billig, Hunt, Nguyen, McCoy, Lovelett, Kuderer, Rolfes, Lias, Van De Wege, Das and Wilson, C.).

**Senate Committee on State Government, Tribal Relations & Elections**  
**House Committee on State Government & Tribal Relations**

**Background:** Contribution and Expenditure Reports. Political committees, candidates, and incidental committees must file periodic reports with the Public Disclosure Commission (PDC) that detail all contributions received and expenditures made. Washington candidates and committees must file a report known as the C-4, after the form used to file the report. C-4 reports must include the name and address of each person who has made contributions during the reporting period, subject to exceptions for small pledges or contributions and certain payments to incidental committees. C-4 reports must also include information about expenditures of more than \$50.

Political committees based outside the state must file a report known as the C-5 following every month in which the committee makes a contribution or expenditure in Washington. Each C-5 report must include:

- the name and address of each Washington resident or corporation that has contributed more than \$25 in the calendar year; and
- the name, address, and employer of each person or corporation outside of Washington that has contributed more than \$2,680 in the calendar year.

Independent Expenditures. Independent expenditures are made independently of a candidate or that candidate's authorized committee for political advertising which, alone or combined with other spending by the same person or committee, have a cumulative value of at least \$1,000. Persons making independent expenditures must file a report with the PDC monthly and biweekly in the month before an election detailing expenditures.

Political Advertising Reports. Sponsors of advertising appealing for votes or support in an election campaign with a fair market value or actual cost of \$1,000 or more must file a special report with the PDC within 24 hours after the advertisement is first presented to the

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public, or on the next business day, that includes information about the sponsor and the expenditure.

Special Reports. During the 21 days before a general election, and the 7 days before a primary election, a candidate or political committee must file a special report with the PDC when it makes or receives a contribution or aggregate contributions to or from a single person or entity that totals \$1,000 or more.

Electioneering Communication Reports. An electioneering communication is a communication made within 60 days before an election that clearly identifies a candidate for office and has a fair market value or cost of \$1,000 or more. Payments for, or promises to pay for, electioneering communications must be reported to the PDC within 24 hours after the communication is broadcast or published, or on the next business day.

Campaign Contributions from Foreign Nationals. Federal law prohibits foreign nationals from directly or indirectly contributing or donating money in connection with a federal, state, or local election or to a committee of a political party. Foreign nationals also may not make an expenditure, independent expenditure, or disbursement for an electioneering communication. A "foreign national" is defined under federal law as:

- an individual who is not a citizen or lawful permanent resident of the United States;
- a government or political party of a foreign government; or
- any entity or combination of persons organized under the laws of, or having its principal place of business in, a foreign country.

**Summary:** No contribution, expenditure, political advertising, or electioneering communication may be made or sponsored by a foreign national, financed in any part by a foreign national, or have a foreign national involved in the decision-making in any way. The federal definition of "foreign national" is applied.

Each C-4, C-5, and special report must include a statement that the candidate or committee has received a certification from each partnership, association, corporation, or other group that contributed to the candidate or committee that foreign nationals were not involved in any way in the financing of or decision-making regarding the contribution. The filer must retain these certifications for at least three years after the election and provide copies to the PDC upon request.

Sponsors of electioneering communications, political advertising, and independent expenditures must certify in PDC reports that foreign nationals were not involved in any way in the financing of or decision-making regarding the activity.

The act does not preempt any local regulations, ordinances, or powers.

**Votes on Final Passage:**

Senate	30	16	
House	97	0	(House amended)
Senate			(Senate refused to concur)
House			(House insisted)

Senate 46 0 (Senate concurred)

**Effective:** June 11, 2020