

SENATE BILL 5171

State of Washington

52nd Legislature

1991 Regular Session

By Senators Owen, McCaslin, Vognild, West, L. Smith and Conner.

Read first time January 22, 1991. Referred to Committee on Governmental Operations.

1 AN ACT Relating to false political advertising; adding a new
2 section to chapter 9.91 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.91 RCW
5 to read as follows:

6 (1) It is a gross misdemeanor for a person to sponsor with actual
7 malice:

8 (a) Political advertising that contains a false statement of
9 material fact;

10 (b) Political advertising that falsely represents that a candidate
11 is the incumbent for the office sought when in fact the candidate is
12 not the incumbent;

13 (c) Political advertising that makes either directly or indirectly,
14 a false claim stating or implying the support or endorsement of any

1 person or organization when in fact the candidate does not have such
2 support or endorsement.

3 (2) Whenever it appears that a person is engaged in or about to
4 engage in any act that constitutes or will constitute a violation of
5 this section, the prosecuting attorney or any person harmed by an
6 alleged violation of this section may initiate a civil proceeding in
7 superior court to enjoin such violation, and may petition the court to
8 issue an order for the discontinuance of the violation.