
SENATE BILL 5258

State of Washington

63rd Legislature

2013 Regular Session

By Senators Benton, Roach, Hasegawa, Conway, Billig, Rivers, and Fraser; by request of Public Disclosure Commission

Read first time 01/24/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to aggregating the cost of related ballot measure
2 advertisements for purposes of top five sponsor identification
3 requirements; and amending RCW 42.17A.320.

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

5 **Sec. 1.** RCW 42.17A.320 and 2012 c 226 s 1 are each amended to read
6 as follows:

7 (1) All written political advertising, whether relating to
8 candidates or ballot propositions, shall include the sponsor's name and
9 address. All radio and television political advertising, whether
10 relating to candidates or ballot propositions, shall include the
11 sponsor's name. The use of an assumed name for the sponsor of
12 electioneering communications, independent expenditures, or political
13 advertising shall be unlawful. For partisan office, if a candidate has
14 expressed a party or independent preference on the declaration of
15 candidacy, that party or independent designation shall be clearly
16 identified in electioneering communications, independent expenditures,
17 or political advertising.

18 (2) In addition to the information required by subsection (1) of
19 this section, except as specifically addressed in subsections (4) and

1 (5) of this section, all political advertising undertaken as an
2 independent expenditure or an electioneering communication by a person
3 or entity other than a bona fide political party must include as part
4 of the communication:

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

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

12 (c) If the sponsor is a political committee established,
13 maintained, or controlled directly, or indirectly through the formation
14 of one or more political committees, by an individual, corporation,
15 union, association, or other entity, the full name of that individual
16 or entity.

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

19 (a) Appear on the first page or fold of the written advertisement
20 or communication in at least ten-point type, or in type at least ten
21 percent of the largest size type used in a written advertisement or
22 communication directed at more than one voter, such as a billboard or
23 poster, whichever is larger;

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

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

26 (4) In an independent expenditure or electioneering communication
27 transmitted via television or other medium that includes a visual
28 image, the following statement must either be clearly spoken, or appear
29 in print and be visible for at least four seconds, appear in letters
30 greater than four percent of the visual screen height, and have a
31 reasonable color contrast with the background: "No candidate
32 authorized this ad. Paid for by (name, city, state)." If the
33 advertisement or communication is undertaken by a nonindividual other
34 than a party organization, then the following notation must also be
35 included: "Top Five Contributors" followed by a listing of the names
36 of the five persons or entities making the largest contributions in
37 excess of seven hundred dollars reportable under this chapter during
38 the twelve-month period preceding the date on which the advertisement

1 is initially published or otherwise presented to the public.
2 Abbreviations may be used to describe contributing entities if the full
3 name of the entity has been clearly spoken previously during the
4 broadcast advertisement.

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

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

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

36 (8) For the purposes of this section, "yard sign" means any outdoor

1 sign with dimensions no greater than eight feet by four feet.

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