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**HOUSE BILL 1586**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Representatives Pollet, Valdez, Ramos, Shewmake, and Duerr

AN ACT Relating to disclosures by grassroots lobbyists; amending RCW 42.17A.640; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that it is in the interest of the state to promote greater transparency from the persons and entities who seek to influence the passage of legislation by informing the public and news media of the sources and sponsorship of information that is designed to sway and procure political interest, allegiance, and active support to pass or defeat proposed legislation. This need for transparency requires the disclosure of those parties who sponsor grassroots efforts to influence legislation. The legislature finds that it has become common for powerful political and corporate interests to use grassroots movements to hide behind and further their own legislative agendas in a practice known as "astroturfing." The legislature believes that Washington citizens have the right to know who is exerting influence on legislation in our state and whether the messages being conveyed to them are emanating from concerned citizens, nonprofits, political organizations, corporations, or other sources.

Therefore, the legislature intends to require anyone who sponsors grassroots campaigns aimed at influencing legislation to file a report with the public disclosure commission within 24 hours of the first expenditure. The legislature finds that it is vital for transparency and trust in the legislative process and debate to also require disclosure of the names of the sponsors who paid over $1,000 for communications to the public. Prompt initial and weekly reports will ensure that the public, media, and legislators have an opportunity to determine who is responsible for lobbying efforts in the same manner that direct lobbying expenditures must be disclosed and campaign communications must reveal who is paying for them.

**Sec.**  RCW 42.17A.640 and 2010 c 204 s 809 are each amended to read as follows:

(1) Any person who has made expenditures((~~, not reported by a registered lobbyist under RCW 42.17A.615 or by a candidate or political committee under RCW 42.17A.225 or 42.17A.235,~~)) exceeding one thousand dollars in the aggregate within any three-month period or exceeding five hundred dollars in the aggregate within any one-month period in presenting a program to the public, a substantial portion of which is intended, designed, or calculated primarily to influence legislation, shall register and report, as provided in subsection (2) of this section, as a sponsor of a grassroots lobbying campaign.

(2) Within ((~~thirty days~~)) 24 hours of, or on the first working day after, the date of becoming a sponsor of a grassroots lobbying campaign, the sponsor shall register by filing with the commission a registration statement, in such detail as the commission shall prescribe, showing:

(a) The sponsor's name, address, and business or occupation, and, if the sponsor is not an individual, the names, addresses, and titles of the controlling persons responsible for managing the sponsor's affairs;

(b) The names, addresses, and business or occupation of all persons organizing and managing the campaign, or hired to assist the campaign, including any public relations or advertising firms participating in the campaign, and the terms of compensation for all such persons;

(c) The names and addresses of each person contributing twenty-five dollars or more to the campaign, and the aggregate amount contributed;

(d) The purpose of the campaign, including the specific legislation, rules, rates, standards, or proposals that are the subject matter of the campaign;

(e) The totals of all expenditures made or incurred to date on behalf of the campaign segregated according to financial category, including but not limited to the following: Advertising, segregated by media, and in the case of large expenditures (as provided by rule of the commission), by outlet; contributions; entertainment, including food and refreshments; office expenses including rent and the salaries and wages paid for staff and secretarial assistance, or the proportionate amount paid or incurred for lobbying campaign activities; consultants; and printing and mailing expenses.

(3)(a) A mass communication produced as part of a grassroots lobbying campaign must include the following disclosures:

(i) All written communications shall include the sponsor's name and address. All radio and television communications shall include the sponsor's name. The use of an assumed name for the sponsor is unlawful.

(ii) If the sponsor is a political committee established, maintained, or controlled directly, or indirectly through the formation of one or more political committees, by an individual, corporation, union, association, or other entity, the communication must include the full name of that individual or entity.

(iii) If the communication's cost exceeds $1,000, the communication must include the statement "Top Five Contributors," followed by a listing of the names of the five persons making the largest aggregate contributions to the sponsor using the same methodology as provided in RCW 42.17A.350(1); and if necessary, the statement "Top Three Donors to PAC Contributors," followed by a listing of the names of the three individuals or entities other than political committees making the largest aggregate contributions to political committees using the same methodology as provided in RCW 42.17A.350(2). Abbreviations may be used to describe contributing entities if the full name of the entity has been clearly spoken previously during the communication.

(b) The information required by (a) of this subsection shall:

(i) In a written communication:

(A) Appear on the first page or fold of the written advertisement or communication in at least ten-point type, or in type at least 10 percent of the largest size type used in a written communication directed at more than one voter, such as a billboard or poster, whichever is larger;

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

(C) Be set apart from any other printed matter. No text may be before, after, or immediately adjacent to the information required by (a) of this subsection; or

(ii) In a communication transmitted via television or another medium that includes a visual image or audio:

(A) Be clearly spoken; or

(B) Appear in print and be visible for at least four seconds, appear in letters greater than four percent of the visual screen height on a solid black background on the entire bottom one-third of the television or visual display screen, or bottom one-fourth of the screen if the sponsor does not have or is otherwise not required to list its top five contributors, and have a reasonable color contrast with the background.

(4)(a) Every sponsor who has registered under this section shall file ((~~monthly~~)) the following reports with the commission:

(i) Weekly reports must be filed each Monday for any reportable activity from the preceding week during:

(A) The period beginning on the 30th day before a regular session convenes and continuing through the date of final adjournment; and

(B) The period beginning on the date that a special legislative session has been called or 30 days before the special legislative session is scheduled to convene, whichever is later, and continuing through the date of final adjournment;

(ii) Monthly reports must be filed with the commission by the tenth day of the month for ((~~the~~)) any reportable activity ((~~during~~)) from the preceding month during all other periods of the year.

(b) The reports shall update the information contained in the sponsor's registration statement and in prior reports and shall show contributions received and totals of expenditures made during the ((~~month~~)) reporting period, in the same manner as provided for in the registration statement.

((~~(4)~~)) (5) When the campaign has been terminated, the sponsor shall file a notice of termination with the final monthly report. The final report shall state the totals of all contributions and expenditures made on behalf of the campaign, in the same manner as provided for in the registration statement.

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