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HOUSE BILL 1317

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State of Washington

68th Legislature

2023 Regular Session

By Representatives Pollet and Gregerson; by request of Public Disclosure Commission

Read first time 01/13/23. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to improving transparency in grassroots lobbying  
2 disclosure; and amending RCW 42.17A.640.

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

4 **Sec. 1.** RCW 42.17A.640 and 2010 c 204 s 809 are each amended to  
5 read as follows:

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

16 (~~Within thirty days after becoming a sponsor of a grass~~  
17 ~~roots lobbying campaign, the~~) (a) The sponsor shall register by  
18 filing with the commission a registration statement:

19 (i) Within 24 hours of the initial presentation of the campaign  
20 to the public during the period:

1 (A) Beginning on the 30th day before a regular legislative  
2 session convenes and continuing through the date of final adjournment  
3 of that session; or

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

8 (ii) Within five business days of the initial presentation of the  
9 campaign to the public during any other period.

10 (b) The registration must show, in such detail as the commission  
11 shall prescribe (~~(, showing)~~):

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

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

21 ~~((c) The names and addresses of each person contributing twenty-~~  
22 ~~five dollars or more to the campaign, and the aggregate amount~~  
23 ~~contributed))~~ (iii) Each source of funding for the campaign of \$25 or  
24 more, including:

25 (A) General treasury funds. The name and address of each  
26 business, union, group, association, or other organization using  
27 general treasury funds for the campaign; however, if such entity  
28 undertakes a special solicitation of its members or other persons for  
29 the campaign, or it otherwise receives funds for the campaign, that  
30 entity shall report pursuant to (b) (ii) of this subsection; and

31 (B) Special solicitations and other funds. The name, address,  
32 and, for individuals, occupation and employer, of a person whose  
33 funds were used to pay for the campaign, along with the amount;

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

37 ~~((e))~~ (v) The totals of all expenditures made or incurred to  
38 date on behalf of the campaign segregated according to financial  
39 category, including but not limited to the following: Advertising,  
40 segregated by media, and in the case of large expenditures (as

1 provided by rule of the commission), by outlet; contributions;  
2 entertainment, including food and refreshments; office expenses  
3 including rent and the salaries and wages paid for staff and  
4 secretarial assistance, or the proportionate amount paid or incurred  
5 for lobbying campaign activities; consultants; and printing and  
6 mailing expenses; and

7 (vi) Such other information as shall be required by the  
8 commission by rule in conformance with the policies and purposes of  
9 this chapter.

10 (3) Every sponsor who has registered under this section shall  
11 file monthly reports with the commission by the tenth day of the  
12 month for the activity during the preceding month. The reports shall  
13 update the information contained in the sponsor's registration  
14 statement and in prior reports and shall show contributions received  
15 and totals of expenditures made during the month, in the same manner  
16 as provided for in the registration statement.

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

22 (5) (a) Any advertising or other mass communication produced as  
23 part of a campaign must include the following disclosures:

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

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

33 (iii) If the communication costs \$1,000 or more, the  
34 communication must include:

35 (A) The statement "Top Five Contributors," followed by a listing  
36 of the names of each of the five largest sources of funding of \$1,000  
37 or more, as reported under subsection (2) (b) of this section, during  
38 the 12-month period preceding the date on which the advertisement is  
39 initially to be published or otherwise presented to the public; and

1 (B) If one of the "Top Five Contributors" listed includes a  
2 political committee, the statement "Top Three Donors to PAC  
3 Contributors," followed by a listing of the names of the three  
4 individuals or entities other than political committees making the  
5 largest aggregate contributions to political committees using the  
6 same methodology as provided in RCW 42.17A.350(2).

7 (b) Abbreviations may be used to describe entities required to be  
8 listed under (a) of this subsection if the full name of the entity  
9 has been clearly spoken previously during the communication. The  
10 information required by (a) of this subsection shall:

11 (i) In a written communication:

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

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

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

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

23 (A) Be clearly spoken; or

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

31 (6) The commission is authorized to adopt rules, as needed, to  
32 prevent ways to circumvent the purposes of the required disclosures  
33 in this section or otherwise in conformance with the policies and  
34 purposes of this chapter.

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