
SENATE BILL 5284

State of Washington

68th Legislature

2023 Regular Session

By Senators Nguyen, Billig, Frame, Hunt, Keiser, Kuderer, Shewmake, and C. Wilson; by request of Public Disclosure Commission

Read first time 01/11/23. Referred to Committee on State Government & Elections.

1 AN ACT Relating to improving transparency in campaign finance
2 disclosure; and amending RCW 42.17A.205, 42.17A.207, 42.17A.235,
3 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.345, 42.17A.640, and
4 42.17A.785.

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

6 **Sec. 1.** RCW 42.17A.205 and 2019 c 428 s 14 are each amended to
7 read as follows:

8 (1) Every political committee shall file a statement of
9 organization with the commission. The statement must be filed within
10 two weeks after organization or within two weeks after the date the
11 committee first has the expectation of receiving contributions or
12 making expenditures in any election campaign, whichever is earlier. A
13 political committee organized within (~~the last three weeks~~) the
14 period beginning the first day of the last full month before an
15 election and having the expectation of receiving contributions or
16 making expenditures during and for that election campaign shall file
17 a statement of organization within three business days after its
18 organization or when it first has the expectation of receiving
19 contributions or making expenditures in the election campaign.

20 (2) The statement of organization shall include but not be
21 limited to:

1 (a) The name, address, and electronic contact information of the
2 committee;

3 (b) The names, addresses, and electronic contact information of
4 all related or affiliated committees or other persons, and the nature
5 of the relationship or affiliation;

6 (c) The names, addresses, and titles of its officers; or if it
7 has no officers, the names, addresses, and titles of its responsible
8 leaders;

9 (d) The name, address, and electronic contact information of its
10 treasurer and depository;

11 (e) A statement whether the committee is a continuing one;

12 (f) The name, office sought, and party affiliation of each
13 candidate whom the committee is supporting or opposing, and, if the
14 committee is supporting the entire ticket of any party, the name of
15 the party;

16 (g) The ballot proposition concerned, if any, and whether the
17 committee is in favor of or opposed to such proposition;

18 (h) What distribution of surplus funds will be made, in
19 accordance with RCW 42.17A.430, in the event of dissolution;

20 (i) Such other information as the commission may by rule
21 prescribe, in keeping with the policies and purposes of this chapter;

22 (j) The name, address, and title of any person who authorizes
23 expenditures or makes decisions on behalf of the candidate or
24 committee; and

25 (k) The name, address, and title of any person who is paid by or
26 is a volunteer for a candidate or political committee to perform
27 ministerial functions and who performs ministerial functions on
28 behalf of two or more candidates or committees.

29 (3) No two political committees may have the same name.

30 (4) Any material change in information previously submitted in a
31 statement of organization shall be reported to the commission within
32 the ten days following the change.

33 (5) As used in this section, the "name" of a sponsored committee
34 must include the name of the person who is the sponsor of the
35 committee. If more than one person meets the definition of sponsor,
36 the name of the committee must include the name of at least one
37 sponsor, but may include the names of other sponsors. A person may
38 sponsor only one political committee for the same elected office or
39 same ballot proposition per election cycle.

1 **Sec. 2.** RCW 42.17A.207 and 2019 c 428 s 15 are each amended to
2 read as follows:

3 (1)(a) An incidental committee must file a statement of
4 organization with the commission within two weeks after the date the
5 committee first:

6 (i) Has the expectation of making any expenditures aggregating at
7 least (~~(twenty-five thousand dollars)~~) \$25,000 in a calendar year in
8 any election campaign, or to a political committee; and

9 (ii) Is required to disclose a payment received under RCW
10 42.17A.240(2)(d).

11 (b) If an incidental committee first meets the criteria requiring
12 filing a statement of organization as specified in (a) of this
13 subsection (~~(in the last three weeks)~~) within the period beginning
14 the first day of the last full month before an election, then it must
15 file the statement of organization within three business days.

16 (2) The statement of organization must include but is not limited
17 to:

18 (a) The name, address, and electronic contact information of the
19 committee;

20 (b) The names and addresses of all related or affiliated
21 political or incidental committees or other persons, and the nature
22 of the relationship or affiliation;

23 (c) The names, addresses, and titles of its officers; or if it
24 has no officers, the names, addresses, and titles of its responsible
25 leaders and the name of the person designated as the treasurer of the
26 incidental committee;

27 (d) The name, office sought, and party affiliation of each
28 candidate whom the committee is supporting or opposing if the
29 committee contributes directly to a candidate and, if donating to a
30 political committee, the name and address of that political
31 committee;

32 (e) The ballot proposition concerned, if any, and whether the
33 committee is in favor of or opposed to such proposition; and

34 (f) Such other information as the commission may by rule
35 prescribe, in keeping with the policies and purposes of this chapter.

36 (3) Any material change in information previously submitted in a
37 statement of organization must be reported to the commission within
38 the ten days following the change.

1 **Sec. 3.** RCW 42.17A.235 and 2019 c 428 s 20 are each amended to
2 read as follows:

3 (1)(a) In addition to the information required under RCW
4 42.17A.205 and 42.17A.210, each candidate or political committee must
5 file with the commission a report of all contributions received and
6 expenditures made as a political committee on the next reporting date
7 pursuant to the timeline established in this section.

8 (b) In addition to the information required under RCW 42.17A.207
9 and 42.17A.210, on the day an incidental committee files a statement
10 of organization with the commission, each incidental committee must
11 file with the commission a report of any election campaign
12 expenditures under RCW 42.17A.240(~~((+6))~~) (7), as well as the source
13 of the (~~((ten))~~) 10 largest cumulative payments of (~~((ten-thousand~~
14 ~~dollars))~~) \$10,000 or greater it received in the current calendar year
15 from a single person, including any persons tied as the (~~((tenth))~~)
16 10th largest source of payments it received, if any.

17 (2) Each treasurer of a candidate or political committee, or an
18 incidental committee, required to file a statement of organization
19 under this chapter, shall file with the commission a report, for each
20 election in which a candidate, political committee, or incidental
21 committee is participating, containing the information required by
22 RCW 42.17A.240 at the following intervals:

23 (a) On the (~~((twenty-first day and the seventh))~~) 27th day, the
24 20th day, and the sixth day immediately preceding the date on which
25 the election is held; and

26 (b) On the (~~((tenth))~~) 10th day of the first full month after the
27 election.

28 (3)(a) Each treasurer of a candidate or political committee shall
29 file with the commission a report on the (~~((tenth))~~) 10th day of each
30 month during which the candidate or political committee is not
31 (~~((participating in an election campaign))~~) otherwise required to
32 report under subsection (2) of this section, only if the committee
33 has received a contribution or made an expenditure in the preceding
34 calendar month and either the total contributions received or total
35 expenditures made since the last such report exceed (~~((two-hundred~~
36 ~~dollars))~~) \$200.

37 (b) Each incidental committee shall file with the commission a
38 report on the (~~((tenth))~~) 10th day of each month during which the
39 incidental committee is not otherwise required to report under this
40 section only if the committee has:

1 (i) Received a payment that would change the information required
2 under RCW 42.17A.240(2)(d) as included in its last report; or

3 (ii) Made any election campaign expenditure reportable under RCW
4 42.17A.240(~~((6))~~) (7) since its last report, and the total election
5 campaign expenditures made since the last report exceed (~~((two hundred
6 dollars))~~) \$200.

7 (4) The (~~((report))~~) reports filed (~~((twenty-one))~~) 27 days, 20 days,
8 and six days before the election shall report all contributions
9 received and expenditures made (~~((as of))~~) from the closing date of the
10 last report filed through the end of (~~((one business day))~~) two
11 calendar days before the date of (~~((the report))~~) each filing. (~~((The~~
12 ~~report filed seven days before the election shall report all~~
13 ~~contributions received and expenditures made as of the end of one~~
14 ~~business day before the date of the report.))~~) Reports filed on the
15 (~~((tenth))~~) 10th day of the month shall report all contributions
16 received and expenditures made from the closing date of the last
17 report filed through the last day of the month preceding the date of
18 the current report.

19 (5) For the period beginning the first day of the fourth month
20 preceding the date of the special election, or for the period
21 beginning the first day of the fifth month before the date of the
22 general election, and ending on the date of that special or general
23 election, each Monday the treasurer for a candidate or a political
24 committee shall file with the commission a report of each bank
25 deposit made during the previous seven calendar days. The report
26 shall contain the name of each person contributing the funds and the
27 amount contributed by each person. However, persons who contribute no
28 more than (~~((twenty-five dollars))~~) \$25 in the aggregate are not
29 required to be identified in the report. A copy of the report shall
30 be retained by the treasurer for the treasurer's records. In the
31 event of deposits made by candidates, political committee members, or
32 paid staff other than the treasurer, the copy shall be immediately
33 provided to the treasurer for the treasurer's records. Each report
34 shall be certified as correct by the treasurer.

35 (6)(a) The treasurer for a candidate or a political committee
36 shall maintain books of account accurately reflecting all
37 contributions and expenditures on a current basis within five
38 business days of receipt or expenditure. During the (~~((ten))~~) 10
39 calendar days immediately preceding the date of the election the
40 books of account shall be kept current within one business day. As

1 specified in the political committee's statement of organization
2 filed under RCW 42.17A.205, the books of account must be open for
3 public inspection by appointment at a place agreed upon by both the
4 treasurer and the requestor, for inspections between 9:00 a.m. and
5 5:00 p.m. on any day from the (~~tenth~~) 10th calendar day immediately
6 before the election through the day immediately before the election,
7 other than Saturday, Sunday, or a legal holiday. It is a violation of
8 this chapter for a candidate or political committee to refuse to
9 allow and keep an appointment for an inspection to be conducted
10 during these authorized times and days. The appointment must be
11 allowed at an authorized time and day for such inspections that is
12 within (~~forty-eight~~) 48 hours of the time and day that is requested
13 for the inspection. The treasurer may provide digital access or
14 copies of the books of account in lieu of scheduling an appointment
15 at a designated place for inspection. If the treasurer and requestor
16 are unable to agree on a location and the treasurer has not provided
17 digital access to the books of account, the default location for an
18 appointment shall be a place of public accommodation selected by the
19 treasurer within a reasonable distance from the treasurer's office.

20 (b) At the time of making the appointment, a person wishing to
21 inspect the books of account must provide the treasurer the name and
22 telephone number of the person wishing to inspect the books of
23 account. The person inspecting the books of account must show photo
24 identification before the inspection begins.

25 (c) A treasurer may refuse to show the books of account to any
26 person who does not make an appointment or provide the required
27 identification. The commission may issue limited rules to modify the
28 requirements set forth in this section in consideration of other
29 technology and best practices.

30 (7) Copies of all reports filed pursuant to this section shall be
31 readily available for public inspection by appointment, pursuant to
32 subsection (6) of this section.

33 (8) The treasurer or candidate shall preserve books of account,
34 bills, receipts, and all other financial records of the campaign or
35 political committee for not less than five calendar years following
36 the year during which the transaction occurred or for any longer
37 period as otherwise required by law.

38 (9) All reports filed pursuant to subsection (1) or (2) of this
39 section shall be certified as correct by the candidate and the
40 treasurer.

1 (10) Where there is not a pending complaint concerning a report,
2 it is not evidence of a violation of this section to submit an
3 amended report within (~~(twenty-one)~~) 21 days of filing an initial
4 report if:

5 (a) The report is accurately amended;

6 (b) The amended report is filed more than (~~(thirty)~~) 30 days
7 before an election;

8 (c) The total aggregate dollar amount of the adjustment for the
9 amended report is within three times the contribution limit per
10 election or (~~(two hundred dollars)~~) \$200, whichever is greater; and

11 (d) The committee reported all information that was available to
12 it at the time of filing, or made a good faith effort to do so, or if
13 a refund of a contribution or expenditure is being reported.

14 (11)(a) When there is no outstanding debt or obligation, the
15 campaign fund is closed, the campaign is concluded in all respects,
16 and the political committee has ceased to function and intends to
17 dissolve, the treasurer shall file a final report. Upon submitting a
18 final report, the political committee so intending to dissolve must
19 file notice of intent to dissolve with the commission and the
20 commission must post the notice on its website.

21 (b) Any political committee may dissolve (~~(sixty)~~) 60 days after
22 it files its notice to dissolve, only if:

23 (i) The political committee does not make any expenditures other
24 than those related to the dissolution process or engage in any
25 political activity or any other activities that generate additional
26 reporting requirements under this chapter after filing such notice;

27 (ii) No complaint or court action under this chapter is pending
28 against the political committee; and

29 (iii) All penalties assessed by the commission or court order
30 have been paid by the political committee.

31 (c) The political committee must continue to report regularly as
32 required under this chapter until all the conditions under (b) of
33 this subsection are resolved.

34 (d) Upon dissolution, the commission must issue an acknowledgment
35 of dissolution, the duties of the treasurer shall cease, and there
36 shall be no further obligations under this chapter. Dissolution does
37 not absolve the candidate or board of the committee from
38 responsibility for any future obligations resulting from the finding
39 after dissolution of a violation committed prior to dissolution.

1 (12) The commission must adopt rules for the dissolution of
2 incidental committees.

3 **Sec. 4.** RCW 42.17A.255 and 2020 c 152 s 5 are each amended to
4 read as follows:

5 (1) For the purposes of this section the term "independent
6 expenditure" means any expenditure that is made in support of or in
7 opposition to any candidate or ballot proposition and is not
8 otherwise required to be reported pursuant to RCW 42.17A.225,
9 42.17A.235, and 42.17A.240. "Independent expenditure" does not
10 include: An internal political communication primarily limited to the
11 contributors to a political party organization or political action
12 committee, or the officers, management staff, and stockholders of a
13 corporation or similar enterprise, or the members of a labor
14 organization or other membership organization; or the rendering of
15 personal services of the sort commonly performed by volunteer
16 campaign workers, or incidental expenses personally incurred by
17 volunteer campaign workers not in excess of fifty dollars personally
18 paid for by the worker. "Volunteer services," for the purposes of
19 this section, means services or labor for which the individual is not
20 compensated by any person.

21 (2) Within five days after the date of making an independent
22 expenditure that by itself or when added to all other such
23 independent expenditures made during the same election campaign by
24 the same person equals (~~one hundred dollars~~) \$100 or more, or
25 within five days after the date of making an independent expenditure
26 for which no reasonable estimate of monetary value is practicable,
27 whichever occurs first, the person who made the independent
28 expenditure shall file with the commission an initial report of all
29 independent expenditures made during the campaign prior to and
30 including such date.

31 (3) (a) At the following intervals each person who is required to
32 file an initial report pursuant to subsection (2) of this section
33 shall file with the commission a further report of the independent
34 expenditures made since the date of the last report:

35 (~~(a)~~) (i) On the (~~twenty-first day and the seventh~~) 27th day,
36 the 20th day, and the sixth day preceding the date on which the
37 election is held; (~~and~~

38 ~~(b)~~) (ii) On the (~~tenth~~) 10th day of the first month after the
39 election; and

1 ~~((e))~~ (iii) On the ~~((tenth))~~ 10th day of each month in which no
2 other reports are required to be filed pursuant to this section.
3 ~~((However, the))~~

4 (b)(i) The further reports required by this subsection (3) shall
5 only be filed if the reporting person has made an independent
6 expenditure since the date of the last previous report filed.

7 ~~((The report filed pursuant to (a) of this subsection (3))~~ (ii)
8 If no further reports are required to be filed, the last report
9 required to be filed shall be the final report, and upon submitting
10 such final report the duties of the reporting person shall cease, and
11 there shall be no obligation to make any further reports.

12 (4) All reports filed pursuant to this section shall be certified
13 as correct by the reporting person.

14 (5) Each report required by subsections (2) and (3) of this
15 section shall disclose for the period beginning at the end of the
16 period for the last previous report filed or, in the case of an
17 initial report, beginning at the time of the first independent
18 expenditure, and ending not more than ~~((one))~~ two business days
19 before the date the report is due:

20 (a) The name, address, and electronic contact information of the
21 person filing the report;

22 (b) The name and address of each person to whom an independent
23 expenditure was made in the aggregate amount of more than ~~((fifty~~
24 ~~dollars))~~ \$50, and the amount, date, and purpose of each such
25 expenditure. If no reasonable estimate of the monetary value of a
26 particular independent expenditure is practicable, it is sufficient
27 to report instead a precise description of services, property, or
28 rights furnished through the expenditure and where appropriate to
29 attach a copy of the item produced or distributed by the expenditure;

30 (c) The total sum of all independent expenditures made during the
31 campaign to date;

32 (d) A statement from the person making an independent expenditure
33 that:

34 (i) The expenditure is not financed in any part by a foreign
35 national; and

36 (ii) Foreign nationals are not involved in making decisions
37 regarding the expenditure in any way; and

38 (e) Such other information as shall be required by the commission
39 by rule in conformance with the policies and purposes of this
40 chapter.

1 **Sec. 5.** RCW 42.17A.260 and 2020 c 152 s 6 are each amended to
2 read as follows:

3 (1) The sponsor of political advertising shall file a special
4 report to the commission within (~~(twenty-four)~~) 24 hours of, or on
5 the first working day after, the date the political advertising is
6 first published, mailed, or otherwise presented to the public, if the
7 political advertising:

8 (a) Is published, mailed, or otherwise presented to the public
9 within (~~(twenty-one)~~) 21 days of an election; and

10 (b) Either:

11 (i) Qualifies as an independent expenditure with a fair market
12 value or actual cost of (~~(one thousand dollars)~~) \$1,000 or more, for
13 political advertising supporting or opposing a candidate; or

14 (ii) Has a fair market value or actual cost of (~~(one thousand~~
15 ~~dollars)~~) \$1,000 or more, for political advertising supporting or
16 opposing a ballot proposition, and is not otherwise required to be
17 reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240,
18 supporting or opposing the same ballot proposition.

19 (2) If a sponsor is required to file a special report under this
20 section, the sponsor shall also deliver to the commission within the
21 delivery period established in subsection (1) of this section a
22 special report for (~~(each)~~):

23 (a) Each subsequent independent expenditure of any size
24 supporting or opposing the same candidate who was the subject of the
25 previous independent expenditure, supporting or opposing that
26 candidate's opponent (~~(, or, in the case of a)~~); or

27 (b) Each subsequent expenditure of any size made in support of or
28 in opposition to (~~(a)~~) the same ballot proposition that was the
29 subject of the previous expenditure, and is not otherwise required to
30 be reported pursuant to RCW 42.17A.225, 42.17A.235, or 42.17A.240 (~~(, or,~~
31 ~~supporting or opposing the same ballot proposition that was the~~
32 ~~subject of the previous expenditure)~~).

33 (3) The special report must include:

34 (a) The name and address of the person making the expenditure;

35 (b) The name and address of the person to whom the expenditure
36 was made;

37 (c) A detailed description of the expenditure;

38 (d) The date the expenditure was made and the date the political
39 advertising was first published or otherwise presented to the public;

40 (e) The amount of the expenditure;

1 (f) The name of the candidate supported or opposed by the
2 expenditure, the office being sought by the candidate, and whether
3 the expenditure supports or opposes the candidate; or the name of the
4 ballot proposition supported or opposed by the expenditure and
5 whether the expenditure supports or opposes the ballot proposition;

6 (g) A statement from the sponsor that:

7 (i) The political advertising is not financed in any part by a
8 foreign national; and

9 (ii) Foreign nationals are not involved in making decisions
10 regarding the political advertising in any way; and

11 (h) Any other information the commission may require by rule.

12 (4) All persons required to report under RCW 42.17A.225,
13 42.17A.235, 42.17A.240, 42.17A.255, and 42.17A.305 are subject to the
14 requirements of this section, except as otherwise provided in this
15 section. The commission may determine that reports filed pursuant to
16 this section also satisfy the requirements of RCW 42.17A.255.

17 (5) The sponsor of independent expenditures supporting a
18 candidate or opposing that candidate's opponent required to report
19 under this section shall file with each required report an affidavit
20 or declaration of the person responsible for making the independent
21 expenditure that the expenditure was not made in cooperation,
22 consultation, or concert with, or at the request or suggestion of,
23 the candidate, the candidate's authorized committee, or the
24 candidate's agent, or with the encouragement or approval of the
25 candidate, the candidate's authorized committee, or the candidate's
26 agent.

27 **Sec. 6.** RCW 42.17A.265 and 2020 c 152 s 7 are each amended to
28 read as follows:

29 (1) Treasurers shall prepare and deliver to the commission a
30 special report when a contribution or aggregate of contributions
31 totals (~~one thousand dollars or more~~) more than the contribution
32 limit to a candidate for state officer other than legislative office,
33 as provided in RCW 42.17A.405(2), is from a single person or entity,
34 and is received during (~~a special reporting period~~) the period from
35 the beginning of the last full month preceding an election in which
36 the treasurer's committee is participating, and concluding the day
37 before that election.

38 (2) A political committee shall prepare and deliver to the
39 commission a special report when it makes a contribution or an

1 aggregate of contributions to a single entity that totals (~~one~~
2 ~~thousand dollars or more during a special reporting period~~) more
3 than the contribution limit to a candidate for state office other
4 than legislative office, as provided in RCW 42.17A.405(2), during the
5 same special reporting period as set forth in subsection (1) of this
6 section.

7 (3) An aggregate of contributions includes only those
8 contributions made to or received from a single entity during any one
9 special reporting period. (~~Any~~) After a special report is filed as
10 provided under subsection (1) or (2) of this section, an additional
11 special report must be filed for any subsequent contribution of any
12 size made to or received from the same person or entity during the
13 special reporting period (~~must also be reported~~).

14 (4) (~~Special reporting periods, for purposes of this section,~~
15 ~~include:~~

16 ~~(a) The period beginning on the day after the last report~~
17 ~~required by RCW 42.17A.235 and 42.17A.240 to be filed before a~~
18 ~~primary and concluding on the end of the day before that primary;~~

19 ~~(b) The period twenty-one days preceding a general election; and~~

20 ~~(c) An aggregate of contributions includes only those~~
21 ~~contributions received from a single entity during any one special~~
22 ~~reporting period or made by the contributing political committee to a~~
23 ~~single entity during any one special reporting period.~~

24 ~~(5) If a campaign treasurer files a special report under this~~
25 ~~section for one or more contributions received from a single entity~~
26 ~~during a special reporting period, the treasurer shall also file a~~
27 ~~special report under this section for each subsequent contribution of~~
28 ~~any size which is received from that entity during the special~~
29 ~~reporting period. If a political committee files a special report~~
30 ~~under this section for a contribution or contributions made to a~~
31 ~~single entity during a special reporting period, the political~~
32 ~~committee shall also file a special report for each subsequent~~
33 ~~contribution of any size which is made to that entity during the~~
34 ~~special reporting period.~~

35 ~~(6))~~ Special reports required by this section shall be delivered
36 electronically, or in written form if an electronic alternative is
37 not available.

38 (a) The special report required of a contribution recipient under
39 subsection (1) of this section shall be delivered to the commission

1 within (~~forty-eight~~) 48 hours of the time, or on the first
2 (~~working~~) business day after:

3 (i) The qualifying contribution (~~(of one thousand dollars or~~
4 ~~more)~~) is received by the candidate or treasurer; (~~the~~)

5 (ii) The aggregate received by the candidate or treasurer first
6 equals (~~one thousand dollars or more~~) the qualifying amount; or
7 (~~any~~)

8 (iii) Any subsequent contribution from the same source is
9 received by the candidate or treasurer.

10 (b) The special report required of a contributor under subsection
11 (2) of this section or RCW 42.17A.625 shall be delivered to the
12 commission, and the candidate or political committee to whom the
13 contribution or contributions are made, within (~~twenty-four~~) 24
14 hours of the time, or on the first (~~working~~) business day after:

15 (i) The qualifying contribution is made; (~~the~~)

16 (ii) The aggregate of contributions made first equals (~~one~~
17 ~~thousand dollars or more~~) the qualifying amount; or (~~any~~)

18 (iii) Any subsequent contribution to the same person or entity is
19 made.

20 (~~(7)~~) (5) The special report shall include:

21 (a) The amount of the contribution or contributions;

22 (b) The date or dates of receipt;

23 (c) The name and address of the donor;

24 (d) The name and address of the recipient;

25 (e) A statement that the candidate or political committee has
26 received a certification from any partnership, association,
27 corporation, organization, or other combination of persons making a
28 contribution reportable under this section that:

29 (i) The contribution is not financed in any part by a foreign
30 national; and

31 (ii) Foreign nationals are not involved in making decisions
32 regarding the contribution in any way; and

33 (f) Any other information the commission may by rule require.

34 (~~(8)~~) (6) Contributions reported under this section shall also
35 be reported as required by other provisions of this chapter.

36 (~~(9)~~) (7) The commission shall prepare daily a summary of the
37 special reports made under this section and RCW 42.17A.625.

38 (~~(10)~~) (8) Contributions governed by this section include, but
39 are not limited to, contributions made or received indirectly through
40 a third party or entity whether the contributions are or are not

1 reported to the commission as earmarked contributions under RCW
2 42.17A.270.

3 **Sec. 7.** RCW 42.17A.345 and 2019 c 428 s 26 are each amended to
4 read as follows:

5 (1) Each commercial advertiser who has accepted or provided
6 political advertising or electioneering communications during the
7 election campaign shall maintain current books of account and related
8 materials as provided by rule that shall be open for public
9 inspection during normal business hours during the campaign and for a
10 period of no less than five years after the date of the applicable
11 election. The documents and books of account shall specify:

12 (a) The names and addresses of persons from whom it accepted
13 political advertising or electioneering communications;

14 (b) The exact nature and extent of the services rendered; and

15 (c) The total cost and the manner of payment for the services.

16 (2) At the request of the commission, each commercial advertiser
17 required to comply with subsection (1) of this section shall provide
18 to the commission copies of the information that must be maintained
19 and be open for public inspection pursuant to subsection (1) of this
20 section.

21 (3) Any person who purchases political advertising or
22 electioneering communications from a commercial advertiser must
23 disclose upon request from the commercial advertiser:

24 (a) That the purchase includes political advertising or
25 electioneering communications;

26 (b) The name of the sponsor, if different than the person making
27 the purchase; and

28 (c) Any other information the commercial advertiser is required
29 to maintain, as provided by this section or rule.

30 (4) Any failure to provide the required information in subsection
31 (3) of this section upon request is a violation under this chapter,
32 but such failure shall not relieve a commercial advertiser of any of
33 the requirements under this section.

34 **Sec. 8.** RCW 42.17A.640 and 2010 c 204 s 809 are each amended to
35 read as follows:

36 (1) Any person who has made expenditures, not reported by a
37 registered lobbyist under RCW 42.17A.615 or by a candidate or
38 political committee under RCW 42.17A.225 or 42.17A.235, exceeding one

1 thousand dollars in the aggregate within any three-month period or
2 exceeding five hundred dollars in the aggregate within any one-month
3 period in presenting a (~~program~~) campaign to the public, a
4 substantial portion of which is intended, designed, or calculated
5 primarily to solicit, urge, or encourage the public to influence
6 legislation, shall register and report, as provided in subsection (2)
7 of this section, as a sponsor of a grass roots lobbying campaign.

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

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

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

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

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

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

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

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

33 (~~(c) The names and addresses of each person contributing twenty-~~
34 ~~five dollars or more to the campaign, and the aggregate amount~~
35 ~~contributed)) (iii) Each source of funding for the campaign of \$25 or~~

36 more, including:
37 (A) General treasury funds. The name and address of each
38 business, union, group, association, or other organization using
39 general treasury funds for the campaign; however, if such entity
40 undertakes a special solicitation of its members or other persons for

1 the campaign, or it otherwise receives funds for the campaign, that
2 entity shall report pursuant to (b) (ii) of this subsection; and

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

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

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

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

22 (3) Every sponsor who has registered under this section shall
23 file monthly reports with the commission by the tenth day of the
24 month for the activity during the preceding month. The reports shall
25 update the information contained in the sponsor's registration
26 statement and in prior reports and shall show contributions received
27 and totals of expenditures made during the month, in the same manner
28 as provided for in the registration statement.

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

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

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

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

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

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

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

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

23 (i) In a written communication:

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

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

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

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

35 (A) Be clearly spoken; or

36 (B) Appear in print and be visible for at least four seconds,
37 appear in letters greater than four percent of the visual screen
38 height on a solid black background on the entire bottom one-third of
39 the television or visual display screen, or bottom one-fourth of the
40 screen if the sponsor does not have or is otherwise not required to

1 list its top five contributors, and have a reasonable color contrast
2 with the background.

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

7 **Sec. 9.** RCW 42.17A.785 and 2018 c 304 s 18 are each amended to
8 read as follows:

9 (1) The public disclosure transparency account is created in the
10 ((state treasury)) custody of the state treasurer. All receipts from
11 penalties collected pursuant to enforcement actions or settlements
12 under this chapter, including any fees or costs, must be deposited
13 into the account. ((Moneys in the account may be spent only after
14 appropriation. Moneys in the account may be used only for the
15 implementation of chapter 304, Laws of 2018 and duties under this
16 chapter, and may not be used to supplant general fund appropriations
17 to the commission.))

18 (2) Moneys in the account may be used only for the development
19 and implementation of projects designated by the commission for the
20 purpose of improving the usability, transparency, and accessibility
21 of systems and information regarding campaign financing, lobbying
22 activities, and the financial affairs of public officials and
23 candidates, consistent with the purposes of this chapter. The
24 commission shall approve and update the list of designated projects
25 and include a description, the purpose, and projected cost of each
26 project as part of the commission's regular review of its technology
27 and related business projects strategic priorities plan.

28 (3) Moneys in the account may not be used for ongoing operating
29 or enforcement expenses and are not intended to be and shall not be
30 used to supplant general fund appropriations to the commission.

31 (4) Only the commission may authorize expenditures from the
32 account. The account is not subject to appropriation.

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