

SENATE BILL REPORT

SB 5074

AS OF FEBRUARY 10, 1993

Brief Description: Providing a procedure for advance public inspection of political advertising.

SPONSORS: Senators Vognild, Newhouse, Gaspard, Snyder, Sellar and Erwin

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Jon Carlson (786-7459)

Hearing Dates: February 12, 1993

BACKGROUND:

False or misleading campaign advertising during the final days of an election campaign is particularly detrimental to the conduct of free and fair elections because it does not allow time for an opponent to respond, or for the media or public to engage in any investigation and evaluation of the issues raised.

Legislation is recommended to encourage fairness in the conduct of campaigns and to assure the public adequate time to evaluate information presented about each candidate for public office.

SUMMARY:

The Public Disclosure Act is amended to prevent the use of false or misleading campaign advertising during the final days of a primary, special, or general election campaign.

No later than ten days prior to any primary, special, or general election, candidates for public office are required to submit their campaign advertising for the remainder of the campaign to the Public Disclosure Commission. Candidates seeking election to a public office that is entirely within one county must submit the advertising to the county auditor.

On the ninth day prior to the primary, special, or general election, the Public Disclosure Commission is required to publish a list of those candidates who have complied and those who have not complied with the requirements to submit advertising materials to the commission. All submitted advertising materials must be made available for public inspection no later than noon of the ninth day prior to the primary or election.

Any candidate who believes that the materials submitted to the commission are false or misleading must, no later than five

days prior to the election, submit advertising to the commission or county auditor which responds to the statements believed to be false or misleading. These submissions must be available for public inspection no later than noon of the fourth day prior to the election.

Sanctions contained in the Public Disclosure Act cannot be imposed for failure to comply with these provisions. The ability to bring other civil or criminal actions is not impaired by this limitation.

Appropriation: none

Revenue: none

Fiscal Note: requested