

WAC 390-20-125 Registration and reporting by sponsors of grass roots lobbying campaigns. The official report for registration and reporting by sponsors of grass roots lobbying campaigns as required by RCW 42.17A.640 is designated "L-6." Hard copies of this report are available for download on the PDC's website, pdc.wa.gov, and at the PDC Office, Olympia, Washington. Any attachments shall be on 8-1/2" x 11" white paper.

(1) Grass roots lobbying, also known as indirect lobbying, as set forth in RCW 42.17A.640, involves an appeal to the public to solicit, urge, or encourage the public to influence legislation. Grass roots (indirect) lobbying is distinguished from direct lobbying of a legislator, state official, or state agency, which may require registration and reporting separately, pursuant to RCW 42.17A.600 and 42.17A.615.

(2) The presentation of a campaign may include any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, digital communication, or other means of mass communication to the public. The commission will consider the definition of "mass communication," as set forth in WAC 390-05-290, as guidance in application to this section.

(a) Internal communications by a membership organization that are directed and limited to the members of that organization do not constitute lobbying, as defined under RCW 42.17A.005. The commission will use the criteria set forth under WAC 390-05-515 to assist in determining whether a communication is primarily limited to the members within an organization.

(b) The publication or dissemination of news reporting activities by working members of the press, radio, digital media, or television, where no payment for the content has been received and where payment for the space or time of such content is not normally required, is exempt from registration and reporting as provided under RCW 42.17A.610(3).

(3) The sponsor of a grass roots lobbying campaign is the person or persons making expenditures for the presentation of the campaign to the public.

(a) A lobbyist may report the campaign activities of a sponsor, who is a registered lobbyist employer, on the L-2 Report, including the same details as required pursuant to RCW 42.17A.640, and this section, only if:

(i) The sponsor did not receive any contributions for the campaign other than the sponsor's own funds, including general treasury funds;

(ii) The sponsor timely registered for the campaign pursuant to RCW 42.17A.640; and

(iii) The campaign is identified on the L-2 Report.

(b) If the campaign has more than one sponsor (for example a group or coalition of persons with each member making expenditures separately for the campaign), the sponsors must register collectively as a grass roots lobbying campaign on the L-6 Report. All activity must be reported on the L-6 Report, or in accordance with (a) of this subsection.

(4) Expenditures made on behalf of a grass roots lobbying campaign must be reported by financial category, pursuant to RCW 42.17A.640(2), with sufficient detail and itemization to provide the public a reasonable understanding of the nature and scope of the expenditure, including:

(a) Advertising - Any advertising or other form of mass communication must be segregated by media type, including:

(i) The name and address of any commercial advertiser that sold the advertising;

(ii) The quantity of each printed media distributed, or the name and location of each publication, outlet, or platform where the advertisement or communication appeared;

(iii) The date or dates that the advertising or communication was broadcast, distributed, published, or otherwise presented to the public; and

(iv) A description of the major work components or tasks that were provided by media type, in such detail as incorporated from WAC 390-18-050(7).

(b) Entertainment - Any expenditures on entertainment made in furtherance of the campaign must be reported. However, entertainment provided to or on behalf of a legislator or state official may need to be reported as direct lobbying, pursuant to RCW 42.17A.615.

(c) Office expenses - Any equipment, office space, staffing or other services purchased with campaign contributions, or used exclusively for the grass roots lobbying campaign, must be reported and itemized. If office expenses are provided exclusively by an organizational sponsor's general treasury funds, only the proportional campaign use of such office expenses must be reported as follows:

(i) The proportional amount paid or incurred by the sponsor for any employee or contractor who provides the campaign with:

(A) More than 20 hours a month on any administrative, secretarial, or other supportive staffing services; or

(B) More than five hours a month on any professional services, such as legal, accounting, management, or production; and

(ii) The purchase or rental value of any equipment or property used primarily for campaign purposes.

(d) Consultants - Any contractual or other payments made to any professional service provider, or other third party, for campaign purposes must be reported, including the name and address of the provider and a description of the services provided.

[Statutory Authority: RCW 42.17A.110, 42.17A.125, 42.17A.615, and 42.17A.640. WSR 24-01-028, § 390-20-125, filed 12/8/23, effective 1/8/24. Statutory Authority: RCW 42.17A.110(1), 2019 c 428, and 2019 c 261. WSR 20-02-062, § 390-20-125, filed 12/24/19, effective 1/24/20. Statutory Authority: RCW 42.17A.110(1). WSR 17-22-071, § 390-20-125, filed 10/27/17, effective 11/27/17. Statutory Authority: RCW 42.17A.110 and 42.17A.125. WSR 14-15-015, § 390-20-125, filed 7/3/14, effective 12/1/14. Statutory Authority: RCW 42.17A.110. WSR 12-03-002, § 390-20-125, filed 1/4/12, effective 2/4/12. Statutory Authority: RCW 42.17.370(1). WSR 02-03-018, § 390-20-125, filed 1/4/02, effective 2/4/02. Statutory Authority: RCW 42.17.370. WSR 90-16-083, § 390-20-125, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1). WSR 85-24-020 (Order 85-05), § 390-20-125, filed 11/26/85; Order 62, § 390-20-125, filed 8/26/75.]