



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action
Against

Tobacco-Free Action Fund

Respondent.

PDC Case 166185

Notice of Administrative Charges

I. JURISDICTION

The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state campaign finance and disclosure laws; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC.

II. ALLEGATIONS

PDC Staff allege that, during the 2025 Session of the Washington State Legislature, Respondent Tobacco-Free Action Fund violated RCW 42.17A.640 by failing to timely report a grassroots lobbying campaign to the public, a substantial portion of which is intended, designed, or calculated primarily to solicit, urge, or encourage the public to influence legislation, and WAC 390-20-125 by failing to timely file an L-6 report.

III. FACTS

1. Tobacco-Free Action Fund filed an L-6 report, reporting the amount spent on a lobbying campaign sponsored by Tobacco-Free Kids Action Fund. Tobacco-Free Kids Action Fund lists its mission “to improve health and save lives by reducing tobacco use, the #1 cause of preventable death in the United States and around the world.” Tobacco-Free Action Fund has been listed in PDC reports as a lobbying client since 2019.

2. During the 2025 legislative session, Tobacco-Free Action Fund reported close to \$1.31 million in direct and indirect lobbying expenses toward a campaign to prohibit the sale of certain tobacco and nicotine products.
3. On Jan. 22, 2025, a complaint was filed with the Public Disclosure Commission (PDC) alerting the PDC that a group called the “Campaign for Tobacco-Free Kids” began sponsoring digital Facebook advertisements “on or around Jan. 10, 2025.”
4. The “Campaign for Tobacco-Free Kids” was sponsored by the Tobacco-Free Action Fund.

Late Reporting

1. The Tobacco-Free Action Fund filed an L-6 on March 11, 2025. The L-6 listed the topics about which the campaign is conducted as “Senate Bill 5183/House Bill 1203 - prohibiting the sale of certain tobacco and nicotine products.” The L-6 covered the period of January 1 – 31, 2025, reported \$289,585.90 in expenditures, and contained two checked boxes (for “registration” and “monthly report”). The L-6 report was required to be filed within 24 hours of the initial presentation to the public when such presentation occurs during the period beginning 30 days before the regular legislative session through the end of that session, or during any special session. Given that the Tobacco-Free Action Fund made its initial presentation to the public on or around January 10, 2025, the L-6 report was filed 68 days late.
2. The Tobacco-Free Action Fund amended its L-6 report on or about May 12, 2025. The amended report listed the dates the digital advertisements and billboards were launched as Jan. 1, 2025. Thus, the amended L-6 report was filed 130 days late.

IV. Law and Rules

RCW 42.17A.640 requires persons to register and report as a sponsor of a grassroots lobbying campaign when the person’s expenditures exceed \$1,500 in any one-month period or \$3,000 in any three-month period in presenting a campaign to the public, a substantial portion of which is intended, designed, or calculated primarily to solicit, urge, or encourage the public to influence legislation.

WAC 390-20-125 makes PDC Form L-6 the official report for registration and reporting by sponsors of grassroots lobbying campaigns. The rule states that grassroots lobbying, also known as indirect lobbying, involves an appeal to the public to influence legislation in ways stated or implied by the sponsor of the grassroots lobbying campaign. The rule states that grassroots (indirect) lobbying is distinguished from direct lobbying of a legislator, state official, or state

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agency, which may require registration and reporting separately, pursuant to RCW 42.17A.600 and 42.17A.615.

RESPECTFULLY SUBMITTED this 17th day of July 2025.

Electronically Signed Peter Frey Lavallee
Peter Frey Lavallee
Executive Director