

2 HB 1103 - S COMM AMD

3 By Committee on State & Local Government

4 ADOPTED 04/11/01

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 42.52.185 and 1997 c 320 s 1 are each amended to read
8 as follows:

9 (1) During the twelve-month period beginning on December 1st of the
10 year before a general election for a state legislator's election to
11 office and continuing through November 30th immediately after the
12 general election, the legislator may not (~~mail, either by regular mail
13 or electronic mail,~~) by regular mail send to a constituent at public
14 expense a letter, newsletter, brochure, or other piece of literature,
15 except as follows:

16 (a) The legislator may mail two mailings of newsletters to
17 constituents. All newsletters within each mailing of newsletters must
18 be identical as to their content but not as to the constituent name or
19 address. One such mailing may be mailed no later than thirty days
20 after the start of a regular legislative session, except that a
21 legislator appointed during a regular legislative session to fill a
22 vacant seat may have up to thirty days from the date of appointment to
23 send out the first mailing. The other mailing may be mailed no later
24 than sixty days after the end of a regular legislative session.

25 (b) The legislator may mail an individual letter to (i) an
26 individual constituent who has contacted the legislator regarding the
27 subject matter of the letter during the legislator's current term of
28 office; (ii) an individual constituent who holds a governmental office
29 with jurisdiction over the subject matter of the letter; or (iii) an
30 individual constituent who has received an award or honor of
31 extraordinary distinction of a type that is sufficiently infrequent to
32 be noteworthy to a reasonable person, including, but not limited to:
33 (A) An international or national award such as the Nobel prize or the
34 Pulitzer prize; (B) a state award such as Washington scholar; (C) an
35 Eagle Scout award; and (D) a Medal of Honor.

1 (2) For purposes of subsection (1) of this section, "legislator"
2 means a legislator who is a "candidate," as defined by RCW 42.17.020,
3 for any public office.

4 (3) A violation of this section constitutes use of the facilities
5 of a public office for the purpose of assisting a campaign under RCW
6 42.52.180.

7 (4) The house of representatives and senate shall specifically
8 limit expenditures per member for the total cost of mailings. Those
9 costs include, but are not limited to, production costs, printing
10 costs, and postage costs. The limits imposed under this subsection
11 apply only to the total expenditures on mailings per member and not to
12 any categorical cost within the total.

13 (5) For purposes of this section, persons residing outside the
14 legislative district represented by the legislator are not considered
15 to be constituents, but students, military personnel, or others
16 temporarily employed outside of the district who normally reside in the
17 district are considered to be constituents.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.52 RCW
19 to read as follows:

20 (1) During the twelve-month period beginning on December 1st of the
21 year before a general election for a state legislator's election to
22 office and continuing through November 30th immediately after the
23 general election, the legislator may not send by electronic mail to a
24 constituent at public expense a letter, newsletter, brochure, or other
25 piece of literature, except as follows:

26 (a) Before the forty-fifth day after the date of adjournment of a
27 regular session, the legislator may send any such correspondence for
28 which the public expense, including any costs associated with drafting,
29 creating, writing, designing, producing, or reviewing the
30 correspondence by any state officer or state employee, is de minimis as
31 defined by the appropriate ethics board under RCW 42.52.160(3);

32 (b) The legislator may send an individual letter to (i) an
33 individual constituent who has contacted the legislator regarding the
34 subject matter of the letter during the legislator's current term of
35 office; or (ii) an individual constituent who holds a governmental
36 office with jurisdiction over the subject matter of the letter.

1 (2) For purposes of subsection (1) of this section, "legislator"
2 means a legislator who is a "candidate," as defined by RCW 42.17.020,
3 for any public office.

4 (3) A violation of this section constitutes use of the facilities
5 of a public office for the purpose of assisting a campaign under RCW
6 42.52.180.

7 (4) For purposes of this section, persons residing outside the
8 legislative district represented by the legislator are not considered
9 to be constituents, but students, military personnel, or others
10 temporarily employed outside of the district who normally reside in the
11 district are considered to be constituents."

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15 In line 1 of the title, after "legislators;" strike the remainder
16 of the title and insert "amending RCW 42.52.185; and adding a new
17 section to chapter 42.52 RCW."

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