
SENATE BILL 5358

State of Washington

55th Legislature

1997 Regular Session

By Senators Swecker, Benton, Hochstatter, Finkbeiner, Rossi, Long, Johnson, Zarelli and Oke

Read first time 01/24/97. Referred to Committee on Government Operations.

1 AN ACT Relating to a prohibition on the use of public funds to
2 support or oppose ballot propositions; and amending RCW 42.17.130.

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

4 **Sec. 1.** RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended to
5 read as follows:

6 (1) No elective official nor any employee of his office nor any
7 person appointed to or employed by any public office or agency may use
8 or authorize the use of any of the facilities of a public office or
9 agency, directly or indirectly, for the purpose of assisting a campaign
10 for election of any person to any office or for the promotion of or
11 opposition to any ballot proposition. Facilities of public office or
12 agency include, but are not limited to, use of stationery, postage,
13 machines, and equipment, use of employees of the office or agency
14 during working hours, vehicles, office space, publications of the
15 office or agency, and clientele lists of persons served by the office
16 or agency: PROVIDED, That the foregoing provisions of this section
17 shall not apply to the following activities:

18 ~~((1))~~ (a) Action taken at an open public meeting by members of an
19 elected legislative body to express a collective decision, or to

1 actually vote upon a motion, proposal, resolution, order, or ordinance,
2 or to support or oppose a ballot proposition so long as ~~((a))~~ (i) any
3 required notice of the meeting includes the title and number of the
4 ballot proposition, and ~~((b))~~ (ii) members of the legislative body or
5 members of the public are afforded an approximately equal opportunity
6 for the expression of an opposing view;

7 ~~((2))~~ (b) A statement by an elected official in support of or in
8 opposition to any ballot proposition at an open press conference or in
9 response to a specific inquiry;

10 ~~((3))~~ (c) Activities which are part of the normal and regular
11 conduct of the office or agency.

12 (2) An agency may not disburse funds in the form of dues or
13 membership fees to an entity that uses any portion of the dues or
14 membership fees for the support of or opposition to a ballot
15 proposition. This subsection does not apply to funds deducted from a
16 public employee's pay and forwarded to a bargaining representative
17 pursuant to RCW 41.56.110.

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