

HOUSE BILL ANALYSIS

HB 3140

Title: AN ACT Relating to clarifying that the use of internet links to web sites operated by the state does not constitute the use of public facilities to assist a campaign.

Brief Description: Clarifying that the use of internet links to web sites operated by the state does not constitute the use of public facilities to assist a campaign.

Sponsor: Representatives D. Schmidt and Constantine.

BRIEF SUMMARY

- Creation of a link from a web site operated by a state officer or state employee to a web site operated by the state does not constitute the use of public facilities to assist a campaign.

HOUSE STATE GOVERNMENT COMMITTEE

Staff: Jim Morishima (786-7191).

BACKGROUND:

A state officer or employee may not make use of public facilities, directly or indirectly, for the purpose of assisting a campaign. For purposes of this prohibition, "facilities" includes stationary, postage, machines, equipment, employees, vehicles, office space, agency publications, and agency clientele lists.

The prohibition does not apply to:

- Certain actions taken at open public meetings by a legislative body;
- A statement made by an elected official at a press conference or in response to a specific inquiry;
- Normal and regular activities of the office or agency; and
- De minimis use of public facilities by elected officials incidental to the preparation or delivery of permissible communications.

SUMMARY:

With respect to state officers or employees, the prohibition against the use of public facilities to assist a campaign does not apply to the creation of a link from a web site operated by a state officer or employee to a web site operated by the state.

Rulemaking Authority: No express authority.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Bill: Ninety days after adjournment of the session in which the bill is enacted.