

# HOUSE BILL REPORT

## HB 1119

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**As Passed House:**  
February 4, 2004

**Title:** An act relating to restrictions on mailing by legislators.

**Brief Description:** Regulating mail to constituents.

**Sponsors:** By Representatives Ruderman, Nixon, Haigh, McDermott, Tom, Miloscia, Clibborn, Hudgins, Cody, Hunter, Kessler and Darneille.

**Brief History:**

**Committee Activity:**

State Government: 2/4/03, 2/7/03 [DP].

**Floor Activity:**

Passed House: 2/14/03, 81-16.

**Floor Activity:**

Passed House: 2/4/04, 73-23.

**Brief Summary of Bill**

- Allows campaign year legislative mailings via electronic mail beginning December 1 prior to a legislator's election and ending 45 days after the end of session.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** Do pass. Signed by 9 members: Representatives Haigh, Chair; Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon, Tom and Wallace.

**Staff:** Anne Warwick (786-7291); Katie Blinn (786-7114).

**Background:**

For the 12-month period preceding a general election in which a legislator is running for office, the legislator may not send to constituents, either by regular mail or electronic mail, a letter, newsletter, brochure, or other piece of literature. There are several exceptions to the rule:

- The legislator may send two newsletters during the 12-month period;
- The legislator may respond to constituent inquiries;

- The legislator may send a letter to a constituent who holds a government office having jurisdiction over the subject matter of the letter; and
  - The legislator may send a letter to a constituent who has received an award or honor of extraordinary distinction, such as the Nobel prize or Pulitzer prize.
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**Summary of Bill:**

The prohibition against legislative mailings by electronic mail only applies for the period beginning 45 days after the regular session in the year a legislator is running for office and continuing through November 30 immediately following the general election.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Many members e-mail their constituents weekly updates during the legislative session. Constituents believe it is part of a legislator's job to keep them informed. The intent is to communicate with people who are interested in getting updates. Constituents rely on communications legislators provide in e-mail. E-mail is the most effective way to keep constituents informed. However, under current statute, these e-mail updates must not go out during the 60-day session. In recognizing the continued loss of trust in government, communication with constituents is an essential element in building a trusting relationship. Unlike a paper newsletter, an electronic newsletter goes out to far fewer people, and traditionally only people that have requested the update.

Questions have been raised that these e-mails provide an advantage to the incumbent during an election year. As both a constituent and a prospective candidate, challengers also want legislators to be able to send out e-mail to constituents. The e-mail newsletters can be used as quotable information for opposition research. E-mail newsletters are governed under the same ethical requirements that govern paper newsletters and the Ethics Board would have the same oversight. The concern over staff use is not a fair concern because the cost of e-mail is de minimis.

**Testimony Against:** None.

**Testified:** Representative Ruderman, prime sponsor; and Representative Nixon, sponsor.