

# SENATE BILL REPORT

## HB 1382

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As of March 23, 2005

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

**Brief Description:** Changing restrictions on legislators' letter writing during the general election mailing restriction period.

**Sponsors:** Representatives Clements, Haigh, Nixon, Chase, Linville, Sump, Anderson and McCoy.

**Brief History:** Passed House: 3/07/05, 96-0.

**Committee Activity:** Government Operations & Elections: 3/28/05.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Staff:** Diane Smith (786-7410)

**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 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 of a type that is sufficiently infrequent to be noteworthy to a reasonable person, including the Nobel Prize, Pulitzer Prize, or other awards listed in the statute.

A violation of the statute constitutes use of the facilities of a public office for the purpose of assisting a campaign.

**Summary of Bill:** The mailing restrictions do not apply to a letter to an individual constituent who might be affected by rule making proposed by an agency implementing legislation sponsored by the legislator, as long as the subject matter of the letter is the agency action.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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