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**SUBSTITUTE HOUSE BILL 2851**

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**State of Washington                      61st Legislature                      2010 Regular Session**

**By** House Local Government & Housing (originally sponsored by  
Representatives White and Nelson)

READ FIRST TIME 02/03/10.

1            AN ACT Relating to restricting mailings by local officials; and  
2 adding a new section to chapter 42.23 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 42.23 RCW  
5 to read as follows:

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

13            (a) The local official may mail two mailings of newsletters to  
14 constituents who reside in the area directly represented by that  
15 official. All newsletters within each mailing of newsletters must be  
16 identical as to their content but not as to the constituent name or  
17 address. One such mailing may be mailed no later than February 15th.  
18 The other mailing may be mailed no later than April 15th.

1 (b) The local official may mail an individual letter to (i) an  
2 individual constituent who has contacted the official regarding the  
3 subject matter of the letter during the official's current term of  
4 office; (ii) an individual constituent who holds a governmental office  
5 with jurisdiction over the subject matter of the letter; or (iii) an  
6 individual constituent who has received an award or honor of  
7 extraordinary distinction of a type that is sufficiently infrequent to  
8 be noteworthy to a reasonable person, including, but not limited to:  
9 (A) An international or national award such as the Nobel prize or the  
10 Pulitzer prize; (B) a state award such as Washington scholar; (C) an  
11 eagle scout award; and (D) a medal of honor.

12 (c) In those cases where constituents have specifically indicated  
13 that they would like to be contacted to receive regular or periodic  
14 updates on legislative matters, local officials may provide such  
15 updates by electronic mail throughout the legislative session and up  
16 until thirty days from the conclusion of a legislative session.

17 (2) For purposes of subsection (1) of this section, "local  
18 official" means a local government official who is a "candidate," as  
19 defined by RCW 42.17.020, for any public office.

20 (3) Nothing in this section may be construed to: Restrict mailings  
21 or official notices that are required by law as part of the duties of  
22 a local official, including, but not limited to, tax notices or land  
23 hearing notices; or limit or otherwise modify communications between  
24 members of the judiciary and current or former jurors.

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