
**State Government & Tribal Affairs
Committee**

HB 2027

Brief Description: Allowing advertisements relating to licensing services in department of licensing publications and on the department of licensing web site.

Sponsors: Representative Hinkle.

Brief Summary of Bill

- Authorizes the Department of Licensing to sell advertising space on its website and in its publications.
- Requires that the Department of Licensing develop policies regarding the sale of advertising and that the state Attorney General approve such policies.

Hearing Date: 3/31/11

Staff: Thamas Osborn (786-7129).

Background:

There are many different types of advertisements that may be posted on or accessed through Internet websites. Traditional display or banner advertisements typically run across the top or down the right side of a webpage. The price for posting such advertisements is often determined based on the number of times the advertisement is accessed by an internet user. Another type of website advertisement, called "sponsorships", are short descriptions of an advertiser's offerings with links to the advertiser's website. These sponsorship advertisements can take many different forms on a webpage. Generally, they are sold at a specified price for a specified period of time. Business listing advertisements consist of lists of businesses arranged on a website by category, such as hotels or restaurants. These business listing advertisements are generally sold at an annual set price. The various types of website advertisements include links to the advertiser's own website.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The 2009-2011 Transportation Budget included a \$50,000 budget proviso for the Washington State Department of Transportation (WSDOT) to investigate the potential to generate revenue from website sponsorships and similar ventures and, if feasible, pursue partnership opportunities. The WSDOT's Public-Private Partnerships Office worked with a team of consultants to analyze how WSDOT could leverage its website to generate a new revenue source through website advertisements. The study concluded that, if managed well, selling advertisements on WSDOT's website could generate revenue.

With the exception of WSDOT's pilot project, as authorized through the Transportation Budget, state law does not authorize state agencies to sell website advertisements.

Summary of Bill:

The Department of Licensing (Department) is authorized to sell advertising space on its website and in its publications. If advertising is offered, the Department's website or publication must include a disclaimer stating that the inclusion of the advertisement does not imply endorsement by the state.

Prior to selling advertisements, the Department must develop policy, style, and content guidelines to ensure that the subject matter of the advertising directly relates to the business mission and purpose of the Department. The substance and implementation of the Department's advertising policies must also ensure that the website or publication does not constitute a public forum, as defined under the judicial decisions interpreting the requirements of the state and federal constitutions. Such policies must be approved by the Attorney General prior to the sale and posting of any advertisement.

Revenue generated by the Department through the sale of advertisements must be deposited in the Highway Safety Fund.

Appropriation: None.

Fiscal Note: Requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.