
State Government & Tribal Affairs
Committee

SSB 5417

Brief Description: Allowing for the distribution of legislators' contact cards, newsletters, government guides, or similar printed materials produced with legislative resources in certain circumstances.

Sponsors: Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Becker, Swecker, Benton, Stevens, Delvin, Honeyford, Sheldon, Hatfield, Hobbs, Shin, Roach and Kline).

Brief Summary of Substitute Bill

- Provides that the distribution of materials at public facilities for the purpose of informing the public regarding legislative matters and legislative contact information constitutes an exception to ethics rules regarding the use of public facilities for a campaign.

Hearing Date: 3/10/11

Staff: Marsha Reilly (786-7135).

Background:

Ethics rules prohibit a state officer or state employee from using or authorizing the use of state facilities, directly or indirectly, for the purpose of assisting a campaign for election of a person to office or for the promotion of, or opposition to, a ballot proposition. Knowing acquiescence by a person with the authority to direct, control, or influence the actions of the state officer or state employee using the public resources constitutes a violation. Facilities of an agency can include stationery, office space, publications, and use of state employees.

Exceptions to this prohibition include:

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- action taken at an open public meeting to express a collective decision or to vote upon a motion;
- a statement by an elected official in support of, or opposition to, a ballot proposition at an open press conference or in response to a specific inquiry;
- maintenance of official legislative websites, regardless of pending elections;
- activities that are part of the normal and regular conduct of the office; and
- de minimis use of public facilities incidental to the preparation or delivery of permissible communications.

Summary of Bill:

An exception to the prohibition for use of state facilities for campaigns is added. The distribution of contact cards, newsletters, government guides, or similar printed materials, produced with legislative resources, throughout a legislator's district at community centers, libraries, senior centers, city halls, and similar civic centers or public sites for the purpose of informing the public as to legislative matters or providing information on how the public may contact legislators or participate in legislative proceedings are not prohibited activities.

Appropriation: None.

Fiscal Note: Not requested.

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