

SENATE BILL REPORT

SB 5655

As of February 18, 2011

Title: An act relating to voters' pamphlets.

Brief Description: Providing criminal penalties for false statements in voters' pamphlets.

Sponsors: Senators Roach and Harper.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 2/21/11.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Staff: Sharon Swanson (786-7447)

Background: If a person knowingly provides false information on his or her declaration of candidacy or petition of nomination, the person is guilty of a class C felony.

The laws relating to political advertising provide that it is not considered defamatory or slander for a candidate or his or her agent to make false statements or false representations about the candidate himself or herself because a person cannot defame himself or herself.

Summary of Bill: Any person who knowingly makes or allows to be made on his or her behalf a false statement of material fact in a voters' pamphlet is guilty of a gross misdemeanor.

A false statement of material fact includes a statement that would lead a person of ordinary intelligence to reasonably understand the statement as conveying information that is false.

The Public Disclosure Commission may impose a civil penalty not to exceed \$5,000 per violation

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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.

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