

# FINAL BILL REPORT

## SSB 5381

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Synopsis as Enacted

**Brief Description:** Concerning letters of recommendation or congratulations sent by legislators.

**Sponsors:** Senate Committee on State Government & Elections (originally sponsored by Senators Braun, Pedersen, Boehnke, Conway, Dhingra, Hunt, Keiser, King, Kuderer, Nguyen, Randall, Saldaña, Warnick, Wilson, C. and Wilson, J.).

**Senate Committee on State Government & Elections**  
**House Committee on State Government & Tribal Relations**

**Background:** Ethics Act. The Ethics in Public Service Act (Ethics Act) prohibits state officers and state employees from using their public employment for personal gain or private advantage, or to provide special privileges or exemptions for anyone else unless required to perform duties within the scope of their employment. It is not an improper use of a legislator's position or public resources to advocate for constituents when a legislative nexus exists—when the constituent is involved in a dispute with a government agency or official, or seeking assistance on legislative issues.

Election Year Communication Freeze. Certain communications by legislators seeking re-election or election to another office are prohibited during a specified period, known as the election year freeze. Between the beginning of the candidate filing period, two Mondays before Memorial Day in May, through the date of certification of the general election, legislators seeking re-election or election to another office may not send mail or e-mail to constituents, except for routine legislative correspondence and congratulatory letters to constituents who have received awards or honors of extraordinary distinction and are awarded so infrequently as to be noteworthy. The Legislative Ethics Board has held that these restrictions apply to legislative staff as well.

Examples of extraordinary awards or honors include:

- national or international awards such as the Nobel or Pulitzer Prize;
- state awards such as the Washington Scholar;
- Eagle Scout awards; and

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

- the Medal of Honor.

**Summary:** Legislators may send the following documents by mail or e-mail at any time:

- letters of recommendation at the request of a constituent; and
- congratulatory letters to individual constituents for noteworthy infrequent awards or honors.

Legislators may send congratulatory letters to constituents upon request at any time other than during the election year communication freeze.

**Votes on Final Passage:**

Senate	49	0
House	98	0

**Effective:** July 23, 2023