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**SUBSTITUTE HOUSE BILL 1006**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Government Administration (originally sponsored by Representatives Carlson, Ogden, Pennington, Regala, Mielke, Keiser, D. Schmidt, Radcliff, B. Thomas, Sheahan, Dunn, McMorris, Huff, Skinner, Johnson, Sehlin, Boldt, Mulliken, Honeyford, Thompson, D. Sommers, Alexander, Murray, Buck, Sheldon, Cooke, Van Luven, Anderson, Chandler and Backlund)

Read first time 02/11/97.

1 AN ACT Relating to restrictions on mailings by incumbents; amending  
2 RCW 42.17.132; adding a new section to chapter 42.52 RCW; and  
3 recodifying RCW 42.17.132.

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

5 **Sec. 1.** RCW 42.17.132 and 1995 c 397 s 5 are each amended to read  
6 as follows:

7 (1) During the twelve-month period ((preceding the last day for  
8 certification of the election results for a state legislator's election  
9 to office)) beginning on December 1st of the year before a general  
10 election for a state legislator's election to office and continuing  
11 through November 30th immediately after the general election, the  
12 legislator may not mail, either by regular mail or electronic mail, to  
13 a constituent at public expense a letter, newsletter, brochure, or  
14 other piece of literature, except as ((provided in this section-))  
15 follows:

16 (a) The legislator may mail ((one)) two mailings of newsletters to  
17 constituents. All newsletters within each mailing of newsletters must  
18 be identical as to their content but not as to the constituent name or  
19 address. One such mailing may be mailed no later than thirty days

1 after the start of a regular legislative session (~~and one~~). The  
2 other mailing may be mailed no later than sixty days after the end of  
3 a regular legislative session (~~of identical newsletters to~~  
4 ~~constituents~~)).

5 (b) The legislator may mail an individual letter to (i) an  
6 individual constituent who (~~(1)~~) has contacted the legislator  
7 regarding the subject matter of the letter during the legislator's  
8 current term of office; (~~or (2)~~) (ii) an individual constituent who  
9 holds a governmental office with jurisdiction over the subject matter  
10 of the letter; or (iii) an individual constituent who has received an  
11 award or honor of extraordinary distinction.

12 (2) For purposes of subsection (1) of this section, "legislator"  
13 means a legislator who is a "candidate," as defined by RCW 42.17.020,  
14 for any office.

15 (3) A violation of this section constitutes use of the facilities  
16 of a public office for the purpose of assisting a campaign under RCW  
17 42.52.180.

18 (4) The house of representatives and senate shall specifically  
19 limit expenditures per member for the total cost of mailings(~~(7~~  
20 ~~including)~~). Those costs include, but are not limited to, production  
21 costs, printing costs, and postage costs. The limits imposed under  
22 this subsection apply only to the total expenditures on mailings per  
23 member and not to any categorical cost within the total.

24 (5) For purposes of this section, persons residing outside the  
25 legislative district represented by the legislator are not considered  
26 to be constituents.

27 NEW SECTION. Sec. 2. RCW 42.17.132, as amended by this act, is  
28 recodified as a new section in chapter 42.52 RCW, to be placed between  
29 RCW 42.52.180 and 42.52.190.

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