

***State Government***

***HB 1113***

***Brief Description:*** *Allowing school districts to provide voters information regarding school levy elections.*

***Sponsors:*** *Representatives Clements, Skinner, Mulliken, D. Schmidt, Hunt, Fromhold and Armstrong.*

***Brief Summary of Bill***

- *Exempts publications of a school district providing factual information related to school levy elections from the prohibition against using public facilities to assist a campaign.*

***Hearing Date:*** *1/29/01*

***Staff:*** *Jim Morishima (786-7191).*

***Background:***

*Under the Public Disclosure Act, local government officials and employees, including employees of a school district, are prohibited from utilizing public facilities to assist a campaign. This prohibition does not apply to:*

- *Certain actions taken at a public meeting by an elected legislative body, provided that adequate notice is given, and members of the body or the public are given an equal opportunity to express an opposing view;*
- *Statements by public officials in support of or against any ballot proposition at an open press conference or in response to a specific inquiry; and*
- *Activities that are part of the normal and regular conduct of the office or agency.*

*The Public Disclosure Commission (PDC) is charged with enforcing this prohibition, and may issue advisory opinions to help local government officials and employees comply with the law.*

*A school district has the statutory authority to distribute information to the general public explaining the instructional program, operation, and maintenance of the schools in the district. In a recent advisory opinion, the PDC stated that publications containing information about the needs faced by the district and its students are therefore part of the normal and regular conduct of the school district. Because of this, such publications do not constitute the illegal use of public facilities to assist a campaign.*

*In the same advisory opinion, the PDC stated that local agencies (including school districts) may not prepare different materials for different audiences. In other words, a school district wishing to send out a publication containing information about the needs faced by the district and its students must send the same publication to everyone on its mailing list.*

**Summary of Bill:**

*The prohibition against using public facilities to assist a campaign does not apply to publications of a school district providing factual information related to school levy elections.*

**Rulemaking Authority:** *No express authority.*

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

**Appropriation:** *None.*

**Fiscal Note:** *Not Requested.*