
HOUSE BILL 3012

State of Washington

57th Legislature

2002 Regular Session

By Representatives Pflug, Buck, DeBolt, Cairnes, Woods, Anderson, Mitchell, Sehlin, Ericksen, Campbell, Chandler and Nixon

Read first time . Referred to Committee on .

1 AN ACT Relating to ensuring truth in lobbying; adding new sections
2 to chapter 42.17 RCW; creating a new section; prescribing penalties;
3 and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** This act may be known and cited as "the
6 truth in lobbying act."

7 NEW SECTION. **Sec. 2.** The legislature finds that the wrongful use
8 by a person or organization of personal information belonging to
9 another person or organization for the purposes of influencing the
10 policies or conduct of government is harmful to the integrity of the
11 person or organization whose personal identity is misappropriated, the
12 legislative process, sound public policy, and the democratic
13 underpinnings of representative government.

14 NEW SECTION. **Sec. 3.** Every person or organization who uses the
15 name of another person or organization for the purpose of influencing
16 or affecting the policy or conduct, or any proposed policy or conduct,
17 of any branch or level of government, or as supporting or opposing any

1 policy or conduct, or any proposed policy or conduct, of any branch or
2 level of government, without the prior knowledge and consent of the
3 other person or organization, is guilty of a misdemeanor.

4 NEW SECTION. **Sec. 4.** A person or organization has a private cause
5 of action against any person or organization that violates section 2 of
6 this act. A plaintiff bringing an action under this act may sue to
7 recover economic damages and to enjoin any subsequent or ongoing
8 violations of section 2 of this act. If the plaintiff prevails, in
9 addition to damages proven, the plaintiff shall be awarded costs,
10 reasonable attorneys' fees, and statutory damages of five hundred
11 dollars per violation as established by a preponderance of the
12 evidence.

13 NEW SECTION. **Sec. 5.** If, upon all the evidence, the court finds
14 that the respondent has not committed a violation of section 2 of this
15 act, the court shall dismiss the complaint and may include an award of
16 costs and reasonable attorneys' fees in favor of the respondent if the
17 court concludes the complaint was groundless.

18 NEW SECTION. **Sec. 6.** Sections 2 through 5 of this act are each
19 added to chapter 42.17 RCW.

20 NEW SECTION. **Sec. 7.** If any provision of this act or its
21 application to any person or circumstance is held invalid, the
22 remainder of the act or the application of the provision to other
23 persons or circumstances is not affected.

24 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
25 preservation of the public peace, health, morals, or safety, or support
26 of the state government and its existing public institutions, and takes
27 effect immediately.

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