

HOUSE BILL REPORT

HB 2994

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to prohibiting public service announcements by elected officials during reelection campaigns.

Brief Description: Prohibiting public service announcements by elected officials during reelection campaigns.

Sponsors: Representatives Appleton, Miloscia, Hunt and Darneille.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/26/10, 2/2/10 [DPS].

Brief Summary of Substitute Bill

- Prohibits state elected officials and municipal elected officials from making public service announcements beginning January 1 through the general election, or until the official is no longer a candidate.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander, Flannigan, Hurst and Miloscia.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Marsha Reilly (786-7135).

Background:

The State Ethics in Public Service Act (Ethics Act) prohibits employees and officers of the state from engaging in any activity that conflicts with the proper discharge of official duties or using public resources, including state-compensated time and state-owned facilities, for private gain. A "state officer" is defined to include every person holding a position of public

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trust in or under an executive, legislative, or judicial office of the state.

State law establishes a code of ethics for municipal officers. With certain exceptions, a municipal officer may not be beneficially interested, directly or indirectly, in any contract which is made by, through, or under his or her supervision. A "municipal officer" is broadly defined to include any elected or appointed officer of a local government, district, or municipal corporation, or any deputy or assistant to such officer, and all persons undertaking the exercise of the powers or functions of a municipal officer. Most municipalities have adopted a code of ethics that address issues such as conflicts of interest, financial gain, and use of public facilities.

Summary of Substitute Bill:

The Ethics Act and the code of ethics for municipal officers are expanded to prohibit state elected officials and elected municipal officers from making public service announcements during the period beginning January 1 of a re-election year and continuing through the general election, or until the official is no longer a candidate. If the elected official does not control the broadcast, showing, or distribution of the announcement, he or she must contractually limit the use of the public service announcement. The restrictions do not apply to public service announcements that are part of the regular duties of the officer that only mention or visually display the office or office seal or logo, and do not mention or visually display the name of the elected official in the announcement.

Substitute Bill Compared to Original Bill:

The substitute bill adds the requirement that the elected official must contractually limit the use of a public service announcement if he or she does not control the broadcast, showing, or distribution of the announcement.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.