
SENATE BILL 6031

State of Washington

62nd Legislature

2012 Regular Session

By Senators Pflug, Kastama, Hewitt, and Hill

Read first time 01/09/12. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to expenditure limits on mailings by members of the
2 legislature; and amending RCW 42.52.185.

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

4 **Sec. 1.** RCW 42.52.185 and 2011 c 60 s 31 are each amended to read
5 as follows:

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

12 (a) The legislator may mail two mailings of newsletters to
13 constituents. All newsletters within each mailing of newsletters must
14 be identical as to their content but not as to the constituent name or
15 address. One such mailing may be mailed no later than thirty days
16 after the start of a regular legislative session, except that a
17 legislator appointed during a regular legislative session to fill a
18 vacant seat may have up to thirty days from the date of appointment to

1 send out the first mailing. The other mailing may be mailed no later
2 than sixty days after the end of a regular legislative session.

3 (b) The legislator may mail an individual letter to (i) an
4 individual constituent who has contacted the legislator regarding the
5 subject matter of the letter during the legislator's current term of
6 office; (ii) an individual constituent who holds a governmental office
7 with jurisdiction over the subject matter of the letter; or (iii) an
8 individual constituent who has received an award or honor of
9 extraordinary distinction of a type that is sufficiently infrequent to
10 be noteworthy to a reasonable person, including, but not limited to:
11 (A) An international or national award such as the Nobel prize or the
12 Pulitzer prize; (B) a state award such as Washington scholar; (C) an
13 Eagle Scout award; and (D) a Medal of Honor.

14 (c) In those cases where constituents have specifically indicated
15 that they would like to be contacted to receive regular or periodic
16 updates on legislative matters, legislators may provide such updates by
17 electronic mail throughout the legislative session and up until thirty
18 days from the conclusion of a legislative session.

19 (2) For purposes of subsection (1) of this section, "legislator"
20 means a legislator who is a "candidate," as defined by RCW 42.17A.005,
21 for any public office.

22 (3) A violation of this section constitutes use of the facilities
23 of a public office for the purpose of assisting a campaign under RCW
24 42.52.180.

25 (4) The house of representatives and senate shall specifically
26 limit expenditures per member for the total cost of mailings. Those
27 costs include, but are not limited to, production costs, printing
28 costs, and postage costs. In order to better reflect the actual cost
29 of mailings and any change in the population of a district, each
30 member's expenditure limit shall be based primarily on the number of
31 resident registered voters, voter participation, and the number of
32 households within the member's legislative district. The limits
33 imposed under this subsection apply only to the total expenditures on
34 mailings per member and not to any categorical cost within the total.

35 (5) For purposes of this section, persons residing outside the
36 legislative district represented by the legislator are not considered
37 to be constituents, but students, military personnel, or others

1 temporarily employed outside of the district who normally reside in the
2 district are considered to be constituents.

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