
SENATE BILL 6473

State of Washington

54th Legislature

1996 Regular Session

By Senators Hargrove, Strannigan and Heavey

Read first time 01/16/96. Referred to Committee on Government Operations.

1 AN ACT Relating to a prohibition on the use of public funds in
2 election campaigns; amending RCW 42.17.130; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The Washington state Constitution prohibits
5 the credit of the state or any political subdivision to be given or
6 loaned to any individual, association, company, or corporation. In
7 addition, the Public Disclosure Act forbids the use of public office or
8 agency facilities in election campaigns or for the promotion of or
9 opposition to any ballot proposition. The legislature continues to
10 recognize the need to prohibit the use of public resources for private
11 purposes and to keep public funds and facilities removed from the
12 election process. The legislature also finds that it is imperative
13 that ballot propositions continue to be free from the direct or
14 indirect influence of governmental or quasi-governmental organizations.
15 To promote these goals, and to avoid any undue and improper influence
16 that may arise between organizations in the private sector and public
17 agencies, the legislature intends to further restrict the expenditure
18 of public agency moneys to ensure the impartiality of the election
19 process as guaranteed under the state Constitution.

1 **Sec. 2.** RCW 42.17.130 and 1979 ex.s. c 265 s 2 are each amended to
2 read as follows:

3 (1) No elective official nor any employee of his office nor any
4 person appointed to or employed by any public office or agency may use
5 or authorize the use of any of the facilities of a public office or
6 agency, directly or indirectly, for the purpose of assisting a campaign
7 for election of any person to any office or for the promotion of or
8 opposition to any ballot proposition. Facilities of public office or
9 agency include, but are not limited to, use of stationery, postage,
10 machines, and equipment, use of employees of the office or agency
11 during working hours, vehicles, office space, publications of the
12 office or agency, and clientele lists of persons served by the office
13 or agency: PROVIDED, That the foregoing provisions of this section
14 shall not apply to the following activities:

15 (~~(1)~~) (a) Action taken at an open public meeting by members of an
16 elected legislative body to express a collective decision, or to
17 actually vote upon a motion, proposal, resolution, order, or ordinance,
18 or to support or oppose a ballot proposition so long as (~~(a)~~) (i) any
19 required notice of the meeting includes the title and number of the
20 ballot proposition, and (~~(b)~~) (ii) members of the legislative body or
21 members of the public are afforded an approximately equal opportunity
22 for the expression of an opposing view;

23 (~~(2)~~) (b) A statement by an elected official in support of or in
24 opposition to any ballot proposition at an open press conference or in
25 response to a specific inquiry;

26 (~~(3)~~) (c) Activities which are part of the normal and regular
27 conduct of the office or agency.

28 (2) An agency may not disburse funds in the form of dues or
29 membership fees to an entity that uses any portion, directly or
30 indirectly, of the dues or membership fees in an election campaign.
31 This subsection does not apply to funds deducted from a public
32 employee's pay and forwarded to a bargaining representative under RCW
33 41.56.110.

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