

1 **HB 1027 - H AMDS 051 ADOPTED 2-28-97**

2 By Representative D. Schmidt

3 Strike everything after the enacting clause and insert the  
4 following:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter  
6 42.17 RCW to read as follows:

7 (1) Except as provided in this section, during the twelve-  
8 month period beginning on December 1 of the year before a general  
9 election for a state official's election to office and continuing  
10 through November 30 a state official other than a legislator may  
11 not mail to a constituent at public expense a letter, newsletter,  
12 brochure, or other piece of literature, and may not make public  
13 service broadcasts at public expense. This section does not apply  
14 to legislators, who are subject to the restrictions under RCW  
15 42.17.132.

16 (2) The restriction on mailings under subsection (1) of this  
17 section does not apply to the following:

18 (a) Brochures or other pieces of literature mailed as part of  
19 the regular duties of the state office that only refer to the  
20 office and do not include the name of the state official, except  
21 that the name of the secretary of state may occur in the state  
22 voters' pamphlet if he or she is a candidate for office in the same  
23 manner as the name of any other candidate;

24 (b) Individual letters or other individual pieces of  
25 correspondence mailed as official communications by the state  
26 official, or the office of the state official, directly related to  
27 matters within the purview of the official duties of the office;

28 (c) One mailing of an identical newsletter to constituents  
29 that may include the name of the state official no later than  
30 thirty days after the start of a regular legislative session and  
31 one mailing of an identical newsletter to constituents that may  
32 include the name of the state official no later than sixty days  
33 after the end of a regular legislative session;

1 (d) An individual letter to an individual constituent who (i)  
2 has contacted the state official regarding the subject matter of  
3 the letter during the official's current term of office; or (ii)  
4 holds a governmental office with jurisdiction over the subject  
5 matter of the letter.

6 (3) The restriction on public service broadcasts under  
7 subsection (1) of this section does not apply to public service  
8 broadcasts that are part of the regular duties of the state office  
9 that only mention or visually display the state office and do not  
10 mention or visually display the name of the state official in the  
11 broadcast.

12 (4) A violation of this section constitutes use of the  
13 facilities of a public office for the purpose of assisting a  
14 campaign under RCW 42.52.180.-

15 **EFFECT:** Modifies effective date. Clarifies that the secretary  
16 of state is treated like any other candidate in the voters'  
17 pamphlet. Allows individual letters and other individual pieces of  
18 correspondence to be sent that are part of the official duties of  
19 the office.

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