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HOUSE BILL 1103

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Lambert, Ruderman, Esser, Miloscia, Buck, Pflug, McDermott and Simpson

Read first time . Referred to Committee on .

1 AN ACT Relating to restrictions on mailing by legislators; and  
2 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 1997 c 320 s 1 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,~~) by regular mail send to a constituent at public  
11 expense a letter, newsletter, brochure, or other piece of literature,  
12 except as follows:

13 (a) The legislator may mail two mailings of newsletters to  
14 constituents. All newsletters within each mailing of newsletters must  
15 be identical as to their content but not as to the constituent name or  
16 address. One such mailing may be mailed no later than thirty days  
17 after the start of a regular legislative session, except that a  
18 legislator appointed during a regular legislative session to fill a  
19 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 (2) For purposes of subsection (1) of this section, "legislator"  
15 means a legislator who is a "candidate," as defined by RCW 42.17.020,  
16 for any public office.

17 (3) A violation of this section constitutes use of the facilities  
18 of a public office for the purpose of assisting a campaign under RCW  
19 42.52.180.

20 (4) The house of representatives and senate shall specifically  
21 limit expenditures per member for the total cost of mailings. Those  
22 costs include, but are not limited to, production costs, printing  
23 costs, and postage costs. The limits imposed under this subsection  
24 apply only to the total expenditures on mailings per member and not to  
25 any categorical cost within the total.

26 (5) For purposes of this section, persons residing outside the  
27 legislative district represented by the legislator are not considered  
28 to be constituents, but students, military personnel, or others  
29 temporarily employed outside of the district who normally reside in the  
30 district are considered to be constituents.

31 (6) During the period beginning on the forty-fifth day past the  
32 date of the adjournment of a regular legislative session in the year of  
33 a general election for a state legislator's election to office and  
34 continuing through November 30th immediately after the general  
35 election, the restrictions in subsection (1) of this section apply to  
36 letters, newsletters, brochures, or other pieces of literature sent by  
37 electronic mail at public expense.

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