

# FINAL BILL REPORT

## SHB 2713

---

C 215 L 06

Synopsis as Enacted

**Brief Description:** Clarifying that state and local governing bodies may support or oppose ballot propositions.

**Sponsors:** By House Committee on State Government Operations & Accountability (originally sponsored by Representatives Simpson, Woods and Hunt).

**House Committee on State Government Operations & Accountability**  
**Senate Committee on Government Operations & Elections**

### **Background:**

Local public officials and employees must comply with ethics laws that pertain to prohibiting the use of public office or agency facilities in campaigns. These laws are enforced by the Public Disclosure Commission (PDC). State public officials and employees must comply with the ethics laws that pertain to the use of public resources for political campaigns, which are enforced by the Legislative Ethics Board for the legislative branch, and by the Executive Ethics Board for the executive branch.

Both statutes prohibit public officials and employees from using or authorizing the use of public facilities to assist a candidate or ballot proposition campaign. These statutes allow:

- action taken at an open public meeting by members of an elected legislative body to express a collective decision, to actually vote on a motion, proposal or ordinance, or to support or oppose a ballot proposition. Notice of the meeting must include the title and number of the ballot proposition, and members of the public and the legislative body must be allowed equal opportunity to express opposing views;
- a statement by an elected official supporting or opposing a ballot proposition made at an open press conference or made in response to an inquiry; and
- activities that are part of the "normal and regular conduct" of the office or agency.

In 2005, an Attorney General Opinion (AGO) was issued pertaining to the definition of "elected legislative bodies." The AGO concluded that an "elected legislative body" consists of bodies whose members are directly elected to that body by voters. Entities not included in this definition are:

- appointed or elected board members;
- elected officials in specific jurisdictions; and
- informal groups of elected officials.

### **Summary:**

The campaign financing law pertaining to forbidding the use of public office or agency facilities in campaigns is modified to allow members of an elected board, council, or commission of a special purpose district to take action at an open public meeting to support or oppose a ballot measure. Special purpose districts include but are not limited to:

- fire districts;
- public hospital districts;
- library districts;
- park districts;
- port districts;
- public utility districts;
- school districts;
- sewer districts; and
- water districts

**Votes on Final Passage:**

House	66	30
Senate	27	20

**Effective:** June 7, 2006