
**State Government Operations &
Accountability Committee**

HB 2713

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

Sponsors: Representatives Simpson, Woods and Hunt.

Brief Summary of Bill

- Modifies the definitions in the public disclosure statute to include the definition for "elected legislative body."

Hearing Date: 1/24/06

Staff: Kasa Tupua (786-7291).

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. The statute allows:

- 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.

Summary of Bill:

Elected legislative body is defined as any governing body composed entirely of persons holding public office. The effect of the definition clarifies that elected legislative bodies may take action at an open public meeting to support or oppose a ballot measure.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.