

SENATE BILL REPORT

SHB 1093

As Reported by Senate Committee On:
Governmental Operations, April 1, 2013

Title: An act relating to state agencies' lobbying activities.

Brief Description: Regarding state agency lobbying activities.

Sponsors: House Committee on Government Operations & Elections (originally sponsored by Representatives Shea, Overstreet and Taylor).

Brief History: Passed House: 3/04/13, 97-1.

Committee Activity: Governmental Operations: 3/19/13, 4/01/13 [DP, DNP].

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Braun and Rivers.

Minority Report: Do not pass.

Signed by Senator Fraser.

Staff: Sam Thompson (786-7413)

Background: State law defines lobbying as the attempt to influence passage or defeat of legislation by the state Legislature, or to influence certain actions by state agencies. Agencies may spend public funds for lobbying, limited to providing information, communicating official business, or advocating an official position or interests to elected officials or officers or employees of any agency.

State agencies spending public funds for lobbying must file quarterly reports with the Public Disclosure Commission (PDC). Reports must include names and salaries of all who lobbied, the nature of the lobbying, and time spent and expenditures incurred.

For PDC reporting purposes, lobbying does not include certain state agency activities, including in-person lobbying by agency employees or officers for up to four days during any three-month period and in-person lobbying by elected officials on behalf of the agency or in connection with the official's powers, duties, or compensation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A court may impose civil penalties and sanctions for violation of lobbying laws.

Summary of Bill: Each state agency director who knowingly fails to file required lobbying reports is subject to personal liability in the form of a civil penalty of \$100 per report. These penalties are in addition to any other civil remedies or sanctions imposed on the agency.

Any state agency official, officer, or employee who is responsible for or knowingly directs or expends public funds in violation of restrictions on agency lobbying may be subject to personal liability in the form of a civil penalty in an amount that is at least equivalent to the amount of public funds expended in the violation.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect January 1, 2014.

Staff Summary of Public Testimony: PRO: Agency officials who violate lobbying laws should be personally liable for penalties. Public funds provided by taxpayers should not be used to pay fines.

Persons Testifying: PRO: Representative Shea, prime sponsor.