

RCW 42.52.185 Restrictions on mailings by legislators. (1)

During the period beginning on the first day of the declaration of candidacy filing period specified in RCW 29A.24.050 in the year of a general election for a state legislator's election to office and continuing through the date of certification of the general election, the legislator may not mail, either by regular mail or email, to a constituent at public expense a letter, newsletter, brochure, or other piece of literature, except for routine legislative correspondence, such as scheduling, and the legislator may, by mail or email, send an individual letter to (a) an individual constituent who has contacted the legislator regarding the subject matter of the letter during the legislator's current term of office; (b) an individual constituent who holds a governmental office with jurisdiction over the subject matter of the letter; or (c) an individual constituent who has received an award or honor of extraordinary distinction of a type that is sufficiently infrequent to be noteworthy to a reasonable person including, but not limited to: (i) An international or national award such as the Nobel prize or the Pulitzer prize; (ii) a state award such as Washington scholar; (iii) an Eagle Scout award; and (iv) a Medal of Honor.

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

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

(4) For purposes of this section:

(a) "Legislator" means a legislator who is a "candidate," as defined in RCW 42.17A.005, for any public office. "Legislator" does not include a member of the legislature who has announced their retirement from elected public office and who does not file a declaration of candidacy by the end of the candidacy filing period specified in RCW 29A.24.050.

(b) Persons residing outside the legislative district represented by the legislator are not considered to be constituents, but students, military personnel, or others temporarily employed outside of the district who normally reside in the district are considered to be constituents. [2022 c 37 § 4; 2017 c 7 § 3; 2011 c 60 § 31; 2008 c 39 § 2; 1997 c 320 § 1; 1995 c 397 § 5; 1993 c 2 § 25 (Initiative Measure No. 134, approved November 3, 1992). Formerly RCW 42.17.132.]

Finding—Intent—Effective date—2017 c 7: See notes following RCW 42.52.180.

Effective date—2011 c 60: See RCW 42.17A.919.

Findings—Intent—2008 c 39: "The legislature finds that the legislature's ability to communicate with its constituency is of the utmost importance in having a healthy representative democracy. It is the intent of the legislature to provide important information to constituents on an ongoing basis in order to truly be a government of the people and for the people. The legislature finds that this

communication will only increase citizen access to legislative issues." [2008 c 39 § 1.]