
HOUSE BILL 1128

State of Washington

56th Legislature

1999 Regular Session

By Representatives Schoesler, Kessler, Lisk, Koster, Buck, Sump, Delvin, Hankins, G. Chandler, Mielke, Cairnes, Boldt, Thomas, Keiser, Campbell, Lambert, Dunn, D. Sommers, Mulliken, Esser and Parlette

Read first time 01/15/1999. Referred to Committee on State Government.

1 AN ACT Relating to restrictions on mailings and public service
2 broadcasts by state officials; and adding a new section to chapter
3 42.52 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.52 RCW
6 to read as follows:

7 (1) During the twelve-month period beginning on December 1st of the
8 year before a general election for a state official's election to
9 office and continuing through November 30th immediately after the
10 general election, the state official may not mail, either by regular
11 mail or electronic mail, to a constituent at public expense a letter,
12 newsletter, brochure, or other piece of literature, and may not make
13 public service broadcasts at public expense, except as follows:

14 (a) The state official may mail two mailings of newsletters to
15 constituents. All newsletters within each mailing of newsletters must
16 be identical as to their content but not as to the constituent name or
17 address. One such mailing may be mailed no later than March 30th and
18 the other mailing may be mailed no later than June 30th;

1 (b) The state official may mail as an individual letter to (i) an
2 individual constituent who has contacted the state official regarding
3 the subject matter of the letter during the official's current term of
4 office; (ii) an individual constituent who holds a governmental office
5 with jurisdiction over the subject matter of the letter; or (iii) an
6 individual constituent who has received an award or honor of
7 extraordinary distinction of a type that is sufficiently infrequent to
8 be noteworthy to a reasonable person, including, but not limited to:
9 (A) An international or national award such as the Nobel prize or the
10 Pulitzer prize; (B) a state award such as Washington scholar; (C) an
11 Eagle Scout award; and (D) a Medal of Honor.

12 (2) The restriction on mailings in subsection (1) of this section
13 does not apply to (a) brochures or other pieces of literature mailed as
14 part of the regular duties of the state office that only refer to the
15 office and do not include the name of the state official; or (b)
16 correspondence on state office letterhead mailed by employees of the
17 state office that are part of the regular duties of the state office.

18 (3) The restriction on public service broadcasts under subsection
19 (1) of this section does not apply to public service broadcasts that
20 are part of the regular duties of the state office that only mention or
21 visually display the state office and do not mention or visually
22 display the name of the state official in the broadcast.

23 (4) For the purposes of subsection (1) of this section, "state
24 official" means a state official who is a "candidate," as defined by
25 RCW 42.17.020, for any public office.

26 (5) This section does not apply to legislators, who are subject to
27 the restrictions under RCW 42.52.185.

28 (6) A violation of this section constitutes use of the facilities
29 of a public office for the purpose of assisting a campaign under RCW
30 42.52.180.

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