

SENATE BILL REPORT

SB 6542

As Reported By Senate Committee On:
Judiciary, February 6, 2004

Title: An act relating to broadcast of legal notices.

Brief Description: Conforming legal notice broadcast requirements to current practice.

Sponsors: Senators Benton and Berkey; by request of Secretary of State.

Brief History:

Committee Activity: Judiciary: 2/6/04 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

Staff: Lidia Mori (786-7755)

Background: Radio or television may be used as a forum of legal notice publication if a state or local official finds that a public interest would be served by doing so. This form of publication is supplementary to legal publication in newspapers.

Legal notices broadcast on television or radio are required to be only read or shown. They can contain the time, place, and nature of the notice. They may not reference by name any person who is a candidate for political office at the time of the notice. They must also be made only by the personnel of the radio or television station which broadcasts the signal. Radio or television publication requires an affidavit from the station manager, assistant manager, or program director to establish that the notice was made.

There is concern that the current law regulating the broadcast of legal notices does not reflect current practices.

Summary of Bill: The restriction that only employed personnel of the radio or television station may make a legal notice broadcast is removed. Affidavits of the manager, assistant manager, or a program director that a publication of legal notice was made by radio or television are not required. Written proof of publication of the notice, made by the station, is sufficient to prove that notice was given.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is at the request of the Secretary of State. Ballot measures are broadcast. The current law is outdated and does not reflect current practices. For example, the titles of people at the radio stations have changed, now a manager is called a traffic director.

Testimony Against: None.

Testified: PRO: Jeff Wise, Secretary of the State's Office; Mark Allen, WA State Assn of Broadcasters.