

HOUSE BILL REPORT

HB 1196

As Passed House:

February 5, 2007

Title: An act relating to restrictions on mailing by legislators.

Brief Description: Regulating legislators' mail to constituents.

Sponsors: By Representatives Hunt, Chandler, Appleton, Miloscia, Armstrong, Green, Morrell, Ormsby, Schual-Berke, Wallace, Lantz and Hasegawa.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 1/24/07, 1/26/07 [DP].

Floor Activity:

Passed House: 2/5/07, 95-0.

Brief Summary of Bill

- Allows campaign year legislative mailings via electronic mail beginning December 1 prior to a legislator's election and ending 45 days after the end of session.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 9 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott, Miloscia and Ormsby.

Staff: Alison Hellberg (786-7152).

Background:

For the 12-month period preceding a general election in which a legislator is running for office, the legislator may not send to constituents, either by regular mail or electronic mail, a letter, newsletter, brochure, or other piece of literature. There are several exceptions to the rule:

- the legislator may send two newsletters during the 12-month period;

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- the legislator may respond to constituent inquiries;
- the legislator may send a letter to a constituent who holds a government office having jurisdiction over the subject matter of the letter; and
- the legislator may send a letter to a 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 the Nobel Prize, Pulitzer Prize, or other awards listed in the statute.

A violation of the statute constitutes use of the facilities of a public office for the purpose of assisting a campaign.

Summary of Bill:

The prohibition against legislative mailings by electronic mail only applies for the period beginning 45 days after the regular session in the year a legislator is running for office and continuing through November 30 immediately following the general election.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill has come before the committee several times in the past years. A number of members send electronic newsletters to keep constituents up-to-date on legislative issues. Members cannot do that in an election year, which is every other year in the House. Many constituents complain about members not being in touch during election years. Constituents want to be kept up-to-date on what is happening in the Legislature.

(Opposed) None.

Persons Testifying: Representative Hunt, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.