
HOUSE BILL 2952

State of Washington

61st Legislature

2010 Regular Session

By Representatives Ericksen, Carlyle, Pedersen, and Morris

Read first time 01/19/10. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to restrictions on mailings by legislators; and
2 amending RCW 42.52.185.

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

4 **Sec. 1.** RCW 42.52.185 and 2008 c 39 s 2 are each amended to read
5 as follows:

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

12 (a) The legislator may mail two mailings of newsletters to
13 constituents. All newsletters within each mailing of newsletters must
14 be identical as to their content but not as to the constituent name or
15 address. One such mailing may be mailed no later than thirty days
16 after the start of a regular legislative session, except that a
17 legislator appointed during a regular legislative session to fill a
18 vacant seat may have up to thirty days from the date of appointment to

1 send out the first mailing. The other mailing may be mailed no later
2 than sixty days after the end of a regular legislative session.

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

14 (c) In those cases where constituents (~~(have specifically indicated~~
15 ~~that they would like to be contacted to receive regular or periodic~~
16 ~~updates)~~) do not object to being contacted on legislative matters,
17 legislators may provide (~~(such)~~) unlimited updates by electronic mail
18 (~~(throughout the legislative session and)~~) up until (~~(thirty)~~) sixty
19 days from the conclusion of a legislative session.

20 (2) For purposes of subsection (1) of this section, "legislator"
21 means a legislator who is a "candidate," as defined by RCW 42.17.020,
22 for any public office.

23 (3) A violation of this section constitutes use of the facilities
24 of a public office for the purpose of assisting a campaign under RCW
25 42.52.180.

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

32 (5) For purposes of this section, persons residing outside the
33 legislative district represented by the legislator are not considered
34 to be constituents, but students, military personnel, or others
35 temporarily employed outside of the district who normally reside in the
36 district are considered to be constituents.

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