
SENATE BILL 6685

State of Washington

60th Legislature

2008 Regular Session

By Senators Pflug, Tom, Roach, Fairley, Jacobsen, Marr, Hobbs, Kilmer, Rockefeller, Kohl-Welles, Delvin, Hewitt, Brown, Swecker, Weinstein, Morton, Kline, Parlette, Pridemore, McDermott, Benton, Brandland, and Honeyford

Read first time 01/21/08. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to ethical restrictions on mailings by legislators;
2 amending RCW 42.52.185; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the legislature's
5 ability to communicate with its constituency is of the utmost
6 importance in having a healthy representative democracy. It is the
7 intent of the legislature to provide important information to
8 constituents on an ongoing basis in order to truly be a government of
9 the people and for the people. The legislature finds that this
10 communication will only increase citizen access to legislative issues.

11 **Sec. 2.** RCW 42.52.185 and 1997 c 320 s 1 are each amended to read
12 as follows:

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

1 (a) The legislator may mail two mailings of newsletters to
2 constituents. All newsletters within each mailing of newsletters must
3 be identical as to their content but not as to the constituent name or
4 address. One such mailing may be mailed no later than thirty days
5 after the start of a regular legislative session, except that a
6 legislator appointed during a regular legislative session to fill a
7 vacant seat may have up to thirty days from the date of appointment to
8 send out the first mailing. The other mailing may be mailed no later
9 than sixty days after the end of a regular legislative session.

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

21 (c) In those cases where constituents have specifically indicated
22 that they would like to be contacted to receive regular or periodic
23 updates on legislative matters, legislators may provide such updates by
24 electronic mail throughout the legislative session and up until thirty
25 days from the conclusion of a legislative session.

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

29 (3) A violation of this section constitutes use of the facilities
30 of a public office for the purpose of assisting a campaign under RCW
31 42.52.180.

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

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

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