



## Procedure 266.1A Guidelines for Lobbying and Dissemination of Legislative Information: **WHAT YOU CAN AND CANNOT DO**

### *Policy 266 - Lobbying Activity*

**Lobbying:** "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the Legislature of the State of Washington. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization. [RCW 42.17A.005](#).

### **Community and Technical Colleges CAN:**

Expend public funds for lobbying, but such lobbying activity shall be limited to:

(3)(a) **providing information or communicating on matters pertaining to official agency business** to any elected official or officer or employee of any agency or

(3)(b) **advocating the official position or interests of the agency** to any elected official or officer or employee of any agency. . . . **but does not include informational material transferred for the sole purpose of informing the recipient about matters pertaining to official agency business.**

[RCW 42.17A.635](#)(3). (Emphasis added.)

## Community and Technical Colleges CANNOT:

Expend public funds as a direct or indirect gift or campaign contribution to any elected official or officer or employee of any agency. *Id.* Use of private funds to lobby legislators in excess of \$15.00 in a three-month period must be reported. [RCW 42.17A.635](#)(5)( d)(v)(B).

**YOU MUST FILE** quarterly reports with the Public Disclosure Commission on the L-5 form for lobbying. If the agency contracts with a private lobbyist, the agency must report the lobbyist's contacts on the L-5 form and the lobbyist must report their contacts as a private lobbyist.

**BUT** lobbying does not include the following, **and no filing is required for:**

- (ii) Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation, or report by an agency on a particular subject;
- (iii) Official reports including recommendations submitted to the legislature on an annual or biennial basis by a state agency as required by law;
- (iv) Requests, recommendations, or other communication between or within state agencies or between or within local agencies;
- (v) Any other lobbying to the extent that it includes:
  - (A) Telephone conversations or preparation of written correspondence;
  - (B) In-person lobbying on behalf of an agency of no more than four days or parts thereof during any three-month period by officers or employees of that agency: PROVIDED, That the total expenditures of nonpublic funds made in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington do not exceed fifteen dollars for any three-month period: PROVIDED FURTHER, That the exemption under this subsection is in addition to the exemption for telephone calls and preparation of written correspondence.
  - (C) Preparation or adoption of policy positions.

[RCW 42.17A.635](#)(5)(d).

## College Employees CANNOT

Use state resources including email and work time for any purpose of participating in or assisting in an effort to lobby the state legislature, or a state agency head except as provided by [RCW 42.17A.635](#)(3).

Faculty, classified, and non-cabinet staff may not use state resources to lobby except as part of their official duties.

**YOU CANNOT engage in grass roots or indirect lobbying** with state resources by encouraging others to lobby their legislators (i.e., attempt to use others to influence the passage or defeat of any legislation).

[RCW 42.17A.635](#)(2), (3); [RCW 42.17A.640](#).

You can:

- Disseminate *objective* information to constituents including:
  1. Legislation that has been introduced in the state Legislature that impacts our colleges (state and local).
  2. Names, addresses, phone numbers of state legislators (without exhorting others to lobby).
  3. Pending legislation and its status; *i.e.*, house or senate subcommittee, etc.
  4. Fact sheets on the proposed legislation.
  5. Committee hearing schedules.
  6. A compilation of who voted for and against.
  7. Telephone trees, telling of pending hearings and upcoming votes (*i.e.*, **when and where** being held, **what** the issue is, **but not exhorting people to attend or otherwise lobby either on behalf of or against a bill**). Recipients can be given information on the issue and determine whether and how to act for themselves).
- Put together fact sheets, news articles/editorials, charts, operating and capital budget requests for each college, funding/enrollment history, and so on. These can be printed at state expense and distributed via hard copies or email.

Student Government Associations Or Their Equivalent Can:

Notwithstanding [RCW 42.17A.635](#)(2) and (3), you may use student voluntary fees and S&A fees for lobbying and may also use student voluntary fees and S&A fees to support a statewide or national student organization or its equivalent that may engage in lobbying.

[RCW 28B.15.610](#).