

NEW SECTION. Sec. 15. Section 2, chapter 41, Laws of 1975 1st ex. sess. and RCW 28A.60.352 are each hereby repealed.

NEW SECTION. Sec. 16. Section 28A.98.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.98.020 are each repealed.

NEW SECTION. Sec. 17. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House January 13, 1984.

Passed the Senate February 21, 1984.

Approved by the Governor February 29, 1984.

Filed in Office of Secretary of State February 29, 1984.

CHAPTER 41

[Substitute House Bill No. 827]

VOTERS' OR CANDIDATES' PAMPHLET—DECEPTIVELY SIMILAR PUBLICATIONS PROHIBITED

AN ACT Relating to voters' and candidates' pamphlets; adding a new section to chapter 29.04 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. There is added to chapter 29.04 RCW a new section to read as follows:

No person or entity may publish or distribute any campaign material that is deceptively similar in design or appearance to a voters' pamphlet or candidates' pamphlet or combination thereof, which pamphlet or combination was published by the secretary of state during the ten-year period prior to the publication or distribution by the person or entity. The secretary of state shall take reasonable measures to prevent or to stop violations of this section. Such measures may include, among others, petitioning the superior court for a temporary restraining order or other appropriate injunctive relief. In addition, the secretary may request the superior court to impose a civil fine on a violator of this section. The court is authorized to levy on and recover from each violator a civil fine not to exceed the greater of: (1) Two dollars for each copy of the deceptive material distributed, or (2) one thousand dollars. In addition, the violator shall be liable for the state's legal expenses and other costs resulting from the violation. Any funds recovered under this section shall be transmitted to the state treasurer for deposit in the general fund.

Passed the House January 16, 1984.

Passed the Senate February 21, 1984.

Approved by the Governor February 29, 1984.

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