

LOCAL GOVERNMENT ISSUES

BACKGROUND

The Muscular Dystrophy Association (MDA) is a qualified 501(c)(3) tax-exempt organization whose mission is to cure, treat, and provide relief to patients and their families suffering from muscular degenerative diseases. The MDA relies on funds generated by the International Association of Fire Fighters (IAFF) and its local affiliates within the WSCFF for a significant portion of its budget. The primary means for IAFF fundraising on behalf of MDA is through the Fill-the-Boot campaign. For more than 65 years, fire fighters have been in their communities on streets, sidewalks, and public rights-of-way soliciting contributions for MDA. Recent restrictions on panhandling have led to jurisdictions disallowing the Fill-the-Boot campaign.

WSCFF POSITION

The WSCFF is seeking an exception for people raising funds for bona fide charities and 501(c)(3) tax-exempt entities to solicit charitable contributions while in public rights-of-way.

WSCFF EXPLANATION

Solicitation of donations--to include panhandling--have been ruled protected speech under the First Amendment by the Washington State Supreme Court. However, governments may restrict solicitation in rights-of-way where pedestrian and vehicular interference could take place. While the intent is to curtail aggressive and nuisance panhandling under the guise of public safety, the effect has made charitable solicitations in these rights-of-way unlawful in some jurisdictions. This includes fire fighters who collect funds for the Fill-the-Boot campaign on behalf of MDA, effectively eliminating any significant contributions to MDA where this takes place.

Groups of people who fundraise in public on behalf of bona fide charities acknowledge the importance of not interfering with traffic or pedestrians in rights-of-way while collecting money. A statewide exemption for such activities would allow this important work to continue, particularly fire fighters soliciting on behalf of MDA.

CURRENT STATUS

Legislation will be introduced in the 2020 legislative session to allow our members to fundraise on behalf of MDA.