

RCW 21.40.080 Prohibition on awards for certain whistleblowers.

The securities administrator shall not provide an award to a whistleblower under this section if the whistleblower:

- (1) Is convicted of a felony in connection with the administrative or judicial action for which the whistleblower otherwise could receive an award;
- (2) Acquires the original information through the performance of an audit of financial statements required under the securities laws and for whom providing the original information violates 15 U.S.C. 78j-1;
- (3) Fails to submit information to the securities division in such form as the securities administrator may prescribe;
- (4) Knowingly or recklessly makes a false, fictitious, or fraudulent statement or misrepresentation as part of, or in connection with, the original information provided or the administrative or judicial proceeding for which the original information was provided;
- (5) In the whistleblower's submission, the whistleblower's other dealings with the securities administrator, or in the whistleblower's dealings with another authority in connection with a related action, knowingly and willfully makes any false, fictitious, or fraudulent statement or representation, or uses any false writing or document knowing that it contains any false, fictitious, or fraudulent statement or entry with intent to mislead or otherwise hinder the securities administrator or another authority;
- (6) Knows that, or has a reckless disregard as to whether, the original information provided is false, fictitious, or fraudulent;
- (7) Has a legal duty to report the original information to the securities administrator or securities division;
- (8) Is, or was at the time the whistleblower acquired the original information submitted to the securities division, a member, officer, or employee of the department of financial institutions, the securities and exchange commission, any other state securities regulatory authority, a self-regulatory organization, the public company accounting oversight board, or any law enforcement organization;
- (9) Is, or was at the time the whistleblower acquired the original information submitted to the securities division, a member, officer, or employee of a foreign government, any political subdivision, department, agency, or instrumentality of a foreign government, or any other foreign financial regulatory authority as that term is defined in 15 U.S.C. 78c(a)(52);
- (10) Is the spouse, parent, child, or sibling of the securities administrator or an employee of the department of financial institutions, or resides in the same household as the securities administrator or an employee of the department of financial institutions; or
- (11) Directly or indirectly acquires the original information provided to the securities division from a person:
 - (a) Who is subject to subsection (2) of this section, unless the information is not excluded from that person's use, or provides the securities division with information about possible violations involving that person;
 - (b) Who is a person described in subsection (8), (9), or (10) of this section; or
 - (c) With the intent to evade any provision of this chapter.

[2023 c 149 § 9.]