

# FINAL BILL REPORT

## SB 5854

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Synopsis as Enacted

**Brief Description:** Concerning ethical performance of faculty duties.

**Sponsors:** Senators Randall, Hunt, Lovick, Nobles and Wilson, C..

**Senate Committee on Higher Education & Workforce Development**

**Senate Committee on State Government & Elections**

**House Committee on College & Workforce Development**

**Background:** Ethics Act. The Ethics in Public Service Act (Ethics Act) prohibits state officers and state employees from using their public employment for personal gain or private advantage, or creating the appearance of such impropriety. Prohibited activities under the Ethics Act include:

- having financial interests or engaging in business activity that conflicts with the proper discharge of official duties;
- using public resources for private gain;
- receiving gifts or outside compensation for official duties; and
- using one's position to secure special privileges or exemptions for oneself or others, except as required to perform duties within the scope of employment.

Research Employees. To encourage scientific research, public universities may develop administrative processes for research employees that apply in place of the obligations imposed by the Ethics Act.

Administrative processes regarding financial interests in transactions, compensation for official duties or nonperformance, honoraria, and gifts must be consistent with federal standards for objectivity in research. Administrative processes regarding the use of state resources for private gain must include a reasonable determination of acceptable private uses having de minimis costs to the university and a method for establishing reimbursement charges for more than de minimis private uses.

**Summary:** Public universities and the State Board for Community and Technical Colleges

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may develop administrative processes for faculty that apply in place of the Ethics Act's prohibition on the use of state resources for private gain. The administrative processes must identify acceptable private uses having more de minimis costs to the institution which must be performed as a part of the faculty member's job requirements, such as publishing scholarship.

**Votes on Final Passage:**

Senate	48	1
House	93	4

**Effective:** June 9, 2022