

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1583**

54th Legislature  
1995 Regular Session

Passed by the House April 19, 1995  
Yeas 93 Nays 0

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**Speaker of the  
House of Representatives**

Passed by the Senate April 10, 1995  
Yeas 47 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1583** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1583

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AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington                      54th Legislature                      1995 Regular Session

By Representatives L. Thomas, Backlund, Huff, Chappell, Wolfe, Buck and Kessler; by request of State Auditor

Read first time 01/31/95.      Referred to Committee on Government Operations.

1            AN ACT Relating to local government whistleblower reporting; and  
2 amending RCW 42.41.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 42.41.030 and 1992 c 44 s 3 are each amended to read  
5 as follows:

6            (1) Every local government employee has the right to report to the  
7 appropriate person or persons information concerning an alleged  
8 improper governmental action.

9            (2) The governing body or chief administrative officer of each  
10 local government shall adopt a policy on the appropriate procedures to  
11 follow for reporting such information and shall provide information to  
12 their employees on the policy. Local governments are encouraged to  
13 consult with their employees on the policy.

14            (3) The policy shall describe the appropriate person or persons  
15 within the local government to whom to report information and a list of  
16 appropriate person or persons outside the local government to whom to  
17 report. The list shall include the county prosecuting attorney.

18            (4) Each local government shall permanently post a summary of the  
19 procedures for reporting information on an alleged improper

1 governmental action and the procedures for protection against  
2 retaliatory actions described in RCW 42.41.040 in a place where all  
3 employees will have reasonable access to it. A copy of the summary  
4 shall be made available to any employee upon request.

5 (5) A local government may require as part of its policy that,  
6 except in the case of an emergency, before an employee provides  
7 information of an improper governmental action to a person or an entity  
8 who is not a public official or a person listed pursuant to subsection  
9 (3) of this section, the employee shall submit a written report to the  
10 local government. Where a local government has adopted such a policy  
11 under this section, an employee who fails to make a good faith attempt  
12 to follow the policy shall not receive the protections of this chapter.

13 (6) If a local government has failed to adopt a policy as required  
14 by subsection (2) of this section, an employee may report alleged  
15 improper government action directly to the county prosecuting attorney  
16 or, if the prosecuting attorney or an employee of the prosecuting  
17 attorney participated in the alleged improper government action, to the  
18 state auditor. The cost incurred by the state auditor in such  
19 investigations shall be paid by the local government through the  
20 municipal revolving account authorized in RCW 43.09.282.

21 (7) The identity of a reporting employee shall be kept confidential  
22 to the extent possible under law, unless the employee authorizes the  
23 disclosure of his or her identity in writing.

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