
SUBSTITUTE SENATE BILL 5678

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Haugen, Prentice, Long, Heavey, Prince, Wojahn, Kohl and Winsley; by request of State Auditor)

Read first time 03/01/95.

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 attorney general.

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

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