
HOUSE BILL 2449

State of Washington 56th Legislature 2000 Regular Session

By Representatives Pennington, Constantine and Mitchell

Read first time 01/13/2000. Referred to Committee on State Government.

1 AN ACT Relating to ethics board staff review of ethics complaints;
2 amending RCW 42.52.420; and adding a new section to chapter 42.52 RCW.

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

4 **Sec. 1.** RCW 42.52.420 and 1994 c 154 s 212 are each amended to
5 read as follows:

6 (1) After the filing of any complaint, except as provided in RCW
7 42.52.450, the staff of the appropriate ethics board shall investigate
8 the complaint. The investigation shall be limited to the ((alleged
9 facts)) allegations contained in the complaint.

10 (2) The results of the investigation shall be reduced to writing
11 and the staff shall either make a determination ((shall be made)) that
12 the complaint should be dismissed pursuant to section 2 of this act, or
13 recommend to the board that there is or that there is not reasonable
14 cause to believe that a violation of this chapter or rules adopted
15 under it has been or is being committed.

16 ((A copy of the written)) (3) The board's determination on
17 reasonable cause shall be provided to the complainant and to the person
18 named in such complaint.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.52 RCW
2 to read as follows:

3 (1) Based on the investigation conducted under RCW 42.52.420, and
4 subject to rules issued by each board, the staff of the appropriate
5 ethics board may issue an order of dismissal based on any of the
6 following findings:

7 (a) Any violation that may have occurred is not within the
8 jurisdiction of the board;

9 (b) The complaint is obviously unfounded or frivolous; or

10 (c) Any violation that may have occurred does not constitute a
11 material violation because it was inadvertent and minor, or has been
12 cured, and, after consideration of all of the circumstances, further
13 proceedings would not serve the purposes of this chapter.

14 (2) Written notice of the determination under subsection (1) of
15 this section shall be provided to the complainant, respondent, and the
16 board.

17 (3) In the event that a complaint is dismissed under this section,
18 the complainant may request that the board review the action.
19 Following review, the board shall:

20 (a) Affirm the staff dismissal;

21 (b) Direct the staff to conduct further investigation; or

22 (c) Issue a determination that there is reasonable cause to believe
23 that a violation has been or is being committed.

24 (4) The board's decision under subsection (3) of this section shall
25 be reduced to writing and provided to the complainant and the
26 respondent.

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