

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2206

Chapter 71, Laws of 1999

56th Legislature
1999 Regular Session

COUNTY ELECTED OFFICIALS--ABANDONMENT OF DUTIES

EFFECTIVE DATE: 7/25/99

Passed by the House March 11, 1999
Yeas 96 Nays 0

CLYDE BALLARD
Speaker of the House of
Representatives

FRANK CHOPP
Speaker of the House of
Representatives

Passed by the Senate April 6, 1999
Yeas 44 Nays 0

BRAD OWEN
President of the Senate

Approved April 21, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2206** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 21, 1999 - 3:19 p.m.

Secretary of State
State of Washington

HOUSE BILL 2206

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Mulliken, Scott, Carrell and Constantine

Read first time 02/19/1999. Referred to Committee on Local Government.

1 AN ACT Relating to declaratory judgment actions finding that county
2 elected officials have abandoned their responsibilities; amending RCW
3 36.17.010 and 36.17.050; and adding a new section to chapter 36.16 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.16 RCW
6 to read as follows:

7 The county legislative authority of a county may cause an action to
8 be filed in the superior court of that county for a declaratory
9 judgment finding that a county elected official has abandoned his or
10 her responsibilities by being absent from the county and failing to
11 perform his or her official duties for a period of at least thirty
12 consecutive days, but not including: (1) Absences approved by the
13 county legislative authority; or (2) absences arising from leave taken
14 for legitimate medical or disability purposes. If such a declaratory
15 judgment is issued, the county official is no longer eligible to
16 receive compensation from the date the declaratory judgment is issued
17 until the court issues a subsequent declaratory judgment finding that
18 the county official has commenced performing his or her
19 responsibilities.

1 **Sec. 2.** RCW 36.17.010 and 1991 c 363 s 51 are each amended to read
2 as follows:

3 The county officers of the counties of this state shall receive a
4 salary for the services required of them by law, or by virtue of their
5 office, which salary shall be full compensation for all services of
6 every kind and description rendered by them. However, if the superior
7 court issues a declaratory judgment under section 1 of this act finding
8 that a county officer has abandoned his or her duties, the county
9 officer may not be paid compensation.

10 **Sec. 3.** RCW 36.17.050 and 1963 c 4 s 36.17.050 are each amended to
11 read as follows:

12 The auditor shall not draw his warrant for the salary of any
13 officer until the latter shall have first filed his duplicate receipt
14 with the auditor, properly signed by the treasurer, showing he has made
15 the last required monthly statement and settlement. If the superior
16 court issues a declaratory judgment under section 1 of this act finding
17 that a county officer has abandoned his or her duties, the county
18 officer may not be paid a salary.

Passed the House March 11, 1999.

Passed the Senate April 6, 1999.

Approved by the Governor April 21, 1999.

Filed in Office of Secretary of State April 21, 1999.