
HOUSE BILL 2397

State of Washington

66th Legislature

2020 Regular Session

By Representatives Hudgins, Smith, Ormsby, and Wylie

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1 AN ACT Relating to transferring oversight of filings of
2 statements of financial affairs by legislative staff from the public
3 disclosure commission to the legislative ethics board; amending RCW
4 42.17A.705, 42.52.320, 42.17A.020, and 42.17A.620; reenacting and
5 amending RCW 42.52.010 and 42.52.150; and adding new sections to
6 chapter 42.52 RCW.

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

8 **Sec. 1.** RCW 42.17A.705 and 2017 3rd sp.s. c 6 s 111 are each
9 amended to read as follows:

10 For the purposes of RCW 42.17A.700, "executive state officer"
11 includes:

12 (1) The chief administrative law judge, the director of
13 agriculture, the director of the department of services for the
14 blind, the secretary of children, youth, and families, the director
15 of the state system of community and technical colleges, the director
16 of commerce, the director of the consolidated technology services
17 agency, the secretary of corrections, the director of ecology, the
18 commissioner of employment security, the chair of the energy facility
19 site evaluation council, the director of enterprise services, the
20 secretary of the state finance committee, the director of financial
21 management, the director of fish and wildlife, the executive

1 secretary of the forest practices appeals board, the director of the
2 gambling commission, the secretary of health, the administrator of
3 the Washington state health care authority, the executive secretary
4 of the health care facilities authority, the executive secretary of
5 the higher education facilities authority, the executive secretary of
6 the horse racing commission, the executive secretary of the human
7 rights commission, the executive secretary of the indeterminate
8 sentence review board, the executive director of the state investment
9 board, the director of labor and industries, the director of
10 licensing, the director of the lottery commission, the director of
11 the office of minority and women's business enterprises, the director
12 of parks and recreation, the executive director of the public
13 disclosure commission, the executive director of the Puget Sound
14 partnership, the director of the recreation and conservation office,
15 the director of retirement systems, the director of revenue, the
16 secretary of social and health services, the chief of the Washington
17 state patrol, the executive secretary of the board of tax appeals,
18 the secretary of transportation, the secretary of the utilities and
19 transportation commission, the director of veterans affairs, the
20 president of each of the regional and state universities and the
21 president of The Evergreen State College, and each district and each
22 campus president of each state community college;

23 (2) Each professional staff member of the office of the governor;
24 and

25 (3) (~~Each professional staff member of the legislature; and~~
26 ~~(4)~~) Central Washington University board of trustees, the boards
27 of trustees of each community college and each technical college,
28 each member of the state board for community and technical colleges,
29 state convention and trade center board of directors, Eastern
30 Washington University board of trustees, Washington economic
31 development finance authority, Washington energy northwest executive
32 board, The Evergreen State College board of trustees, executive
33 ethics board, fish and wildlife commission, forest practices appeals
34 board, forest practices board, gambling commission, Washington health
35 care facilities authority, student achievement council, higher
36 education facilities authority, horse racing commission, state
37 housing finance commission, human rights commission, indeterminate
38 sentence review board, board of industrial insurance appeals, state
39 investment board, commission on judicial conduct, legislative ethics
40 board, life sciences discovery fund authority board of trustees,

1 state liquor and cannabis board, lottery commission, Pacific
2 Northwest electric power and conservation planning council, parks and
3 recreation commission, Washington personnel resources board, board of
4 pilotage commissioners, pollution control hearings board, public
5 disclosure commission, public employees' benefits board, recreation
6 and conservation funding board, salmon recovery funding board,
7 shorelines hearings board, board of tax appeals, transportation
8 commission, University of Washington board of regents, utilities and
9 transportation commission, Washington State University board of
10 regents, and Western Washington University board of trustees.

11 **Sec. 2.** RCW 42.52.010 and 2011 c 60 s 28 are each reenacted and
12 amended to read as follows:

13 Unless the context clearly requires otherwise, the definitions in
14 this section apply throughout this chapter.

15 (1) "Agency" means any state board, commission, bureau,
16 committee, department, institution, division, or tribunal in the
17 legislative, executive, or judicial branch of state government.
18 "Agency" includes all elective offices, the state legislature, those
19 institutions of higher education created and supported by the state
20 government, and those courts that are parts of state government.

21 (2) "Assist" means to act, or offer or agree to act, in such a
22 way as to help, aid, advise, furnish information to, or otherwise
23 provide assistance to another person, believing that the action is of
24 help, aid, advice, or assistance to the person and with intent so to
25 assist such person.

26 (3) "Beneficial interest" has the meaning ascribed to it under
27 the Washington case law. However, an ownership interest in a mutual
28 fund or similar investment pooling fund in which the owner has no
29 management powers does not constitute a beneficial interest in the
30 entities in which the fund or pool invests.

31 (4) "Compensation" means anything of economic value, however
32 designated, that is paid, loaned, granted, or transferred, or to be
33 paid, loaned, granted, or transferred for, or in consideration of,
34 personal services to any person.

35 (5) "Confidential information" means (a) specific information,
36 rather than generalized knowledge, that is not available to the
37 general public on request or (b) information made confidential by
38 law.

1 (6) "Contract" or "grant" means an agreement between two or more
2 persons that creates an obligation to do or not to do a particular
3 thing. "Contract" or "grant" includes, but is not limited to, an
4 employment contract, a lease, a license, a purchase agreement, or a
5 sales agreement.

6 (7) "Ethics boards" means the commission on judicial conduct, the
7 legislative ethics board, and the executive ethics board.

8 (8) "Family" has the same meaning as "immediate family" in RCW
9 42.17A.005.

10 (9) "Gift" means anything of economic value for which no
11 consideration is given. "Gift" does not include:

12 (a) Items from family members or friends where it is clear beyond
13 a reasonable doubt that the gift was not made as part of any design
14 to gain or maintain influence in the agency of which the recipient is
15 an officer or employee;

16 (b) Items related to the outside business of the recipient that
17 are customary and not related to the recipient's performance of
18 official duties;

19 (c) Items exchanged among officials and employees or a social
20 event hosted or sponsored by a state officer or state employee for
21 coworkers;

22 (d) Payments by a governmental or nongovernmental entity of
23 reasonable expenses incurred in connection with a speech,
24 presentation, appearance, or trade mission made in an official
25 capacity. As used in this subsection, "reasonable expenses" are
26 limited to travel, lodging, and subsistence expenses incurred the day
27 before through the day after the event;

28 (e) Items a state officer or state employee is authorized by law
29 to accept;

30 (f) Payment of enrollment and course fees and reasonable travel
31 expenses attributable to attending seminars and educational programs
32 sponsored by a bona fide governmental or nonprofit professional,
33 educational, trade, or charitable association or institution. As used
34 in this subsection, "reasonable expenses" are limited to travel,
35 lodging, and subsistence expenses incurred the day before through the
36 day after the event;

37 (g) Items returned by the recipient to the donor within thirty
38 days of receipt or donated to a charitable organization within thirty
39 days of receipt;

40 (h) Campaign contributions reported under chapter 42.17A RCW;

1 (i) Discounts available to an individual as a member of an
2 employee group, occupation, or similar broad-based group; and

3 (j) Awards, prizes, scholarships, or other items provided in
4 recognition of academic or scientific achievement.

5 (10) "Head of agency" means the chief executive officer of an
6 agency. In the case of an agency headed by a commission, board,
7 committee, or other body consisting of more than one natural person,
8 agency head means the person or board authorized to appoint agency
9 employees and regulate their conduct.

10 (11) "Honorarium" means money or thing of value offered to a
11 state officer or state employee for a speech, appearance, article, or
12 similar item or activity in connection with the state officer's or
13 state employee's official role.

14 (12) "Official duty" means those duties within the specific scope
15 of employment of the state officer or state employee as defined by
16 the officer's or employee's agency or by statute or the state
17 Constitution.

18 (13) "Participate" means to participate in state action or a
19 proceeding personally and substantially as a state officer or state
20 employee, through approval, disapproval, decision, recommendation,
21 the rendering of advice, investigation, or otherwise but does not
22 include preparation, consideration, or enactment of legislation or
23 the performance of legislative duties.

24 (14) "Person" means any individual, partnership, association,
25 corporation, firm, institution, or other entity, whether or not
26 operated for profit.

27 (15) "Professional staff member of the legislature" means an
28 individual retained on a full or part-time basis whose primary
29 responsibilities require the exercise of judgment and discretion in
30 policy-related matters, including such individuals who are involved
31 in the development of legislation. "Professional staff member of the
32 legislature" does not include individuals retained primarily for
33 clerical, ministerial, or internal accounting and bookkeeping
34 purposes.

35 (16) "Regulatory agency" means any state board, commission,
36 department, or officer, except those in the legislative or judicial
37 branches, authorized by law to conduct adjudicative proceedings,
38 issue permits or licenses, or to control or affect interests of
39 identified persons.

1 (~~(16)~~) (17) "Responsibility" in connection with a transaction
2 involving the state, means the direct administrative or operating
3 authority, whether intermediate or final, and either exercisable
4 alone or through subordinates, effectively to approve, disapprove, or
5 otherwise direct state action in respect of such transaction.

6 (~~(17)~~) (18) "State action" means any action on the part of an
7 agency, including, but not limited to:

8 (a) A decision, determination, finding, ruling, or order; and

9 (b) A grant, payment, award, license, contract, transaction,
10 sanction, or approval, or the denial thereof, or failure to act with
11 respect to a decision, determination, finding, ruling, or order.

12 (~~(18)~~) (19) "State employee" means an individual who is
13 employed by an agency in any branch of state government. For purposes
14 of this chapter, employees of the superior courts are not state
15 officers or state employees.

16 (~~(19)~~) (20) "State officer" means every person holding a
17 position of public trust in or under an executive, legislative, or
18 judicial office of the state. "State officer" includes judges of the
19 superior court, judges of the court of appeals, justices of the
20 supreme court, members of the legislature together with the secretary
21 of the senate and the chief clerk of the house of representatives,
22 holders of elective offices in the executive branch of state
23 government, chief executive officers of state agencies, members of
24 boards, commissions, or committees with authority over one or more
25 state agencies or institutions, and employees of the state who are
26 engaged in supervisory, policy-making, or policy-enforcing work. For
27 the purposes of this chapter, "state officer" also includes any
28 person exercising or undertaking to exercise the powers or functions
29 of a state officer.

30 (~~(20)~~) (21) "Thing of economic value," in addition to its
31 ordinary meaning, includes:

32 (a) A loan, property interest, interest in a contract or other
33 chose in action, and employment or another arrangement involving a
34 right to compensation;

35 (b) An option, irrespective of the conditions to the exercise of
36 the option; and

37 (c) A promise or undertaking for the present or future delivery
38 or procurement.

39 (~~(21)~~) (22) (a) "Transaction involving the state" means a
40 proceeding, application, submission, request for a ruling or other

1 determination, contract, claim, case, or other similar matter that
2 the state officer, state employee, or former state officer or state
3 employee in question believes, or has reason to believe:

4 (i) Is, or will be, the subject of state action; or

5 (ii) Is one to which the state is or will be a party; or

6 (iii) Is one in which the state has a direct and substantial
7 proprietary interest.

8 (b) "Transaction involving the state" does not include the
9 following: Preparation, consideration, or enactment of legislation,
10 including appropriation of moneys in a budget, or the performance of
11 legislative duties by an officer or employee; or a claim, case,
12 lawsuit, or similar matter if the officer or employee did not
13 participate in the underlying transaction involving the state that is
14 the basis for the claim, case, or lawsuit.

15 ~~((+22))~~ (23) "University" includes "state universities" and
16 "regional universities" as defined in RCW 28B.10.016 and also
17 includes any research or technology institute affiliated with a
18 university(~~(, including without limitation, the Spokane~~
19 ~~intercollegiate research and technology institute and the Washington~~
20 ~~technology center))~~).

21 ~~((+23))~~ (24) "University research employee" means a state
22 officer or state employee employed by a university, but only to the
23 extent the state officer or state employee is engaged in research,
24 technology transfer, approved consulting activities related to
25 research and technology transfer, or other incidental activities.

26 **Sec. 3.** RCW 42.52.150 and 2015 3rd sp.s. c 20 s 7 and 2015 c 45
27 s 2 are each reenacted and amended to read as follows:

28 (1) No state officer or state employee may accept gifts, other
29 than those specified in subsections (2) and (5) of this section, with
30 an aggregate value in excess of fifty dollars from a single source in
31 a calendar year or a single gift from multiple sources with a value
32 in excess of fifty dollars. For purposes of this section, "single
33 source" means any person, as defined in RCW 42.52.010, whether acting
34 directly or through any agent or other intermediary, and "single
35 gift" includes any event, item, or group of items used in conjunction
36 with each other or any trip including transportation, lodging, and
37 attendant costs, not excluded from the definition of gift under RCW
38 42.52.010. The value of gifts given to an officer's or employee's
39 family member or guest shall be attributed to the official or

1 employee for the purpose of determining whether the limit has been
2 exceeded, unless an independent business, family, or social
3 relationship exists between the donor and the family member or guest.

4 (2) Except as provided in subsection (4) of this section, the
5 following items are presumed not to influence under RCW 42.52.140,
6 and may be accepted without regard to the limit established by
7 subsection (1) of this section:

8 (a) Unsolicited flowers, plants, and floral arrangements;

9 (b) Unsolicited advertising or promotional items of nominal
10 value, such as pens and note pads;

11 (c) Unsolicited tokens or awards of appreciation in the form of a
12 plaque, trophy, desk item, wall memento, or similar item;

13 (d) Unsolicited items received by a state officer or state
14 employee for the purpose of evaluation or review, if the officer or
15 employee has no personal beneficial interest in the eventual use or
16 acquisition of the item by the officer's or employee's agency;

17 (e) Informational material, publications, or subscriptions
18 related to the recipient's performance of official duties;

19 (f) Food and beverages consumed at hosted receptions where
20 attendance is related to the state officer's or state employee's
21 official duties;

22 (g) Gifts, grants, conveyances, bequests, and devises of real or
23 personal property, or both, in trust or otherwise accepted and
24 solicited for deposit in the legislative international trade account
25 created in RCW 43.15.050;

26 (h) Gifts, grants, conveyances, bequests, and devises of real or
27 personal property, or both, in trust or otherwise accepted and
28 solicited for the purpose of promoting the expansion of tourism as
29 provided for in RCW 43.330.090;

30 (i) Gifts, grants, conveyances, bequests, and devises of real or
31 personal property, or both, solicited on behalf of a national
32 legislative association, 2006 official conference of the national
33 lieutenant governors' association, the annual conference of the
34 national association of state treasurers(~~(+)~~), or host committee
35 for the purpose of hosting an official conference under the
36 circumstances specified in RCW 42.52.820, section 2, chapter 5, Laws
37 of 2006, or RCW 42.52.821. Anything solicited or accepted may only be
38 received by the national association or host committee and may not be
39 commingled with any funds or accounts that are the property of any
40 person;

1 (j) Admission to, and the cost of food and beverages consumed at,
2 events sponsored by or in conjunction with a civic, charitable,
3 governmental, or community organization;

4 (k) Unsolicited gifts from dignitaries from another state or a
5 foreign country that are intended to be personal in nature; and

6 (l) Gifts, grants, donations, sponsorships, or contributions from
7 any agency or federal or local government agency or program or
8 private source for the purposes of chapter 28B.156 RCW.

9 (3) The presumption in subsection (2) of this section is
10 rebuttable and may be overcome based on the circumstances surrounding
11 the giving and acceptance of the item.

12 (4) Notwithstanding subsections (2) and (5) of this section, a
13 state officer or state employee of a regulatory agency or of an
14 agency that seeks to acquire goods or services who participates in
15 those regulatory or contractual matters may receive, accept, take, or
16 seek, directly or indirectly, only the following items from a person
17 regulated by the agency or from a person who seeks to provide goods
18 or services to the agency:

19 (a) Unsolicited advertising or promotional items of nominal
20 value, such as pens and note pads;

21 (b) Unsolicited tokens or awards of appreciation in the form of a
22 plaque, trophy, desk item, wall memento, or similar item;

23 (c) Unsolicited items received by a state officer or state
24 employee for the purpose of evaluation or review, if the officer or
25 employee has no personal beneficial interest in the eventual use or
26 acquisition of the item by the officer's or employee's agency;

27 (d) Informational material, publications, or subscriptions
28 related to the recipient's performance of official duties;

29 (e) Food and beverages consumed at hosted receptions where
30 attendance is related to the state officer's or state employee's
31 official duties;

32 (f) Admission to, and the cost of food and beverages consumed at,
33 events sponsored by or in conjunction with a civic, charitable,
34 governmental, or community organization; and

35 (g) Those items excluded from the definition of gift in RCW
36 42.52.010 except:

37 (i) Payments by a governmental or nongovernmental entity of
38 reasonable expenses incurred in connection with a speech,
39 presentation, appearance, or trade mission made in an official
40 capacity;

1 (ii) Payments for seminars and educational programs sponsored by
2 a bona fide governmental or nonprofit professional, educational,
3 trade, or charitable association or institution; and

4 (iii) Flowers, plants, and floral arrangements.

5 (5) A state officer or state employee may accept gifts in the
6 form of food and beverage on infrequent occasions in the ordinary
7 course of meals where attendance by the officer or employee is
8 related to the performance of official duties. Gifts in the form of
9 food and beverage that exceed fifty dollars on a single occasion
10 shall be reported as provided in chapter 42.17A RCW and section 5 of
11 this act.

12 **Sec. 4.** RCW 42.52.320 and 1994 c 154 s 202 are each amended to
13 read as follows:

14 (1) The legislative ethics board shall enforce this chapter and
15 rules adopted under it with respect to members and employees of the
16 legislature.

17 (2) The legislative ethics board shall:

18 (a) Develop educational materials and training with regard to
19 legislative ethics for legislators and legislative employees;

20 (b) Issue advisory opinions;

21 (c) Adopt rules or policies governing the conduct of business by
22 the board, and adopt rules defining working hours for purposes of RCW
23 42.52.180 and where otherwise authorized under chapter 154, Laws of
24 1994;

25 (d) Investigate, hear, and determine complaints by any person or
26 on its own motion;

27 (e) Impose sanctions including reprimands and monetary penalties;

28 (f) Recommend suspension or removal to the appropriate
29 legislative entity, or recommend prosecution to the appropriate
30 authority; (~~and~~)

31 (g) Establish criteria regarding the levels of civil penalties
32 appropriate for different types of violations of this chapter and
33 rules adopted under it;

34 (h) Develop and provide forms for the statements of financial
35 affairs, in accordance with section 6 of this act, required to be
36 filed by professional staff members of the legislature pursuant to
37 section 5 of this act;

38 (i) Receive and maintain the statements of financial affairs
39 filed by professional staff members of the legislature; and

1 (j) Grant or deny requests to suspend or modify reporting
2 requirements in accordance with section 7 of this act.

3 (3) The board may:

4 (a) Issue subpoenas for the attendance and testimony of witnesses
5 and the production of documentary evidence relating to any matter
6 under examination by the board or involved in any hearing;

7 (b) Administer oaths and affirmations;

8 (c) Examine witnesses; and

9 (d) Receive evidence.

10 (4) Subject to RCW 42.52.540, the board has jurisdiction over any
11 alleged violation that occurred before January 1, 1995, and that was
12 within the jurisdiction of any of the boards established under
13 chapter 44.60 RCW. The board's jurisdiction with respect to any such
14 alleged violation shall be based on the statutes and rules in effect
15 at (~~(the)~~) the time of the violation.

16 NEW SECTION. Sec. 5. A new section is added to chapter 42.52
17 RCW to read as follows:

18 (1) Between January 1st and April 15th of each year, every
19 professional staff member of the legislature who served for any
20 portion of the preceding year shall file with the legislative ethics
21 board a statement of financial affairs for the preceding calendar
22 year or for that portion of the year served. Any professional staff
23 member of the legislature in office for any period of time in a
24 calendar year, but not in office as of January 1st of the following
25 year, may file either within sixty days of leaving office or during
26 the January 1st through April 15th reporting period of that following
27 year. Such filing must include information for the portion of the
28 current calendar year for which the professional staff member of the
29 legislature was in office.

30 (2) Within two weeks of appointment, every professional staff
31 member of the legislature appointed to a vacancy during the months of
32 January through November shall file with the legislative ethics board
33 a statement of financial affairs for the preceding twelve months,
34 except as provided in subsection (3) of this section. For
35 appointments made in December, the appointee must file the statement
36 of financial affairs between January 1st and January 15th of the
37 immediate following year for the preceding twelve-month period ending
38 on December 31st.

1 (3) A statement of an appointee filed during the period from
2 January 1st to April 15th shall cover the period from January 1st of
3 the preceding calendar year to the time of appointment if the filing
4 of the statement would relieve the individual of a prior obligation
5 to file a statement covering the entire preceding calendar year.

6 (4) No individual may be required to file more than once in any
7 calendar year.

8 (5) Each statement of financial affairs filed under this section
9 must be sworn as to its truth and accuracy.

10 (6) Every professional staff member of the legislature shall file
11 with their statement of financial affairs a statement certifying that
12 they have read and are familiar with RCW 42.52.180.

13 NEW SECTION. **Sec. 6.** A new section is added to chapter 42.52
14 RCW to read as follows:

15 For standardization and consistency purposes, the form developed
16 by the legislative ethics board for the statement of financial
17 affairs shall include substantially similar disclosures as required
18 under RCW 42.17A.710, except that the legislative ethics board shall
19 adjust for inflation any monetary reporting thresholds reflected in
20 RCW 42.17A.710 as it pertains to the statements of financial affairs
21 required to be filed by professional staff members of the
22 legislature. The revisions must be only for the purpose of
23 recognizing economic changes as reflected by an inflationary index
24 recommended by the office of financial management.

25 NEW SECTION. **Sec. 7.** A new section is added to chapter 42.52
26 RCW to read as follows:

27 (1)(a) The board may suspend or modify any of the statement of
28 financial affairs reporting requirements in sections 5 and 6 of this
29 act if it finds that literal application of sections 5 and 6 of this
30 act works a manifestly unreasonable hardship in a particular case and
31 the suspension or modification will not frustrate the purposes of
32 this act. The board may suspend or modify reporting requirements only
33 to the extent necessary to substantially relieve the hardship and
34 only after the board approves the request to suspend or modify the
35 reporting requirement. The board may approve a suspension or
36 modification of the financial affairs reporting requirements for up
37 to three years.

1 (b) If a material change, as defined by the board, in the
2 applicant's circumstances or relevant information occurs or has
3 occurred, the applicant must reasonably notify the board of the
4 material change and:

5 (i) Submit a statement of financial affairs during the next
6 filing period, if the basis for the modification or suspension no
7 longer exists and the applicant believes the modification or
8 suspension of reporting requirements is no longer necessary; or

9 (ii) Request a new modification or suspension of reporting
10 requirements at least one month prior to the next filing deadline
11 rather than at the conclusion of the period for which modification or
12 suspension was granted, if the applicant believes the modification or
13 suspension is still necessary regardless of the material change.

14 (c) The board shall determine what constitutes reasonable
15 notification of a material change, as it pertains to (b) of this
16 subsection, including the method and time that the filer must notify
17 the board.

18 (2) The board shall determine when a manifestly unreasonable
19 hardship exists, but a manifestly unreasonable hardship also exists
20 if reporting the name of an entity, as described under RCW
21 42.17A.710(1)(g)(ii), would be likely to adversely affect the
22 competitive position of any entity in which the person filing the
23 report, or any member of the person's immediate family, holds any
24 office, directorship, general partnership interest, or an ownership
25 interest of ten percent or more.

26 (3) Any information provided or prepared in relation to a request
27 for modification or suspension under this section is confidential and
28 may not be disclosed, except under circumstances where the statement
29 of financial affairs may be disclosed in accordance with section 8 of
30 this act, and only to the extent that disclosure of such information
31 will not present a personal safety risk to a reasonable person.

32 (4) For the purposes of this section, "board" means the
33 legislative ethics board.

34 NEW SECTION. **Sec. 8.** A new section is added to chapter 42.52
35 RCW to read as follows:

36 The legislative ethics board may not disclose the statement of
37 financial affairs received pursuant to section 5 of this act, or
38 otherwise make the statement of financial affairs available for
39 public inspection or copying, except as follows:

1 (1) The statement of financial affairs may be disclosed to a law
2 enforcement agency, the attorney general, or other investigative
3 entity if requested by that entity for the purpose of aiding in any
4 ongoing investigation concerning the professional staff member of the
5 legislature.

6 (2) If, after any investigation of the professional staff member
7 of the legislature for fraud, dishonesty, corruption, theft, or any
8 act involving moral turpitude, the professional staff member of the
9 legislature is found to have committed such an act, the legislative
10 ethics board shall make the statement of financial affairs of that
11 professional staff member of the legislature available for public
12 inspection and copying, unless an exception applies under chapter
13 42.56 RCW.

14 **Sec. 9.** RCW 42.17A.020 and 1973 c 1 s 44 are each amended to
15 read as follows:

16 (1) All statements and reports filed under this chapter shall be
17 public records of the agency where they are filed, and shall be
18 available for public inspection and copying during normal business
19 hours at the expense of the person requesting copies, provided that
20 the charge for such copies shall not exceed actual cost to the
21 agency.

22 (2) The commission may not post any statements of financial
23 affairs that have been filed by a professional staff member of the
24 legislature, as defined under RCW 42.52.010, on any web site.

25 **Sec. 10.** RCW 42.17A.620 and 2010 c 204 s 805 are each amended to
26 read as follows:

27 (1) When a listing or a report of contributions is made to the
28 commission under RCW 42.17A.615(2)(c), a copy of the listing or
29 report must be given to the candidate, elected official, professional
30 staff member of the legislature as defined in RCW 42.52.010, or
31 officer or employee of an agency, or a political committee supporting
32 or opposing a ballot proposition named in the listing or report.

33 (2) If a state elected official or a member of the official's
34 immediate family is identified by a lobbyist in a lobbyist report as
35 having received from the lobbyist an item specified in RCW
36 42.52.150(5) or 42.52.010(~~((+10))~~) (9) (d) or (f), the lobbyist shall
37 transmit to the official a copy of the completed form used to

1 identify the item in the report at the same time the report is filed
2 with the commission.

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