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HOUSE BILL 2018

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State of Washington

66th Legislature

2019 Regular Session

**By** Representatives Morgan, Jinkins, Harris, Bergquist, Appleton, Cody, Tharinger, Pollet, Fey, Tarleton, Goodman, Pettigrew, Doglio, Senn, Lovick, Dolan, Kilduff, Ryu, Thai, Stanford, Lekanoff, Wylie, Slatter, Hansen, Shewmake, Robinson, Chapman, Santos, Walen, Chopp, Fitzgibbon, Hudgins, Leavitt, Macri, Valdez, Irwin, Reeves, Pellicciotti, Frame, and Ormsby

Read first time 02/12/19. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to harassment and discrimination by legislators  
2 and legislative branch employees; and adding a new section to chapter  
3 42.52 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 42.52  
6 RCW to read as follows:

7 (1) No legislator or employee of the legislative branch may  
8 unlawfully harass or unlawfully discriminate against:

9 (a) Another legislator or employee of the legislative branch;

10 (b) Any person who interacts with legislators or employees of the  
11 legislative branch on state property; or

12 (c) Any person who interacts with legislators or employees of the  
13 legislative branch on official state business.

14 (2) For purposes of this section:

15 (a) "Unlawfully harass" means to engage in an intentional  
16 electronic, written, verbal, or physical act, when the act:

17 (i) Physically harms a person or damages the person's property;

18 (ii) Has the effect of substantially interfering with the  
19 person's work;

20 (iii) Is so severe, persistent, or pervasive that it creates an  
21 intimidating or threatening educational environment;

1 (iv) Has the effect of substantially disrupting the orderly  
2 operation of the workplace; or  
3 (v) Constitutes sexual harassment.  
4 (b) "Sexual harassment" means unwelcome sexual advances, requests  
5 for sexual favors, sexually motivated physical contact, or other  
6 verbal or physical conduct or communication of a sexual nature if:  
7 (i) Submission to that conduct or communication is made a term or  
8 condition, either explicitly or implicitly, of obtaining employment;  
9 (ii) Submission to or rejection of that conduct or communication  
10 by an individual is used as a factor in decisions affecting that  
11 individual's employment; or  
12 (iii) That conduct or communication has the purpose or effect of  
13 substantially interfering with an individual's work performance, or  
14 of creating an intimidating, hostile, or offensive work environment.  
15 (c) "Unlawfully discriminate" means to discriminate based on a  
16 person's race; creed; color; national origin; gender; gender  
17 expression or identity; sexual orientation; religion; marital status;  
18 family status; pregnancy; military or veteran status; age; genetic  
19 status; physical, mental, or sensory disability; use of a service  
20 animal; or any other status protected by federal or state law.

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