
SENATE BILL 6248

State of Washington

54th Legislature

1996 Regular Session

By Senators Quigley, Smith and Goings

Read first time 01/09/96. Referred to Committee on Government Operations.

1 AN ACT Relating to gifts to state officers and employees; and
2 amending RCW 42.52.150.

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

4 **Sec. 1.** RCW 42.52.150 and 1994 c 154 s 115 are each amended to
5 read as follows:

6 (1) No state officer or state employee may accept gifts, other than
7 those specified in subsections (2) and ~~((+5))~~ (4) of this section~~((7~~
8 ~~with an aggregate value in excess of fifty dollars from a single source~~
9 ~~in a calendar year or a single gift from multiple sources with a value~~
10 ~~in excess of fifty dollars. For purposes of this section, "single~~
11 ~~source" means any person, as defined in RCW 42.52.010, whether acting~~
12 ~~directly or through any agent or other intermediary, and "single gift"~~
13 ~~includes any event, item, or group of items used in conjunction with~~
14 ~~each other or any trip including transportation, lodging, and attendant~~
15 ~~costs, not excluded from the definition of gift under RCW 42.52.010.~~
16 ~~The value of gifts given to)). An officer's or employee's family~~
17 ~~member ((shall be attributed to the official or employee for the~~
18 ~~purpose of determining whether the limit has been exceeded,)) may not~~
19 receive, accept, take, seek, or solicit, directly or indirectly, any

1 gift unless an independent business, family, or social relationship
2 exists between the donor and the family member.

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

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

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

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

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

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

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

21 (g) Admission to, and the cost of food and beverages consumed at,
22 events sponsored by or in conjunction with a civic, charitable,
23 governmental, or community organization; and

24 (h) Unsolicited gifts from dignitaries from another state or a
25 foreign country that are intended to be personal in nature.

26 (3) The presumption in subsections (2) and (4) of this section is
27 rebuttable and may be overcome based on the circumstances surrounding
28 the giving and acceptance of the item.

29 (4) Notwithstanding subsection(~~s~~) (2) (~~and—(5)~~) of this
30 section, a state officer or state employee of a regulatory agency or of
31 an agency that seeks to acquire goods or services who participates in
32 those regulatory or contractual matters may receive, accept, take, or
33 seek, directly or indirectly, only the following items from a person
34 regulated by the agency or from a person who seeks to provide goods or
35 services to the agency:

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

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

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

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

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

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

13 (g) Those items excluded from the definition of gift in RCW
14 42.52.010 except:

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

18 (ii) Payments for seminars and educational programs sponsored by a
19 bona fide nonprofit professional, educational, or trade association, or
20 charitable institution; and

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

22 (5) (~~(A state officer or state employee may accept gifts in the~~
23 ~~form of food and beverage on infrequent occasions in the ordinary~~
24 ~~course of meals where attendance by the officer or employee is related~~
25 ~~to the performance of official duties. Gifts in the form of food and~~
26 ~~beverage that exceed fifty dollars on a single occasion shall be~~
27 ~~reported as provided in chapter 42.17 RCW.)) The items that may be
28 accepted under this section are presumed not to influence under RCW
29 42.52.140.~~

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