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**HOUSE BILL 2587**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Valdez, McBride, Fitzgibbon, Wylie, and Jinkins

AN ACT Relating to required disclosures for special prosecuting attorneys; amending RCW 36.32.200; and providing an effective date.

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

**Sec.**  RCW 36.32.200 and 1983 c 129 s 1 are each amended to read as follows:

(1) It shall be unlawful for a county legislative authority to employ or contract with any attorney or counsel to perform any duty which any prosecuting attorney is authorized or required by law to perform, unless the contract of employment of such attorney or counsel has been first reduced to writing and approved by the presiding superior court judge of the county in writing endorsed thereon. This section shall not prohibit the appointment of deputy prosecuting attorneys in the manner provided by law.

(2) Any contract written pursuant to this section ((~~shall be~~)) must:

(a) Include the following disclosures for each person or entity who will provide compensation to the attorney or counsel for his or her work, regardless of whether such compensation is provided by the county:

(i) The name of the person or entity;

(ii) The amount of compensation expected to be paid to the attorney or counsel;

(iii) The source of the funds used for compensation of the attorney or counsel;

(iv) If the disclosure is by a person, the name and address of all employers of the person during the preceding two years;

(v) If the disclosure is by an entity, the name of all governing persons, officers, partners, and board members of the entity; and

(vi) If the person or entity is established by, financed by, maintained by, controlled by, or acting on behalf of, another person or entity, the disclosures under (a)(i) through (vi) of this subsection as they relate to such other person or entity; and

(c) Be limited to two years in duration.

(3) At least seven days prior to seeking the approval of the presiding superior court judge as required by subsection (1) of this section, the proposed contract of employment as reduced to writing must be made freely available to the public on the county web site.

NEW SECTION. **Sec.**  Section 1 of this act is effective retroactively to July 1, 2016. Any contract of employment proposed or made under RCW 36.32.200 between July 1, 2016, and the effective date of this section is subject to the disclosure requirements of section 1(2) of this act as though this act were effective when the contract was proposed or made.

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