
Judiciary Committee

HB 2587

Title: An act relating to required disclosures for special prosecuting attorneys.

Brief Description: Concerning required disclosures for special prosecuting attorneys.

Sponsors: Representatives Valdez, McBride, Fitzgibbon, Wylie and Jinkins.

Brief Summary of Bill

- Addresses disclosure requirements when a county enters into a contract with a special prosecuting attorney.
- Requires that a contract for the services of a special prosecuting attorney be made publicly available.

Hearing Date: 1/24/18

Staff: Ingrid Lewis (786-7289).

Background:

A county prosecuting attorney is a public officer elected or appointed to conduct suits on behalf of the state, county, and school districts in his or her jurisdiction. A county prosecuting attorney also serves as legal advisor to the county and all county officers in matters relating to their official business.

County boards of commissioners are authorized to hire a special prosecutor or counsel when an elected prosecuting attorney is unable or unavailable to perform his or her duty. A contract for a special prosecuting attorney is required to be in writing, approved by the presiding superior court judge, and can last no longer than two years.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Persons or entities providing compensation to a special prosecuting attorney are required to disclose certain information, including: personally identifying information; the expected compensation amount and source of funds used for compensation; if disclosure by a person, the person's employment history; and if disclosure by an entity, the names of persons holding a governing role.

A proposed contract for a special prosecuting attorney must be made publicly available on the county website at least seven days prior to the county seeking approval for the contract from the presiding superior court judge.

Disclosure requirements apply to any contract for a special prosecuting attorney proposed or made retroactive to July 1, 2016.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.