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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

Read first time 01/10/18. Referred to Committee on Judiciary.

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

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

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

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

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

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

20            (i) The name of the person or entity;

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

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

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

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

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

13 (c) Be limited to two years in duration.

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

18 NEW SECTION. Sec. 2. Section 1 of this act is effective  
19 retroactively to July 1, 2016. Any contract of employment proposed or  
20 made under RCW 36.32.200 between July 1, 2016, and the effective date  
21 of this section is subject to the disclosure requirements of section  
22 1(2) of this act as though this act were effective when the contract  
23 was proposed or made.

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