

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1583

Chapter 213, Laws of 1995

54th Legislature
1995 Regular Session

LOCAL GOVERNMENT WHISTLEBLOWERS--REPORTING PROCEDURES

EFFECTIVE DATE: 7/23/95

Passed by the House April 19, 1995
Yeas 93 Nays 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1995
Yeas 47 Nays 0

JOEL PRITCHARD

President of the Senate

Approved May 3, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1583** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

May 3, 1995 - 11:39 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 1583

AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives L. Thomas, Backlund, Huff, Chappell, Wolfe, Buck and Kessler; by request of State Auditor

Read first time 01/31/95. Referred to Committee on Government Operations.

1 AN ACT Relating to local government whistleblower reporting; and
2 amending RCW 42.41.030.

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

4 **Sec. 1.** RCW 42.41.030 and 1992 c 44 s 3 are each amended to read
5 as follows:

6 (1) Every local government employee has the right to report to the
7 appropriate person or persons information concerning an alleged
8 improper governmental action.

9 (2) The governing body or chief administrative officer of each
10 local government shall adopt a policy on the appropriate procedures to
11 follow for reporting such information and shall provide information to
12 their employees on the policy. Local governments are encouraged to
13 consult with their employees on the policy.

14 (3) The policy shall describe the appropriate person or persons
15 within the local government to whom to report information and a list of
16 appropriate person or persons outside the local government to whom to
17 report. The list shall include the county prosecuting attorney.

18 (4) Each local government shall permanently post a summary of the
19 procedures for reporting information on an alleged improper

1 governmental action and the procedures for protection against
2 retaliatory actions described in RCW 42.41.040 in a place where all
3 employees will have reasonable access to it. A copy of the summary
4 shall be made available to any employee upon request.

5 (5) A local government may require as part of its policy that,
6 except in the case of an emergency, before an employee provides
7 information of an improper governmental action to a person or an entity
8 who is not a public official or a person listed pursuant to subsection
9 (3) of this section, the employee shall submit a written report to the
10 local government. Where a local government has adopted such a policy
11 under this section, an employee who fails to make a good faith attempt
12 to follow the policy shall not receive the protections of this chapter.

13 (6) If a local government has failed to adopt a policy as required
14 by subsection (2) of this section, an employee may report alleged
15 improper government action directly to the county prosecuting attorney
16 or, if the prosecuting attorney or an employee of the prosecuting
17 attorney participated in the alleged improper government action, to the
18 state auditor. The cost incurred by the state auditor in such
19 investigations shall be paid by the local government through the
20 municipal revolving account authorized in RCW 43.09.282.

21 (7) The identity of a reporting employee shall be kept confidential
22 to the extent possible under law, unless the employee authorizes the
23 disclosure of his or her identity in writing.

Passed the House April 19, 1995.

Passed the Senate April 10, 1995.

Approved by the Governor May 3, 1995.

Filed in Office of Secretary of State May 3, 1995.