H-0324.1

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**HOUSE BILL 1040**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Fitzgibbon, Santos, Ormsby, and Farrell

AN ACT Relating to subversive activities; amending RCW 35A.42.020; and repealing RCW 9.81.010, 9.81.020, 9.81.030, 9.81.040, 9.81.050, 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.083, 9.81.090, 9.81.110, and 9.81.120.

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

**Sec.**  RCW 35A.42.020 and 1967 ex.s. c 119 s 35A.42.020 are each amended to read as follows:

Except as otherwise provided in this title, every elective and appointive officer and all employees of code cities shall: (1) Be possessed of the qualifications and be subject to forfeiture of office, impeachment or removal and recall as provided in chapter 42.04 RCW ((~~and RCW 9.81.040~~)); and (2) provide official bonds in accordance with the requirements of this title, and as required in compliance with chapters 42.08 and 48.28 RCW.

When vacancies in public offices in code cities shall occur the term of a replacement officer shall be fixed as provided in chapter 42.12 RCW. A public officer charged with misconduct as defined in chapter 42.20 RCW, shall be charged and, upon conviction, punished as provided for such misconduct in chapter 42.20 RCW. The officers and employees of code cities shall be guided and governed by the code of ethics as provided in chapter 42.23 RCW. Vouchers for the payment of public funds and the provisions for certifying the same shall be as provided in chapter 42.24 RCW. The meetings of any board, agency, or commission of a code city shall be open to the public to the extent and notice given in the manner required by chapter 42.32 RCW.

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1)RCW 9.81.010 (Definitions) and 1953 c 142 s 1 & 1951 c 254 s 1;

(2)RCW 9.81.020 (Subversive activities made felony—Penalty) and 2003 c 53 s 44 & 1951 c 254 s 2;

(3)RCW 9.81.030 (Membership in subversive organization is felony—Penalty) and 2003 c 53 s 45 & 1951 c 254 s 3;

(4)RCW 9.81.040 (Disqualification from voting or holding public office) and 1951 c 254 s 4;

(5)RCW 9.81.050 (Dissolution of subversive organizations—Disposition of property) and 1951 c 254 s 5;

(6)RCW 9.81.060 (Public employment—Subversive person ineligible) and 1951 c 254 s 11;

(7)RCW 9.81.070 (Public employment—Determining eligibility—Inquiries—Oath) and 1955 c 377 s 1 & 1951 c 254 s 12;

(8)RCW 9.81.080 (Public employment—Inquiries may be dispensed with, when) and 1955 c 377 s 2 & 1951 c 254 s 13;

(9)RCW 9.81.082 (Membership in subversive organization described) and 1955 c 377 s 3;

(10)RCW 9.81.083 (Communist party declared a subversive organization) and 1955 c 377 s 4;

(11)RCW 9.81.090 (Public employees—Discharge of subversive persons—Procedure—Hearing—Appeal) and 2011 c 336 s 328, 1971 c 81 s 44, & 1951 c 254 s 15;

(12)RCW 9.81.110 (Misstatements are punishable as perjury—Penalty) and 1951 c 254 s 17; and

(13)RCW 9.81.120 (Constitutional rights—Censorship or infringement) and 1951 c 254 s 19.

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