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**HOUSE BILL 2352**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Representatives Pollet, Zahn, Walen, Rule, Dufault, Nance, Hall, McEntire, Salahuddin, and Bernbaum

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1 AN ACT Relating to holding state officers and state employees to  
2 the same conflict of interest standard that is required of municipal  
3 officers; amending RCW 42.52.010; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that Article II,  
6 section 30 of the state Constitution requires legislators who have a  
7 private interest in any bill or measure proposed or pending before  
8 the legislature to disclose that fact and not vote on that measure.  
9 This constitutional requirement imposes a clear and strict standard  
10 for disclosure and recusal for legislators. The legislature finds  
11 that this high ethical standard also imposes a duty on legislators to  
12 ensure trust, openness, and honesty in their actions. However, the  
13 legislative record does not reflect any discussion of this paramount  
14 duty when the legislature amended statutory ethics provisions in 2025  
15 to hold state officers and municipal officers to different ethical  
16 standards concerning conflicts of interests.

17 The legislature further finds that prior to 2025, state officers  
18 and employees were held to a similar standard as municipal officers  
19 in terms of the prohibition on having beneficial interests in  
20 contracts and certain other transactions made by, through, or under  
21 their supervision. In 2025, while the standard for municipal officers

1 remained the same, prohibiting more than a remote interest, meaning  
2 one percent or more, in contracts, state ethics laws were amended to  
3 adopt, among other things, a different standard for what constitutes  
4 a conflict of interest for state officers and employees which is 10  
5 times laxer than the standard that has been applied to municipal  
6 officers for decades.

7 The legislature further finds that by adopting a standard for  
8 itself which is weaker than what it has required municipal officers  
9 to meet, it did not adequately consider its constitutional duty to  
10 ensure trust, openness, and honesty in the actions of legislators. By  
11 allowing legislators to own up to 10 percent of an entity that has a  
12 financial interest in a contract, sale, lease, purchase, or grant  
13 with the state, while barring municipal officers from holding  
14 anything more than one percent of an entity that similarly contracts  
15 or does business with the local government, the legislature has  
16 unjustifiably created differing standards that do not live up to the  
17 Constitution's strict standard for disclosure and recusal for  
18 legislators. The legislature intends for state officers and employees  
19 to abide by the same conflict of interest requirements that apply to  
20 municipal officers.

21 **Sec. 2.** RCW 42.52.010 and 2025 c 377 s 2 are each amended to  
22 read as follows:

23 Unless the context clearly requires otherwise, the definitions in  
24 this section apply throughout this chapter.

25 (1) "Agency" means any state board, commission, bureau,  
26 committee, department, institution, division, or tribunal in the  
27 legislative, executive, or judicial branch of state government.  
28 "Agency" includes all elective offices, the state legislature, those  
29 institutions of higher education created and supported by the state  
30 government, and those courts that are parts of state government.  
31 "Agency" does not include a comprehensive cancer center participating  
32 in a collaborative arrangement as defined in RCW 28B.10.930 that is  
33 operated in conformance with RCW 28B.10.930.

34 (2) "Appearance" means the act of performing or participating in  
35 an event.

36 (3) "Assist" means to act, or offer or agree to act, in such a  
37 way as to help, aid, advise, furnish information to, or otherwise  
38 provide assistance to another person, believing that the action is of

1 help, aid, advice, or assistance to the person and with intent so to  
2 assist such person.

3 (4) "Beneficial interest" means a financial interest in a  
4 contract, sale, lease, purchase, or grant to which an individual  
5 subject to the act is not a party, but is an owner of an entity that  
6 is a party. An ownership interest of less than (~~(10)~~) one percent of  
7 an entity is not a beneficial interest. However, an ownership  
8 interest in a mutual fund or similar investment pooling fund in which  
9 the owner has no management powers does not constitute a beneficial  
10 interest in the entities in which the fund or pool invests.

11 (~~(5)~~) (5) "Charitable association, institution, or  
12 organization" means any entity that provides services beneficial to  
13 the public to an open class of people.

14 (6) "Civic organization" means a nonprofit group relating to the  
15 duties or activities of people in relation to their town, city, or  
16 local area.

17 (7) "Community organization" means an organization aimed at  
18 making desired improvements to a community's social health, well-  
19 being, and overall functioning.

20 (8) "Compensation" means anything of economic value, however  
21 designated, that is paid, loaned, granted, or transferred, or to be  
22 paid, loaned, granted, or transferred for, or in consideration of,  
23 personal services to any person.

24 (9) "Confidential information" means (a) specific information,  
25 rather than generalized knowledge, that is not available to the  
26 general public on request or (b) information made confidential by  
27 law.

28 (10) "Contract" or "grant" means an agreement between two or more  
29 persons that creates an obligation to do or not to do a particular  
30 thing. "Contract" or "grant" includes, but is not limited to, an  
31 employment contract, a lease, a license, a purchase agreement, or a  
32 sales agreement.

33 (11) "Emergency" means a serious, unexpected, and often dangerous  
34 situation requiring immediate action.

35 (12) "Ethics boards" means the commission on judicial conduct,  
36 the legislative ethics board, and the executive ethics board.

37 (13) "Extraordinary award" means a national, state, or local  
38 award with very few recipients that is sufficiently infrequent to be  
39 noteworthy to a reasonable person.

1 (14) "Family" has the same meaning as "immediate family" in RCW  
2 29B.10.280.

3 (15) "Federal holiday" means the legal public holidays provided  
4 in 5 U.S.C. Sec. 6103(a), as it existed on January 1, 2026.

5 (16) "Head of agency" means the chief executive officer of an  
6 agency. In the case of an agency headed by a commission, board,  
7 committee, or other body consisting of more than one natural person,  
8 agency head means the person or board authorized to appoint agency  
9 employees and regulate their conduct.

10 (17) "Honorarium" means money or thing of value offered to a  
11 state officer or state employee for a speech, appearance, article, or  
12 similar item or activity in connection with the state officer's or  
13 state employee's official role.

14 (18) "Institution of higher education" has the same meaning as in  
15 RCW 28B.10.016.

16 (19) "Lobbying the legislature" means attempting to influence the  
17 passage or defeat of any legislation by the legislature of the state  
18 of Washington.

19 (20) "Official duty" means those duties within the specific scope  
20 of employment of the state officer or state employee as defined by  
21 the officer's or employee's agency or by statute or the state  
22 Constitution.

23 (21) "Official position" means holding an office or having  
24 authority.

25 (22) "Participate" means to participate in state action or a  
26 proceeding personally and substantially as a state officer or state  
27 employee, through approval, disapproval, decision, recommendation,  
28 the rendering of advice, investigation, or otherwise but does not  
29 include preparation, consideration, or enactment of legislation or  
30 the performance of legislative duties.

31 (23) "Person" means any individual, partnership, association,  
32 corporation, firm, institution, or other entity, whether or not  
33 operated for profit.

34 (24) "Regulatory agency" means any state board, commission,  
35 department, or officer, except those in the legislative or judicial  
36 branches, authorized by law to conduct adjudicative proceedings,  
37 issue permits or licenses, or to control or affect interests of  
38 identified persons.

39 (25) "Responsibility" in connection with a transaction involving  
40 the state, means the direct administrative or operating authority,

1 whether intermediate or final, and either exercisable alone or  
2 through subordinates, effectively to approve, disapprove, or  
3 otherwise direct state action in respect of such transaction.

4 (26) "State action" means any action on the part of an agency,  
5 including, but not limited to:

6 (a) A decision, determination, finding, ruling, or order; and

7 (b) A grant, payment, award, license, contract, transaction,  
8 sanction, or approval, or the denial thereof, or failure to act with  
9 respect to a decision, determination, finding, ruling, or order.

10 (27) "State employee" means an individual who is employed by an  
11 agency in any branch of state government. For purposes of this  
12 chapter, employees of the superior courts are not state officers or  
13 state employees.

14 (28) "State officer" means every person holding a position of  
15 public trust in or under an executive, legislative, or judicial  
16 office of the state. "State officer" includes judges of the superior  
17 court, judges of the court of appeals, justices of the supreme court,  
18 members of the legislature together with the secretary of the senate  
19 and the chief clerk of the house of representatives, holders of  
20 elective offices in the executive branch of state government, chief  
21 executive officers of state agencies, members of boards, commissions,  
22 or committees with authority over one or more state agencies or  
23 institutions, and employees of the state who are engaged in  
24 supervisory, policy-making, or policy-enforcing work. For the  
25 purposes of this chapter, "state officer" also includes any person  
26 exercising or undertaking to exercise the powers or functions of a  
27 state officer.

28 (29) "Thing of economic value," in addition to its ordinary  
29 meaning, includes:

30 (a) A loan, property interest, interest in a contract or other  
31 chose in action, and employment or another arrangement involving a  
32 right to compensation;

33 (b) An option, irrespective of the conditions to the exercise of  
34 the option; and

35 (c) A promise or undertaking for the present or future delivery  
36 or procurement.

37 (30) (a) "Transaction involving the state" means a proceeding,  
38 application, submission, request for a ruling or other determination,  
39 contract, claim, case, or other similar matter that the state

1 officer, state employee, or former state officer or state employee in  
2 question believes, or has reason to believe:

- 3 (i) Is, or will be, the subject of state action; or
- 4 (ii) Is one to which the state is or will be a party; or
- 5 (iii) Is one in which the state has a direct and substantial  
6 proprietary interest.

7 (b) "Transaction involving the state" does not include the  
8 following: Preparation, consideration, or enactment of legislation,  
9 including appropriation of moneys in a budget, or the performance of  
10 legislative duties by an officer or employee; or a claim, case,  
11 lawsuit, or similar matter if the officer or employee did not  
12 participate in the underlying transaction involving the state that is  
13 the basis for the claim, case, or lawsuit.

14 (31) "University" includes "state universities" and "regional  
15 universities" as defined in RCW 28B.10.016 and also includes any  
16 research or technology institute affiliated with a university.

17 (32) "University research employee" means a state officer or  
18 state employee employed by a university, but only to the extent the  
19 state officer or state employee is engaged in research, technology  
20 transfer, approved consulting activities related to research and  
21 technology transfer, or other incidental activities.

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