

SB 5143 -- Redline

Substitute to Bill -- Concerning the ethics in public service act.

Deletions ~~struck~~ · Insertions underlined

~~ENGROSSED Z-0148.3~~ ~~SUBSTITUTE~~ SENATE BILL 5143 State of Washington 69th Legislature 2025 Regular Session
By ~~Senate State Government, Tribal Affairs & Elections (originally sponsored by~~ Senators Gildon,
Pedersen, and Nobles;

by request of Legislative Ethics ~~Board)~~Board ~~READ~~Prefiled ~~FIRST~~01/07/25 ~~TIME 02/11/25~~.

Read first time 01/13/25.

Referred to Committee on State Government, Tribal Affairs & Elections.

adding ~~a~~-new ~~section~~sections to chapter 42.52 RCW;

1 ~~ESSB~~SB 5143 in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

2 ~~ESSB~~SB 5143 (((7))) (11) "Emergency" means a serious, unexpected, and often dangerous situation requiring immediate action.

3 ~~ESSB~~SB 5143 (i) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group;

4 ~~ESSB~~SB 5143 proceedings, issue permits or licenses, or to control or affect interests of identified persons.

5 ~~ESSB~~SB 5143 (((22))) (30)(a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

6 ~~ESSB~~SB 5143 (2) "Appearance" means the act of performing or participating in an event.

7 ~~ESSB~~SB 5143 (12) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive ethics board.

8 ~~ESSB~~SB 5143 (j) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.

9 ~~ESSB~~SB 5143 (((17))) (25) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

10 ~~ESSB~~SB 5143 determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

11 ~~ESSB~~SB 5143 institution of higher education ((or the Spokane intercollegiate research and technology institute)) may serve as an officer, agent, employee, or member, or on the board of directors, board of trustees, advisory board, or committee or review panel for any nonprofit institute, foundation, or fund-raising entity;

12 ~~ESSB~~SB 5143 privileges" includes, but is not limited to, engaging in behavior that constitutes harassment.

13 ~~ESSB~~SB 5143 actions taken to fulfill or implement, in whole or in part, the provisions of such a contract or contracts.

14 ~~ESSB~~SB 5143 Sec.

15 ~~ESSB~~SB 5143 (b) The performance or administration of the contract or grant is not within the course of the officer's or employee's official duties, or is not under the officer's or employee's official supervision;

16 ~~ESSB~~SB 5143 the contract or grant, the proprietary formulae, designs, drawings, or research may be deleted from the contract or grant filed with the appropriate ethics board.

17 ~~ESSB~~SB 5143 limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

18 ~~ESSB~~SB 5143 the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

19 ~~ESSB~~SB 5143 national association or host committee and may not be commingled with any funds or accounts that are the property of any person;

20 ~~ESSB~~SB 5143 (g) Those items excluded from the definition of gift in ((RCW 42.52.010)) subsection (1)(c) of this section except:

21 ~~ESSB~~SB 5143 (v) Items a state officer or state employee is authorized by law to accept;

(viii) Campaign contributions reported under ~~Title~~chapter 29B.42.17A RCW;

22 ~~ESSB~~SB 5143 social relationship exists between the donor and the family member or guest.

23 ~~ESSB~~SB 5143 (((j))) (i) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;

24 ~~ESSB~~SB 5143 (i) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;

25 ~~ESSB~~SB 5143 (5) This section does not apply to activities conducted by legislative employees authorized under RCW 44.90.110.

26 ~~ESSB~~SB 5143 to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

27 ~~ESSB~~SB 5143 (d) Activities that are part of the normal and regular conduct of the office or agency((, which include but are not limited to:

28 ~~ESSB~~SB 5143 publications of the agency, and clientele lists of persons served by the agency.

29 ~~ESSB~~SB 5143 (i) Communications by a legislator or appropriate legislative staff designee directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature;

30 ~~ESSB~~SB 5143 processes are comparable.

31 ~~ESSB~~SB 5143 (a) Issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing;

32 ~~ESSB~~SB 5143 knowingly assisted another person in violating any of the provisions of this chapter or the rules adopted under it.

33 ~~ESSB~~SB 5143 Sec.

34 ~~ESSB~~SB 5143 proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency before its circulation for signatures.

35 ~~ESSB~~SB 5143 (d) Gives consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

36 ~~ESSB~~SB 5143 (iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, digital, or other form of political advertising or electioneering communication prepared by a candidate, a political or incidental committee, or its authorized agent;

37 ~~ESSB~~SB 5143 (A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services;

38 ~~ESSB~~SB 5143 (17) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

39 ~~ESSB~~SB 5143 appearing at least twelve months preceding the candidate becoming a candidate;

40 ~~ESSB~~SB 5143 or complete repayment by a candidate or political or incidental committee of the principal of a loan, the receipt of which loan has been properly reported.

41 ~~ESSB~~SB 5143 (30)(a) "Independent expenditure" means an expenditure that has each of the following elements:

42 ~~ESSB~~SB 5143 or the rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of two hundred fifty dollars personally paid for by the worker.

43 ~~ESSB~~SB 5143 (38) "Participate" means that, with respect to a particular election, an entity:

44 ~~ESSB~~SB 5143 chapter 29A.52 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29A.52 RCW.

45 ~~ESSB~~SB 5143 as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

46 ~~ESSB~~SB 5143 (54) "Violation" means a violation of this chapter that is not a remediable violation, minor violation, or an error classified by the commission as appropriate to address by a technical correction.

47 ~~ESSB~~SB 5143 to, or for the benefit of, any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

48 ~~ESSB~~SB 5143 (4) The commission may adopt rules to vary the content of lobbyist reports to address specific circumstances, consistent with this section.

49 ~~ESSB~~SB 5143 date, amount, and the name of the candidate, elected official, or officer or employee of

any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

50 ~~ESSB~~SB 5143 Sec.

51 ~~ESSB~~SB 5143 thousand dollars at any time during the reporting period;

52 ~~ESSB~~SB 5143 or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation;

53 ~~ESSB~~SB 5143 (j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which a direct financial interest was held.

54 ~~ESSB~~SB 5143 (3)(a) Where an amount is required to be reported under subsection (1)(a) through (m) of this section, it may be reported within a range as provided in (b) of this subsection.

55 ~~ESSB~~SB 5143 (b) Each bank account, savings account, and insurance policy in which a direct financial interest was held that exceeds twenty thousand dollars at any time during the reporting period;

56 ~~ESSB~~SB 5143 directorship, or partnership;

57 ~~ESSB~~SB 5143 of the consideration received in exchange for that interest, and the name and address of the person furnishing the consideration;

58 ~~ESSB~~SB 5143 (b) Nothing in this subsection relieves the judge, prosecutor, or sheriff of any other applicable obligations to disclose potential conflicts or to recuse oneself.

A new section is added to chapter 42.52 RCW to read as follows:

Members and employees of either the legislative ethics board or the executive ethics board, including any lawyers or special masters p.

59 SB 5143 temporarily employed by either board, are immune from suit in any action, civil or criminal, based upon any complaint investigations or other official acts performed in the course of their duties. Statements made to either board or its investigators or other employees are absolutely privileged in actions for defamation.

This absolute privilege does not apply to statements made in any other forum.

NEW SECTION.

Sec.

30.

~~p-(2) RCW 42.52.340 (Transfer of jurisdiction) and 1994 c 154 s 204;~~

~~50 and ESSB(3) 5143RCW (2)42.52.801 RCW(Exemption 42.52.340--Solicitation (Transfer to of promote jurisdiction)tourism) and 19942003 c 154153 s 204;5.~~

~~and (3) RCW 42.52.801 (Exemption--Solicitation to promote tourism) and 2003 c 153 s 5.~~

~~30-31.~~

~~31-32.~~

60 ~~ESSB~~SB 5143