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HOUSE BILL 1547

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State of Washington

64th Legislature

2015 Regular Session

By Representatives S. Hunt, Holy, and Condotta; by request of State Treasurer

Read first time 01/22/15. Referred to Committee on State Government.

1 AN ACT Relating to funding and expenditures for official national  
2 association conferences; amending RCW 42.52.150; and adding a new  
3 section to chapter 42.52 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.52  
6 RCW to read as follows:

7 When soliciting gifts, grants, or donations to host an official  
8 conference within the state of Washington of a national association  
9 as approved by the state treasurer, the treasurer and designated  
10 employees are presumed not to be in violation of the solicitation and  
11 receipt of gift provisions in this chapter.

12 **Sec. 2.** RCW 42.52.150 and 2011 c 60 s 29 are each amended to  
13 read as follows:

14 (1) No state officer or state employee may accept gifts, other  
15 than those specified in subsections (2) and (5) of this section, with  
16 an aggregate value in excess of fifty dollars from a single source in  
17 a calendar year or a single gift from multiple sources with a value  
18 in excess of fifty dollars. For purposes of this section, "single  
19 source" means any person, as defined in RCW 42.52.010, whether acting  
20 directly or through any agent or other intermediary, and "single

1 gift" includes any event, item, or group of items used in conjunction  
2 with each other or any trip including transportation, lodging, and  
3 attendant costs, not excluded from the definition of gift under RCW  
4 42.52.010. The value of gifts given to an officer's or employee's  
5 family member or guest shall be attributed to the official or  
6 employee for the purpose of determining whether the limit has been  
7 exceeded, unless an independent business, family, or social  
8 relationship exists between the donor and the family member or guest.

9 (2) Except as provided in subsection (4) of this section, the  
10 following items are presumed not to influence under RCW 42.52.140,  
11 and may be accepted without regard to the limit established by  
12 subsection (1) of this section:

13 (a) Unsolicited flowers, plants, and floral arrangements;

14 (b) Unsolicited advertising or promotional items of nominal  
15 value, such as pens and note pads;

16 (c) Unsolicited tokens or awards of appreciation in the form of a  
17 plaque, trophy, desk item, wall memento, or similar item;

18 (d) Unsolicited items received by a state officer or state  
19 employee for the purpose of evaluation or review, if the officer or  
20 employee has no personal beneficial interest in the eventual use or  
21 acquisition of the item by the officer's or employee's agency;

22 (e) Informational material, publications, or subscriptions  
23 related to the recipient's performance of official duties;

24 (f) Food and beverages consumed at hosted receptions where  
25 attendance is related to the state officer's or state employee's  
26 official duties;

27 (g) Gifts, grants, conveyances, bequests, and devises of real or  
28 personal property, or both, in trust or otherwise accepted and  
29 solicited for deposit in the legislative international trade account  
30 created in RCW 43.15.050;

31 (h) Gifts, grants, conveyances, bequests, and devises of real or  
32 personal property, or both, in trust or otherwise accepted and  
33 solicited for the purpose of promoting the expansion of tourism as  
34 provided for in RCW 43.330.090;

35 (i) Gifts, grants, conveyances, bequests, and devises of real or  
36 personal property, or both, solicited on behalf of a national  
37 legislative association, 2006 official conference of the national  
38 lieutenant governors' association, the annual conference of the  
39 national association of state treasurers or host committee for the  
40 purpose of hosting an official conference under the circumstances

1 specified in RCW 42.52.820 (~~and~~), section 2, chapter 5, Laws of  
2 2006, or section 1 of this act. Anything solicited or accepted may  
3 only be received by the national association or host committee and  
4 may not be commingled with any funds or accounts that are the  
5 property of any person;

6 (j) Admission to, and the cost of food and beverages consumed at,  
7 events sponsored by or in conjunction with a civic, charitable,  
8 governmental, or community organization; and

9 (k) Unsolicited gifts from dignitaries from another state or a  
10 foreign country that are intended to be personal in nature.

11 (3) The presumption in subsection (2) of this section is  
12 rebuttable and may be overcome based on the circumstances surrounding  
13 the giving and acceptance of the item.

14 (4) Notwithstanding subsections (2) and (5) of this section, a  
15 state officer or state employee of a regulatory agency or of an  
16 agency that seeks to acquire goods or services who participates in  
17 those regulatory or contractual matters may receive, accept, take, or  
18 seek, directly or indirectly, only the following items from a person  
19 regulated by the agency or from a person who seeks to provide goods  
20 or services to the agency:

21 (a) Unsolicited advertising or promotional items of nominal  
22 value, such as pens and note pads;

23 (b) Unsolicited tokens or awards of appreciation in the form of a  
24 plaque, trophy, desk item, wall memento, or similar item;

25 (c) Unsolicited items received by a state officer or state  
26 employee for the purpose of evaluation or review, if the officer or  
27 employee has no personal beneficial interest in the eventual use or  
28 acquisition of the item by the officer's or employee's agency;

29 (d) Informational material, publications, or subscriptions  
30 related to the recipient's performance of official duties;

31 (e) Food and beverages consumed at hosted receptions where  
32 attendance is related to the state officer's or state employee's  
33 official duties;

34 (f) Admission to, and the cost of food and beverages consumed at,  
35 events sponsored by or in conjunction with a civic, charitable,  
36 governmental, or community organization; and

37 (g) Those items excluded from the definition of gift in RCW  
38 42.52.010 except:

39 (i) Payments by a governmental or nongovernmental entity of  
40 reasonable expenses incurred in connection with a speech,

1 presentation, appearance, or trade mission made in an official  
2 capacity;

3 (ii) Payments for seminars and educational programs sponsored by  
4 a bona fide governmental or nonprofit professional, educational,  
5 trade, or charitable association or institution; and

6 (iii) Flowers, plants, and floral arrangements.

7 (5) A state officer or state employee may accept gifts in the  
8 form of food and beverage on infrequent occasions in the ordinary  
9 course of meals where attendance by the officer or employee is  
10 related to the performance of official duties. Gifts in the form of  
11 food and beverage that exceed fifty dollars on a single occasion  
12 shall be reported as provided in chapter 42.17A RCW.

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