
SUBSTITUTE SENATE BILL 5771

State of Washington 64th Legislature 2015 Regular Session

By Senate Ways & Means (originally sponsored by Senators Lias, Pearson, Dandel, Hatfield, Rivers, Hobbs, and Fain)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to providing for due process during an ethics
2 investigation; and amending RCW 42.52.420.

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

4 **Sec. 1.** RCW 42.52.420 and 2013 c 190 s 4 are each amended to
5 read as follows:

6 (1) After the filing of any complaint, except as provided in RCW
7 42.52.450, the staff of the appropriate ethics board shall
8 investigate the complaint. The ethics board may request the
9 assistance of the office of the attorney general or a contract
10 investigator in conducting its investigation.

11 (2)(a) The results of the investigation shall be reduced to
12 writing and the staff shall either make a determination that the
13 complaint should be dismissed pursuant to RCW 42.52.425, or recommend
14 to the board that there is or that there is not reasonable cause to
15 believe that a violation of this chapter or rules adopted under it
16 has been or is being committed. The staff shall not discuss the
17 results of the investigation with the board until the ethics board
18 meeting in which staff presents recommendations to the board that
19 there is or is not reasonable cause to believe that a violation of
20 this chapter or rules adopted under it has been or is being
21 committed.

1 (b) The person named in the complaint must be allowed to attend
2 the ethics board meeting in which staff presents recommendations to
3 the board that there is or is not reasonable cause to believe that a
4 violation of this chapter or rules adopted under it has been or is
5 being committed, and shall have the opportunity to present evidence
6 in person to the ethics board prior to the ethics board's
7 determination on reasonable cause.

8 (3) The board's deliberation on reasonable cause must be done in
9 executive session without the public and staff in attendance.

10 (4) The board's determination on reasonable cause shall be
11 provided to the complainant and to the person named in such
12 complaint.

13 ~~((4))~~ (5) The identity of a person filing a complaint under RCW
14 42.52.410(1) is exempt from public disclosure, as provided in RCW
15 42.56.240.

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