
SUBSTITUTE SENATE BILL 5861

State of Washington

66th Legislature

2019 Regular Session

By Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Dhingra, Rivers, Hunt, Wellman, Hasegawa, Darneille, Saldaña, Cleveland, Conway, Frockt, Keiser, Kuderer, Liias, Palumbo, Randall, and Wilson, C.)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to extending respectful workplace code of conduct
2 provisions to all members of the legislative community; amending RCW
3 42.17A.105, 42.17A.600, 42.17A.605, and 42.17A.655; adding a new
4 section to chapter 42.17A RCW; and providing an effective date.

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

6 **Sec. 1.** RCW 42.17A.105 and 2010 c 204 s 302 are each amended to
7 read as follows:

8 The commission shall:

9 (1) Develop and provide forms for the reports and statements
10 required to be made under this chapter;

11 (2) Prepare and publish a manual setting forth recommended
12 uniform methods of bookkeeping and reporting for use by persons
13 required to make reports and statements under this chapter;

14 (3) Compile and maintain a current list of all filed reports and
15 statements;

16 (4) Investigate whether properly completed statements and reports
17 have been filed within the times required by this chapter;

18 (5) Upon complaint or upon its own motion, investigate and report
19 apparent violations of this chapter to the appropriate law
20 enforcement authorities;

1 (6) Conduct a sufficient number of audits and field
2 investigations to provide a statistically valid finding regarding the
3 degree of compliance with the provisions of this chapter by all
4 required filers. Any documents, records, reports, computer files,
5 papers, or materials provided to the commission for use in conducting
6 audits and investigations must be returned to the candidate,
7 campaign, or political committee from which they were received within
8 one week of the commission's completion of an audit or field
9 investigation;

10 (7) Prepare and publish an annual report to the governor as to
11 the effectiveness of this chapter and its enforcement by appropriate
12 law enforcement authorities;

13 (8) Enforce this chapter according to the powers granted it by
14 law;

15 (9) Adopt rules governing the arrangement, handling, indexing,
16 and disclosing of those reports required by this chapter to be filed
17 with a county auditor or county elections official. The rules shall:

18 (a) Ensure ease of access by the public to the reports; and

19 (b) Include, but not be limited to, requirements for indexing the
20 reports by the names of candidates or political committees and by the
21 ballot proposition for or against which a political committee is
22 receiving contributions or making expenditures;

23 (10) Adopt rules to carry out the policies of chapter 348, Laws
24 of 2006. The adoption of these rules is not subject to the time
25 restrictions of RCW 42.17A.110(1);

26 (11) Adopt administrative rules establishing requirements for
27 filer participation in any system designed and implemented by the
28 commission for the electronic filing of reports; ~~((and))~~

29 (12) Maintain and make available to the public and political
30 committees of this state a toll-free telephone number; and

31 (13) Develop a training course for the respectful workplace codes
32 of conduct adopted by the house of representatives and the senate.

33 **Sec. 2.** RCW 42.17A.600 and 2010 c 204 s 801 are each amended to
34 read as follows:

35 (1) Before lobbying, or within thirty days after being employed
36 as a lobbyist, whichever occurs first, a lobbyist shall register by
37 filing with the commission a lobbyist registration statement, in such
38 detail as the commission shall prescribe, that includes the following
39 information:

1 (a) The lobbyist's name, permanent business address, and any
2 temporary residential and business addresses in Thurston county
3 during the legislative session;

4 (b) The name, address and occupation or business of the
5 lobbyist's employer;

6 (c) The duration of the lobbyist's employment;

7 (d) The compensation to be received for lobbying, the amount to
8 be paid for expenses, and what expenses are to be reimbursed;

9 (e) Whether the lobbyist is employed solely as a lobbyist or
10 whether the lobbyist is a regular employee performing services for
11 his or her employer which include but are not limited to the
12 influencing of legislation;

13 (f) The general subject or subjects to be lobbied;

14 (g) A written authorization from each of the lobbyist's employers
15 confirming such employment;

16 (h) The name and address of the person who will have custody of
17 the accounts, bills, receipts, books, papers, and documents required
18 to be kept under this chapter;

19 (i) If the lobbyist's employer is an entity (including, but not
20 limited to, business and trade associations) whose members include,
21 or which as a representative entity undertakes lobbying activities
22 for, businesses, groups, associations, or organizations, the name and
23 address of each member of such entity or person represented by such
24 entity whose fees, dues, payments, or other consideration paid to
25 such entity during either of the prior two years have exceeded five
26 hundred dollars or who is obligated to or has agreed to pay fees,
27 dues, payments, or other consideration exceeding five hundred dollars
28 to such entity during the current year;

29 (j) An attestation that the lobbyist has read and completed a
30 training course on the respectful workplace codes of conduct adopted
31 by the senate and the house of representatives.

32 (2) Any lobbyist who receives or is to receive compensation from
33 more than one person for lobbying shall file a separate notice of
34 representation for each person. However, if two or more persons are
35 jointly paying or contributing to the payment of the lobbyist, the
36 lobbyist may file a single statement detailing the name, business
37 address, and occupation of each person paying or contributing and the
38 respective amounts to be paid or contributed.

39 (3) Whenever a change, modification, or termination of the
40 lobbyist's employment occurs, the lobbyist shall file with the

1 commission an amended registration statement within one week of the
2 change, modification, or termination.

3 (4) Each registered lobbyist shall file a new registration
4 statement, revised as appropriate, on the second Monday in January of
5 each odd-numbered year. Failure to do so terminates the lobbyist's
6 registration.

7 **Sec. 3.** RCW 42.17A.605 and 2010 c 204 s 802 are each amended to
8 read as follows:

9 Each lobbyist shall at the time he or she registers submit to the
10 commission a recent photograph of himself or herself of a size and
11 format as determined by rule of the commission, together with the
12 name of the lobbyist's employer, the length of his or her employment
13 as a lobbyist before the legislature, a brief biographical
14 description, and any other information he or she may wish to submit
15 not to exceed fifty words in length. The photograph ~~((and))~~,
16 information, and attestation that the lobbyist has completed a
17 training course on the respectful workplace codes of conduct adopted
18 by the senate and the house of representatives shall be published by
19 the commission at least biennially in a booklet form for distribution
20 to legislators and the public.

21 **Sec. 4.** RCW 42.17A.655 and 2010 c 204 s 812 are each amended to
22 read as follows:

23 (1) A person required to register as a lobbyist under RCW
24 42.17A.600 shall substantiate financial reports required to be made
25 under this chapter with accounts, bills, receipts, books, papers, and
26 other necessary documents. All such documents must be obtained and
27 preserved for a period of at least five years from the date of filing
28 the statement containing such items and shall be made available for
29 inspection by the commission at any time. If the terms of the
30 lobbyist's employment contract require that these records be turned
31 over to his or her employer, responsibility for the preservation and
32 inspection of these records under this subsection shall be with such
33 employer.

34 (2) A person required to register as a lobbyist under RCW
35 42.17A.600 shall not:

36 (a) Engage in any lobbying activity before registering as a
37 lobbyist;

1 (b) Knowingly deceive or attempt to deceive a legislator
2 regarding the facts pertaining to any pending or proposed
3 legislation;

4 (c) Cause or influence the introduction of a bill or amendment to
5 that bill for the purpose of later being employed to secure its
6 defeat;

7 (d) Knowingly represent an interest adverse to his or her
8 employer without full disclosure of the adverse interest to the
9 employer and obtaining the employer's written consent;

10 (e) Exercise any undue influence, extortion, or unlawful
11 retaliation upon any legislator due to the legislator's position or
12 vote on any pending or proposed legislation;

13 (f) Enter into any agreement, arrangement, or understanding in
14 which any portion of his or her compensation is or will be contingent
15 upon his or her success in influencing legislation.

16 (3) A violation by a lobbyist of this section shall be cause for
17 revocation of his or her registration, and may subject the lobbyist
18 and the lobbyist's employer, if the employer aids, abets, ratifies,
19 or confirms the violation, to other civil liabilities as provided by
20 this chapter.

21 NEW SECTION. **Sec. 5.** A new section is added to chapter 42.17A
22 RCW to read as follows:

23 Following a complaint and investigation under the respectful
24 workplace policy of the senate or the house of representatives, if
25 either chamber of the legislature finds that a lobbyist has violated
26 the chamber's respectful workplace code of conduct, the commission
27 shall notify each of the lobbyist's employers of the finding.

28 NEW SECTION. **Sec. 6.** Sections 2, 3, and 5 of this act take
29 effect December 1, 2019.

--- END ---