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**SUBSTITUTE HOUSE BILL 1186**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** House Committee on Local Government (originally sponsored by Representatives Valle, Romero and Cothorn)

Read first time 02/24/93.

1 AN ACT Relating to municipal employees; adding a new section to  
2 chapter 42.23 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 42.23 RCW  
5 to read as follows:

6 (1) No former municipal employee may, within a period of one year  
7 from the date of termination of employment with the municipality,  
8 accept employment with or receive compensation from any private  
9 business if: (a) The municipal employee, during the two years  
10 immediately preceding termination of employment with the municipality,  
11 was engaged in negotiating or administering one or more contracts on  
12 behalf of the municipality with that private business and was in a  
13 position to make discretionary decisions affecting the outcome of the  
14 negotiations or the nature of the administering; (b) the contract or  
15 contracts have a total value of more than ten thousand dollars; and (c)  
16 the duties of the employment by the private business or the activities  
17 for which the compensation would be received from the private business  
18 include fulfilling or implementing, in whole or in part, the provisions  
19 of the contract or contracts or include supervising or controlling

1 actions taken to fulfill or implement, in whole or in part, the  
2 provisions of the contract or contracts.

3 (2) No former municipal employee may accept an offer of employment  
4 or receive compensation from any private business if the municipal  
5 employee knows or has reason to believe that the offer of employment or  
6 compensation was intended, in whole or in part, directly or indirectly,  
7 as compensation or a reward for the performance or nonperformance of a  
8 duty during the course of municipal employment.

9 (3) Any person violating any provision of this section shall be  
10 guilty of a misdemeanor.

11 (4) For purposes of this section "private business" means any  
12 natural person, partnership, association, or corporation of any kind or  
13 description that is engaged in business activity in this state or  
14 elsewhere. If a natural person, closely associated or related group of  
15 natural persons, partnership, or corporation owns or controls two or  
16 more private businesses, all of the private businesses owned or  
17 controlled shall be considered as a single private business for  
18 purposes of this section.

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