
SECOND SUBSTITUTE HOUSE BILL 1186

State of Washington

53rd Legislature

1994 Regular Session

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

Read first time 02/04/94.

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 subject to a civil penalty of up to five thousand dollars per violation
11 or three times the economic value of any thing received or sought in
12 violation of this section.

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

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