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**SUBSTITUTE SENATE BILL 5771**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Liias, Pearson, Dansel, Hatfield, Rivers, Hobbs, and Fain)

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

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

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

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

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

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

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

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

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

**--- END ---**