
HOUSE BILL 1040

State of Washington

64th Legislature

2015 Regular Session

By Representatives Fitzgibbon, Santos, Ormsby, and Farrell

Prefiled 12/09/14. Read first time 01/12/15. Referred to Committee on Judiciary.

1 AN ACT Relating to subversive activities; amending RCW
2 35A.42.020; and repealing RCW 9.81.010, 9.81.020, 9.81.030, 9.81.040,
3 9.81.050, 9.81.060, 9.81.070, 9.81.080, 9.81.082, 9.81.083, 9.81.090,
4 9.81.110, and 9.81.120.

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

6 **Sec. 1.** RCW 35A.42.020 and 1967 ex.s. c 119 s 35A.42.020 are
7 each amended to read as follows:

8 Except as otherwise provided in this title, every elective and
9 appointive officer and all employees of code cities shall: (1) Be
10 possessed of the qualifications and be subject to forfeiture of
11 office, impeachment or removal and recall as provided in chapter
12 42.04 RCW (~~and RCW 9.81.040~~); and (2) provide official bonds in
13 accordance with the requirements of this title, and as required in
14 compliance with chapters 42.08 and 48.28 RCW.

15 When vacancies in public offices in code cities shall occur the
16 term of a replacement officer shall be fixed as provided in chapter
17 42.12 RCW. A public officer charged with misconduct as defined in
18 chapter 42.20 RCW, shall be charged and, upon conviction, punished as
19 provided for such misconduct in chapter 42.20 RCW. The officers and
20 employees of code cities shall be guided and governed by the code of
21 ethics as provided in chapter 42.23 RCW. Vouchers for the payment of

1 public funds and the provisions for certifying the same shall be as
2 provided in chapter 42.24 RCW. The meetings of any board, agency, or
3 commission of a code city shall be open to the public to the extent
4 and notice given in the manner required by chapter 42.32 RCW.

5 NEW SECTION. **Sec. 2.** The following acts or parts of acts are
6 each repealed:

7 (1) RCW 9.81.010 (Definitions) and 1953 c 142 s 1 & 1951 c 254 s
8 1;

9 (2) RCW 9.81.020 (Subversive activities made felony—Penalty) and
10 2003 c 53 s 44 & 1951 c 254 s 2;

11 (3) RCW 9.81.030 (Membership in subversive organization is felony
12 —Penalty) and 2003 c 53 s 45 & 1951 c 254 s 3;

13 (4) RCW 9.81.040 (Disqualification from voting or holding public
14 office) and 1951 c 254 s 4;

15 (5) RCW 9.81.050 (Dissolution of subversive organizations—
16 Disposition of property) and 1951 c 254 s 5;

17 (6) RCW 9.81.060 (Public employment—Subversive person ineligible)
18 and 1951 c 254 s 11;

19 (7) RCW 9.81.070 (Public employment—Determining eligibility—
20 Inquiries—Oath) and 1955 c 377 s 1 & 1951 c 254 s 12;

21 (8) RCW 9.81.080 (Public employment—Inquiries may be dispensed
22 with, when) and 1955 c 377 s 2 & 1951 c 254 s 13;

23 (9) RCW 9.81.082 (Membership in subversive organization
24 described) and 1955 c 377 s 3;

25 (10) RCW 9.81.083 (Communist party declared a subversive
26 organization) and 1955 c 377 s 4;

27 (11) RCW 9.81.090 (Public employees—Discharge of subversive
28 persons—Procedure—Hearing—Appeal) and 2011 c 336 s 328, 1971 c 81 s
29 44, & 1951 c 254 s 15;

30 (12) RCW 9.81.110 (Misstatements are punishable as perjury—
31 Penalty) and 1951 c 254 s 17; and

32 (13) RCW 9.81.120 (Constitutional rights—Censorship or
33 infringement) and 1951 c 254 s 19.

--- END ---