
SENATE BILL 5395

State of Washington

67th Legislature

2021 Regular Session

By Senators Hunt, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Randall, Saldaña, Wellman, and Wilson, C.

Read first time 02/01/21. Referred to Committee on State Government & Elections.

1 AN ACT Relating to use of state resources during periods where
2 state employees are required to work from home; adding a new section
3 to chapter 41.04 RCW; creating new sections; and providing a
4 contingent expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that during the
7 COVID-19 pandemic, state employees have incurred personal expenses
8 and utilized their own resources serving the public. The state needs
9 to provide state employees the tools necessary to serve the public
10 while working from home.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.04
12 RCW to read as follows:

13 (1) When state employees are required to work from home or are
14 allowed to work from home, agencies may provide or purchase office
15 supplies, services, and other materials necessary for the employees
16 to effectively perform their work.

17 (2)(a) A state agency will reimburse a state employee for all
18 necessary additional expenditures incurred by the employee within the
19 employee's scope of employment and directly related to services

1 performed for the agency. As used in this section, "necessary
2 expenditures" includes, but is not limited to:

3 (i) Desks, computer stands, computers, computer supplies, and
4 chairs;

5 (ii) Upgraded internet service that is necessary for the
6 employees to do their jobs, which may include a stipend to the
7 employees to support the increased costs of the service;

8 (iii) Equipment and services that assist employees with
9 disabilities or special needs to conduct their jobs remotely; and

10 (iv) Other items or services determined by the head of the
11 agency, with approval from the office of financial management, to be
12 necessary for employees to perform their jobs.

13 (b) An employee shall submit any necessary expenditure with
14 appropriate supporting documentation to the appropriate agency
15 personnel. An agency may provide additional time for submitting
16 requests for reimbursement in a written expense reimbursement policy.

17 (c) An employee may be reimbursed for expenses incurred after
18 April 1, 2020.

19 (3) Approval of purchases must be done within the policies and
20 procedures established by the office of financial management.

21 (4) Use of materials and supplies when approved by the agency is
22 not considered use of state resources for private gain.

23 (5) This section applies to all state agencies, boards, and
24 commissions. It is intended that the provisions of this section be
25 followed uniformly.

26 (6) The director of the office of financial management shall
27 adopt necessary policies and procedures to implement this section,
28 including the percentage of time necessary for an employee working
29 from home to qualify for coverage and establishment of thresholds for
30 when equipment is required to be returned to the agency when the
31 employee leaves state service. Depreciation of items over time must
32 be considered in developing the policies and procedures.

33 NEW SECTION. **Sec. 3.** (1) During the COVID-19 emergency, state
34 employees may use state internet resources outside normal business
35 hours for social gatherings to enable them to maintain communication
36 and gather socially. Such activities may include, but not be limited
37 to, sharing ideas and tips for working remotely, lunch time
38 gatherings, guest speakers, and open microphone sessions. These

1 activities must be done at no expense to the state and will be
2 considered de minimis activities.

3 (2) This section expires upon the termination of the state of
4 emergency under proclamation 20-05 and any subsequent state of
5 emergency issued pertaining to COVID-19 in accordance with RCW
6 43.06.210. The governor shall provide written notice of the
7 termination date of the state of emergency under proclamation 20-05
8 and any subsequent state of emergency issued pertaining to COVID-19
9 to affected parties, the chief clerk of the house of representatives,
10 the secretary of the senate, the office of the code reviser, and
11 others as deemed appropriate by the governor.

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