



Published at the direction of the

LEGISLATIVE ETHICS BOARD

Phone (360) 786-7343 • www.leg.wa.gov/LEB

ETHICS ALERT

Application of the Ethics in Public Service Act (Act) to a Newly Elected or Appointed Legislators

December 2022

When persons are newly elected or appointed to a legislative seat, both the House and Senate permit them to use a variety of legislative resources: office space; legislative staff; office supplies; and the ability to pre-file legislative bills. The question has arisen about at what point does the Ethics Act apply to these persons?

The Act provides that legislators and legislative staff are subject to its provisions. It is the Board's opinion that a newly elected person is a "legislator" as that term is defined in RCW 42.52.185 as soon as the election is certified by the Secretary of State. For those persons who are appointed to fill a vacant legislative seat, they are considered "legislators" upon the effective date of their appointment. Regardless of whether persons are elected or appointed, once they are considered legislators, they are subject to the provisions of the Act.