

RCW 42.52.070 Special privileges and exemptions—Application of section to legislature. (1) Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

(2) For purposes of this section, and only as applied to legislators, activities within the scope of employment include but are not limited to duties enumerated in law and activities that have a tangible legislative nexus. Activities with a legislative nexus include but are not limited to:

(a) Communications directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature; and

(b) Posting information to a legislator's official legislative website, including an official legislative social media account, about:

(i) Emergencies;

(ii) Federal holidays, state and legislatively recognized holidays established under RCW 1.16.050, and religious holidays;

(iii) Information originally provided or published by other government entities which provide information about government resources; and

(iv) Achievements, honors, or awards of extraordinary distinction.

(3) It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed in subsection (2) of this section.

(4) For purposes of this section, and only as applied to legislators and employees of the legislative branch, "special privileges" includes, but is not limited to, engaging in behavior that constitutes harassment. As used in this section:

(a) "Harassment" means engaging in physical, verbal, visual, or psychological conduct that:

(i) Has the purpose or effect of interfering with the person's work performance;

(ii) Creates a hostile, intimidating, or offensive work environment; or

(iii) Constitutes sexual harassment.

(b) "Sexual harassment" means unwelcome or unwanted sexual advances, requests for sexual or romantic favors, sexually motivated bullying, or other verbal, visual, physical, or psychological conduct or communication of a sexual or romantic nature, when:

(i) Submission to the conduct or communication is either explicitly or implicitly a term or condition of current or future employment;

(ii) Submission to or rejection of the conduct or communication is used as the basis of an employment decision affecting the person; or

(iii) The conduct or communication unreasonably interferes with the person's job performance or creates a work environment that is hostile, intimidating, or offensive. [2022 c 37 § 1; 2019 c 383 § 1; 1994 c 154 § 107.]