
**State Government & Tribal Affairs
Committee**

HB 2418

Brief Description: Making the names and addresses of persons signing initiative or referendum petitions public records.

Sponsors: Representatives Carlyle, Anderson, Hunt, Hurst, White, Pedersen, Upthegrove, McCoy, Jacks, Dickerson, Hudgins, Moeller, Hasegawa, Kagi, Sells, Nelson, Chase, Appleton, Conway, Kenney, Morris, Darneille and Santos.

Brief Summary of Bill

- Clarifies that signature petitions for initiatives and referenda are not public records until after completion of verification and canvass of signatures.
- Requires that a statement be printed on signature petitions notifying signers that petitions are public documents.

Hearing Date: 1/15/10

Staff: Marsha Reilly (786-7135).

Background:

Initiatives and Referendums.

Article II, section 1 of the State Constitution grants legislative powers to the people to enact bills and laws through the initiative process, and to approve or reject a part of or all of any bill, act, or law passed by the Legislature through the referendum process. Any legal voter may file with the Secretary of State (Secretary) an initiative to the people, an initiative to the Legislature, or a referendum.

The number of valid signatures necessary for an initiative to the people to qualify for the ballot is 8 percent of the votes cast for governor at the last gubernatorial election, and the signed petitions

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must be filed with the Secretary in early July, at least four months prior to the general election. The number of valid signatures necessary for an initiative to the Legislature is also 8 percent, and the signed petitions must be filed at least ten days before the start of the regular session. The number of signatures required for a referendum is 4 percent, and the petitions must be filed within 90 days of the end of session.

Upon submittal of an initiative or referendum, the Secretary must verify and canvass the names of the legal voters on the petition.

Public Records Act.

The Public Records Act was approved by voters in 1972 as part of Initiative Measure No. 276. All public records of state agencies and local governments are open to public inspection and copying unless the record is expressly exempted by law. This disclosure requirement is liberally construed and any exception is narrowly constructed. There is no specific privacy exemption. A person's right to privacy is invaded or violated only if disclosure of that person's information would be highly offensive to a reasonable person and is not of legitimate concern to the public.

Summary of Bill:

Signature petitions do not become a public record until after the verification and canvass of signatures by the Secretary is complete. Signature petitions must include the following statement: "Signature petitions are public documents. By signing this document, your name, address, and signature may be released as part of a public records request."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.