
HOUSE BILL 1626

State of Washington

56th Legislature

1999 Regular Session

By Representatives D. Schmidt, Ogden, McMorris, Romero, Wensman, Alexander, O'Brien, Radcliff, Lantz, Regala, Conway, McIntire, Poulsen, Hatfield, H. Sommers, Dickerson, Edmonds, Linville, Fisher, Cody, Santos, Murray, Kenney, Kessler, Rockefeller, Wood, Hurst, Keiser and Tokuda

Read first time 02/01/1999. Referred to Committee on State Government.

1 AN ACT Relating to petitions to be filed with the government;
2 amending RCW 29.79.090, 29.79.100, 29.79.110, and 29.79.490; adding a
3 new section to chapter 29.79 RCW; and adding a new section to chapter
4 42.17 RCW.

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

6 **Sec. 1.** RCW 29.79.090 and 1982 c 116 s 9 are each amended to read
7 as follows:

8 (1) Petitions for proposing measures for submission to the
9 legislature at its next regular session, shall be substantially in the
10 following form:

11 "WARNING

12 Every person who signs this petition with any other than his or her
13 true name, knowingly signs more than one of these petitions, signs this
14 petition when he or she is not a legal voter, or makes any false
15 statement on this petition may be punished by fine or imprisonment or
16 both.

1 consideration is provided to the person circulating, soliciting, or
2 procuring signatures on that petition in at least twenty-point, bold-
3 faced type at the top of each petition:

4 "SIGNATURE GATHERERS ARE BEING PAID BY (type or
5 legibly print in ink the name of the group, organization, or
6 person paying for the signature gathering) TO CIRCULATE THIS
7 PETITION."

8 The requirements under this subsection (3) are not required on any
9 other petition for the same initiative measure if compensation, pay, or
10 other consideration is not provided to the person circulating,
11 soliciting, or procuring signatures on that particular petition.

12 **Sec. 2.** RCW 29.79.100 and 1982 c 116 s 10 are each amended to read
13 as follows:

14 (1) Petitions for proposing measures for submission to the people
15 for their approval or rejection at the next ensuing general election,
16 shall be substantially in the following form:

17 "WARNING

18 Every person who signs this petition with any other than his or her
19 true name, knowingly signs more than one of these petitions, signs this
20 petition when he or she is not a legal voter, or makes any false
21 statement on this petition may be punished by fine or imprisonment or
22 both.

23 INITIATIVE PETITION FOR
24 SUBMISSION TO THE PEOPLE

25 To the Honorable, Secretary of State of the State of
26 Washington:

27 We, the undersigned citizens and legal voters of the State of
28 Washington, respectfully direct that the proposed measure known as
29 Initiative Measure No., entitled (here insert the established
30 ballot title of the measure), a full, true and correct copy of which is
31 printed on the reverse side of this petition, be submitted to the legal
32 voters of the State of Washington for their approval or rejection at
33 the general election to be held on the day of November,
34 19. . .; and each of us for himself or herself says: I have personally
35 signed this petition; I am a legal voter of the State of Washington, in

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7 etc.”
8

9 (2) Space must be provided on each petition where, after the
10 signatures have been obtained, the person or persons who procured the
11 signatures shall both sign and print his or her name and address
12 certifying that, to his or her knowledge, the signatures on the
13 petition are valid.

14 (3) In addition, the following must be included and completed on
15 each referendum petition where compensation, pay, or other
16 consideration is provided to the person circulating, soliciting, or
17 procuring signatures on that petition in at least twenty-point, bold-
18 faced type at the top of each petition:

19 "SIGNATURE GATHERERS ARE BEING PAID BY (type or
20 legibly print in ink the name of the group, organization, or
21 person paying for the signature gathering) TO CIRCULATE THIS
22 PETITION."

23 The requirements under this subsection (3) are not required on any
24 other petition for the same referendum measure if compensation, pay, or
25 other consideration is not provided to the person circulating,
26 soliciting, or procuring signatures on that particular petition.

27 NEW SECTION. Sec. 4. A new section is added to chapter 29.79 RCW
28 to read as follows:

29 A person who provides compensation, pay, or other consideration to
30 another person to circulate, solicit, or procure signatures on an
31 initiative or referendum petition shall keep records of the person who
32 procured the signatures for consideration on each separate petition.
33 Space must be provided on each petition to number the petition to
34 assist in tracking the signature gatherers. These records must be kept
35 current and must be submitted to the secretary of state when the
36 petitions are filed.

37 **Sec. 5.** RCW 29.79.490 and 1993 c 256 s 4 are each amended to read
38 as follows:

39 Every person (~~shall be~~) is guilty of a gross misdemeanor who:

1 (1) For any consideration or gratuity or promise thereof, signs or
2 declines to sign any initiative or referendum petition; or

3 (2) Provides or receives consideration for soliciting or procuring
4 signatures on an initiative or referendum petition if any part of the
5 consideration is based upon the number of signatures solicited or
6 procured, or offers to provide or agrees to receive such consideration
7 any of which is based on the number of signatures solicited or
8 procured; or

9 (3) Gives or offers any consideration or gratuity to any person to
10 induce him or her to sign or not to sign or to vote for or against any
11 initiative or referendum measure; or

12 (4) Interferes with or attempts to interfere with the right of any
13 voter to sign or not to sign an initiative or referendum petition or
14 with the right to vote for or against an initiative or referendum
15 measure by threats, intimidation, or any other corrupt means or
16 practice; or

17 (5) Receives, handles, distributes, pays out, or gives away,
18 directly or indirectly, money or any other thing of value contributed
19 by or received from any person, firm, association, or corporation whose
20 residence or principal office is, or the majority of whose members or
21 stockholders have their residence outside, the state of Washington, for
22 any service rendered for the purpose of aiding in procuring signatures
23 upon any initiative or referendum petition or for the purpose of aiding
24 in the adoption or rejection of any initiative or referendum measure:
25 PROVIDED, That this subsection shall not apply to or prohibit any
26 activity which is properly reported in accordance with the applicable
27 provisions of chapter 42.17 RCW; or

28 (6) Circulates, solicits, or procures, or attempts to procure,
29 signatures upon an initiative or referendum petition that fails to meet
30 the requirements of RCW 29.79.080, 29.79.090, 29.79.100, or 29.79.110,
31 including, where applicable, the requirements that: (a) The statement
32 be included indicating that signature gatherers are being paid or
33 otherwise receiving consideration to gather signatures; and (b) the
34 name of the group, organization, or person paying for signature
35 gathering be inserted.

36 A gross misdemeanor under this section is punishable to the same
37 extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 42.17 RCW
2 to read as follows:

3 In addition to filing periodic reports with the commission that are
4 otherwise required under this chapter, a political committee that pays
5 or provides consideration, compensation, gratuities, rewards, or
6 anything of value to persons for circulating, soliciting, procuring, or
7 obtaining, or attempting to procure, signatures on a state initiative
8 or referendum petition also shall file reports required under RCW
9 42.17.080 on the twenty-first day and seventh day immediately before
10 the date the petitions must be filed and on the tenth day of the first
11 month after the petitions are filed.

12 The requirement under RCW 42.17.080 on keeping books of account
13 current and available for public inspection eight days before the
14 election associated with the political committee's efforts also applies
15 to the eight days immediately before the last date the petitions may be
16 filed for a political committee that pays or provides consideration,
17 compensation, gratuities, rewards, or anything of value to persons for
18 circulating, soliciting, procuring, or obtaining, or attempt to
19 procure, signatures on a state initiative or referendum petition.

20 NEW SECTION. **Sec. 7.** If any provision of this act or its
21 application to any person or circumstance is held invalid, the
22 remainder of the act or the application of the provision to other
23 persons or circumstances is not affected.

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