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HOUSE BILL 1908

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Orcutt, Blake, Muri, and Condotta

Read first time 02/02/17. Referred to Committee on Public Safety.

1            AN ACT Relating to restricting aggressive panhandling at public  
2 rest stops and rest areas; adding a new section to chapter 47.38 RCW;  
3 and prescribing penalties.

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

5            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 47.38  
6 RCW to read as follows:

7            (1) A person may not aggressively panhandle when the person  
8 solicited is in any public rest stop or rest area.

9            (2) For purposes of this section, "aggressive panhandling" means  
10 any solicitation made in person requesting another person to make a  
11 donation of money or to purchase an item in the following manners or  
12 circumstances:

13            (a) Requesting a purchase for an item for an amount far exceeding  
14 its value, under circumstances where a reasonable person would  
15 understand that the purchase is in substance a donation;

16            (b) Wearing a military uniform or displaying other indication of  
17 military service, when the solicitor is neither a present nor former  
18 member of the service indicated;

19            (c) Stating that the donation is needed to meet a specific need,  
20 when the solicitor already has sufficient funds to meet that need and  
21 does not disclose that fact;

- 1 (d) Making any statement, gesture, or other communication that a  
2 reasonable person in the situation of the person solicited would  
3 perceive to be a threat;
- 4 (e) Coming within three feet of the person solicited, until that  
5 person has indicated that he or she wishes to make a donation;
- 6 (f) By knowingly making any other false or misleading  
7 representation in the course of soliciting a donation not listed  
8 herein;
- 9 (g) Stating that the funds are needed for a specific purpose and  
10 then spending the funds received for a different purpose;
- 11 (h) Wearing or displaying an indication of physical disability,  
12 when the solicitor does not suffer the disability indicated;
- 13 (i) Using profane or abusive language, either during the  
14 solicitation or following a refusal;
- 15 (j) Stating that the solicitor is from out of town and stranded,  
16 when that is not true;
- 17 (k) Blocking the path of the person solicited along a walkway or  
18 driveway;
- 19 (l) Stating that the donation is needed to meet a need that does  
20 not exist;
- 21 (m) Stating that the solicitor is homeless, when he or she is  
22 not;
- 23 (n) Following a person who walks away from the panhandler;
- 24 (o) Using any makeup or device to simulate any deformity;
- 25 (p) Panhandling in a group of two or more persons;
- 26 (q) Requesting an immediate donation of money; or
- 27 (r) After sunset or before sunrise.
- 28 (3) Aggressive panhandling does not include passively standing or  
29 sitting with a sign or other indication that one is seeking  
30 donations, without addressing any solicitation to any specific person  
31 other than in response to an inquiry by that person.
- 32 (4) A violation of this section is a misdemeanor.

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