
SENATE BILL 5615

State of Washington

57th Legislature

2001 Regular Session

By Senators Costa, McCaslin, Rasmussen and Kohl-Welles; by request of Secretary of State

Read first time 01/29/2001. Referred to Committee on State & Local Government.

1 AN ACT Relating to address confidentiality for victims of stalking;
2 and amending RCW 40.24.010, 40.24.030, and 40.24.080.

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

4 **Sec. 1.** RCW 40.24.010 and 1998 c 138 s 1 are each amended to read
5 as follows:

6 The legislature finds that persons attempting to escape from actual
7 or threatened domestic violence ~~((or))~~, sexual assault, or stalking
8 frequently establish new addresses in order to prevent their assailants
9 or probable assailants from finding them. The purpose of this chapter
10 is to enable state and local agencies to respond to requests for public
11 records without disclosing the location of a victim of domestic
12 violence ~~((or))~~, sexual assault, or stalking, to enable interagency
13 cooperation with the secretary of state in providing address
14 confidentiality for victims of domestic violence ~~((or))~~, sexual
15 assault, or stalking, and to enable state and local agencies to accept
16 a program participant's use of an address designated by the secretary
17 of state as a substitute mailing address.

1 **Sec. 2.** RCW 40.24.030 and 1998 c 138 s 2 are each amended to read
2 as follows:

3 (1) An adult person, a parent or guardian acting on behalf of a
4 minor, or a guardian acting on behalf of an incapacitated person, as
5 defined in RCW 11.88.010, may apply to the secretary of state to have
6 an address designated by the secretary of state serve as the person's
7 address or the address of the minor or incapacitated person. The
8 secretary of state shall approve an application if it is filed in the
9 manner and on the form prescribed by the secretary of state and if it
10 contains:

11 (a) A sworn statement by the applicant that the applicant has good
12 reason to believe (i) that the applicant, or the minor or incapacitated
13 person on whose behalf the application is made, is a victim of domestic
14 violence ~~((or))~~, sexual assault, or stalking; and (ii) that the
15 applicant fears for his or her safety or his or her children's safety,
16 or the safety of the minor or incapacitated person on whose behalf the
17 application is made;

18 (b) A designation of the secretary of state as agent for purposes
19 of service of process and for the purpose of receipt of mail;

20 (c) The mailing address where the applicant can be contacted by the
21 secretary of state, and the phone number or numbers where the applicant
22 can be called by the secretary of state;

23 (d) The new address or addresses that the applicant requests not be
24 disclosed for the reason that disclosure will increase the risk of
25 domestic violence ~~((or))~~, sexual assault, or stalking;

26 (e) The signature of the applicant and of any individual or
27 representative of any office designated in writing under RCW 40.24.080
28 who assisted in the preparation of the application, and the date on
29 which the applicant signed the application.

30 (2) Applications shall be filed with the office of the secretary of
31 state.

32 (3) Upon filing a properly completed application, the secretary of
33 state shall certify the applicant as a program participant. Applicants
34 shall be certified for four years following the date of filing unless
35 the certification is withdrawn or invalidated before that date. The
36 secretary of state shall by rule establish a renewal procedure.

37 (4) A person who falsely attests in an application that disclosure
38 of the applicant's address would endanger the applicant's safety or the
39 safety of the applicant's children or the minor or incapacitated person

1 on whose behalf the application is made, or who knowingly provides
2 false or incorrect information upon making an application, shall be
3 punishable under RCW 40.16.030 or other applicable statutes.

4 **Sec. 3.** RCW 40.24.080 and 1998 c 138 s 4 are each amended to read
5 as follows:

6 The secretary of state shall designate state and local agencies and
7 nonprofit agencies that provide counseling and shelter services to
8 ~~((either))~~ victims of domestic violence ~~((or))~~, sexual assault, or
9 stalking to assist persons applying to be program participants. Any
10 assistance and counseling rendered by the office of the secretary of
11 state or its designees to applicants shall in no way be construed as
12 legal advice.

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