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**SUBSTITUTE HOUSE BILL 1537**

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**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By** House State Government, Elections & Information Technology  
(originally sponsored by Representatives Haler, Springer, Tarleton,  
Nealey, Goodman, Sawyer, Pollet, and Fey)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to disclosure in initiatives, referenda, and  
2 recall petitions; adding new sections to chapter 42.17A RCW; adding a  
3 new section to chapter 29A.04 RCW; creating a new section;  
4 prescribing penalties; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that forged  
7 signatures on petitions is an increasing problem. Initiative or  
8 referendum petitions suspected of containing fabricated names or  
9 forged signatures have been submitted to the office of the secretary  
10 of state.

11 (2) The legislature recognizes that, because of the sensitivity  
12 of data collected by signature gatherers and the need to ensure  
13 public safety, it is important there be a level of accountability for  
14 those employed to collect signatures and those who employ signature  
15 gatherers as required for other employers and employees engaged in  
16 the political process in Washington.

17 (3) The legislature recognizes that the public has a right to  
18 know which entities are compensating individuals to gather signatures  
19 in Washington state, just as the public has a right to know which  
20 entities compensate lobbyists or contribute to political campaigns.

1 (4) The legislature further recognizes that it should be easier  
2 for voters and property owners to contact entities that compensate  
3 signature gatherers when signature gatherers cause problems such as  
4 harassment of customers to mitigate those problems.

5 (5) The legislature recognizes that requiring disclosure by the  
6 entities that compensate for petition signatures is consistent with  
7 Washington's existing disclosure laws, promotes transparency in  
8 government, and will result in more accurate information.

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

11 (1) Any ballot measure sponsor or political committee that  
12 employs, or expects to employ, any person for the purpose of  
13 compensating individuals for gathering signatures on a state or local  
14 initiative, referendum, or recall petition in this state must, at the  
15 time of registration or within ten days of employing the person,  
16 disclose to the commission:

17 (a) The name of the person employed;

18 (b) The physical and mailing addresses of the person employed;

19 (c) The phone number of the person employed;

20 (d) An email address for the person employed; and

21 (e) A list of the initiative, referendum, and recall petitions  
22 for which the person employed is compensating individuals to gather  
23 signatures.

24 (2) The commission must make the information disclosed in  
25 subsection (1) of this section available to the public within two  
26 days of receipt.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17A  
28 RCW to read as follows:

29 (1) The ballot measure sponsor or political committee must ensure  
30 that each person that directly compensates any individual for  
31 gathering signatures is keeping the following information on file  
32 until two years after the certification date of the ballot measures  
33 for which an individual was compensated for gathering signatures, and  
34 provide the information upon request to the commission or any law  
35 enforcement agency:

36 (a) The full name, and any assumed names, of the signature  
37 gatherer;

1 (b) The permanent address of the signature gatherer, and a  
2 Washington address if the signature gatherer is from out of state;

3 (c) The phone number of the signature gatherer;

4 (d) An email address for the signature gatherer;

5 (e) A digital photograph of the signature gatherer taken within  
6 the past twelve months that satisfies the requirements of a photo for  
7 a United States passport;

8 (f) A copy of the signature gatherer's driver's license, state  
9 identification card, or other government-issued photo identification.  
10 The driver's license, state identification card, or other government-  
11 issued photo identification is exempt from public inspection and  
12 copying;

13 (g) A list of the initiative, referendum, and recall petitions on  
14 which the signature gatherer will be gathering signatures or has  
15 gathered signatures;

16 (h) Documentation that the signature gatherer has completed a  
17 training program that includes the rights and responsibilities of  
18 voters, signature gatherers, public property owners, and private  
19 property owners in the initiative and referendum process. The  
20 training program must be available in electronic format and easy to  
21 access for the signature gatherer; and

22 (i) Confirmation that a national background check has been  
23 completed on the signature gatherer and that the signature gatherer  
24 has not been convicted of a criminal offense involving fraud,  
25 forgery, or identity theft in any state in the past five years, or  
26 has not been found in violation of any election law under chapter  
27 29A.84 RCW, or its equivalent in another jurisdiction, in the past  
28 five years.

29 (2) A person may not compensate any individual for gathering  
30 signatures on a state or local initiative, referendum, or recall  
31 petition if the individual:

32 (a) Has been convicted of a criminal offense involving fraud,  
33 forgery, or identification theft in any jurisdiction within the past  
34 five years;

35 (b) Has been convicted of a crime under chapter 29A.84 RCW, or  
36 its equivalent in another jurisdiction, in the past five years; or

37 (c) Has been found in violation of elections law under chapter  
38 29A.84 RCW, or its equivalent in another jurisdiction, in the past  
39 five years.

1 (3) A person must, within five days, update his or her disclosure  
2 if he or she agrees to or compensates for signatures on an  
3 initiative, referendum, or recall petition not already disclosed.

4 (4) A person may not condition compensation for petition  
5 signatures based on receiving other petition signatures for free.

6 (5) Any violation of this section is subject to a penalty  
7 pursuant to RCW 42.17A.755.

8 (6) The commission may adopt rules to implement this section.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.04  
10 RCW to read as follows:

11 (1) The secretary of state shall provide references to applicable  
12 statutes and case law for inclusion in training programs for  
13 signature gatherers as required by section 3(1)(h) of this act.

14 (2) The secretary of state shall post the information provided  
15 under section 2 of this act to its web site and provide links with  
16 each ballot measure to any persons employed by ballot measure  
17 sponsors that compensate individuals for signature gathering.

18 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2020.

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