

SENATE BILL REPORT

ESHB 1643

As Reported by Senate Committee On:
State Government, Tribal Relations & Elections, March 20, 2019

Title: An act relating to property ownership for participants in the address confidentiality program.

Brief Description: Concerning property ownership for participants in the address confidentiality program.

Sponsors: House Committee on State Government & Tribal Relations (originally sponsored by Representatives Doglio, Walsh, Dolan, Irwin, Orwall, Lovick, Macri, Appleton, Shewmake, Jinkins, Davis, Frame and Leavitt).

Brief History: Passed House: 3/05/19, 98-0; 3/06/19, 96-0.

Committee Activity: State Government, Tribal Relations & Elections: 3/15/19, 3/20/19 [DP].

Brief Summary of Bill

- Requires the Secretary of State to work with the Office of Civil Legal Aid to provide information, online self-help resources, and other free legal aid services to participants in the Address Confidentiality Program who wish to own property without disclosing their address.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hasegawa, Hawkins and Takko.

Staff: Jarrett Sacks (786-7448)

Background: In 1991, the Legislature created the Address Confidentiality Program (ACP) to protect people who are attempting to escape from domestic violence, sexual assault, trafficking, or stalking. The ACP helps preserve the confidentiality of a person's address by allowing the person to use a substitute mailing address designated by the Secretary of State

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

for purposes of government records. In practice, an ACP participant receives a P.O. box address in Olympia to use on government documents. The Secretary of State forwards mail from the P.O. box to the ACP participant's real address.

A person who wishes to participate in the ACP applies to the Secretary of State with a sworn statement that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence, sexual assault, trafficking, or stalking and fears for their or their children's safety. An applicant may also be a criminal justice participant who is the target of unlawful threats or harassment. Applicants may receive assistance from local agencies and nonprofits that provide counseling and shelter services to victims.

Other than the ACP participants' public address designated by the Secretary of State, participant files may not be disclosed, except by court order or to law enforcement in certain circumstances. Names of ACP participants are not included in lists of registered voters.

Summary of Bill: The Secretary of State must enter into an interagency agreement with the Office of Civil Legal Aid to develop and make available information, online self-help resources, and other free legal aid services to help ACP participants who wish to own property without publicly disclosing their address. These resources also must help participants purchase property in the name of a nonprofit to establish a safe house for other participants or for sex trafficking victims without public disclosure of their ownership. The Secretary of State and assisting agencies must publicize the availability of legal resources and assistance for these purposes.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The ACP is a great program, but it does not allow participants to protect their address when they buy a home. Auditors can protect voter records and marriage records, but not property records. The bill is not a whole solution, but it is a start. There is a task force working on a larger solution.

Persons Testifying: PRO: Representative Beth Doglio, Prime Sponsor; Jay Jennings, Office of Secretary of State; Mary Hall, Thurston County.

Persons Signed In To Testify But Not Testifying: No one.