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**HOUSE BILL 1671**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Representatives Couture, Volz, Sandlin, McEntire, Waters, Klicker, McClintock, Christian, Orcutt, Corry, Walsh, Jacobsen, Mosbrucker, Chambers, Schmidt, Stokesbary, and Low

AN ACT Relating to securing honesty and valor of elected representatives and senators; adding a new section to chapter 9A.60 RCW; adding a new section to chapter 29A.32 RCW; and prescribing penalties.

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

NEW SECTION. **Sec.**  A new section is added to chapter 9A.60 RCW to read as follows:

(1) A person is guilty of misrepresenting or falsely claiming military service as a state elected official or a candidate for state elected office if the person:

(a) Is a statewide elected official or a state legislator, or a candidate for statewide office or the state legislature;

(b) Publicly states that they have served in the military, describes their military record, or describes having taken part in certain circumstances or activities regarding military service; and

(c) Knows that the statement or description is false or is misleading to an objective reasonable observer.

(2) For purposes of this section, a person "publicly states" a statement or description if it is made in a public speech or in a publicly disseminated written, audio, or video form, such as in paper materials, posted on the internet, or made available to the public through any other public communication platform.

(3) The crime of misrepresenting or falsely claiming military service as a state elected official or a candidate for state elected office is a misdemeanor, punishable by a fine of $50,000.

NEW SECTION. **Sec.**  A new section is added to chapter 29A.32 RCW to read as follows:

(1) A candidate statement submitted for inclusion in the voters' pamphlet may not contain false or misleading statements about the candidate having served in the military or the details of such service. Whether a statement is misleading is assessed using an objective reasonable observer standard.

(2) A committee is established in the office of the secretary of state to adjudicate claims that a candidate statement contains a statement prohibited under subsection (1) of this section. The committee shall consist of:

(a) The secretary of state, or their designee;

(b) Two county auditors, one from a county west of the crest of the Cascade mountains and one from a county east of the crest of the Cascade mountains; and

(c) Two representatives from the Washington military department.

(3) A registered voter may initiate a committee investigation into whether a candidate statement contains a statement prohibited under subsection (1) of this section. The committee may also initiate its own investigations sua sponte.

(4) At the conclusion of its investigation, the committee shall vote to determine whether the candidate statement contains a statement prohibited under subsection (1) of this section. If a majority of the committee votes that a violation has occurred, the committee must publicly report its findings.

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