
State Government & Tribal Affairs
Committee

HB 2614

Brief Description: Concerning signature gathering.

Sponsors: Representatives Hunt, Liias, Carlyle, Flannigan and White.

Brief Summary of Bill

- Requires signature gatherers to sign the statutorily required declaration on each petition sheet for a referendum or initiative.

Hearing Date: 1/28/10

Staff: Tracey O'Brien (786-7196).

Background:

Initiative and Referendum in Washington.

The Legislature adopted processes for initiative and referendum in 1912. The law as enacted allows:

- Initiatives to the People, where if petitions are certified to have a sufficient number of signatures by registered voters, the issue is submitted for a vote of the people at the next state general election;
- Initiatives to the Legislature, where if petitions are certified to have a sufficient number of signatures by registered voters, the issue is submitted to the Legislature at its next regular session;
- Referendum Measures, where laws recently passed by the Legislature are placed on the ballot after certification of petitions signed by registered voters; and
- Referendum Bills, where voters adopt laws proposed by the Legislature.

Under the state Constitution, initiative petitions require signatures from 8 percent of the total number of votes cast for the Office of Governor at the last regular gubernatorial election;

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referendum petitions require 4 percent.

The required form of initiative and referendum petitions is set forth in statute. First, a petition for initiative or referendum must include a place for each petitioner to sign and print his or her name, and the address, city, and county at which he or she is registered to vote.

It also must include a warning as well as language that each petition signer: has personally signed the petition; is a legal voter in Washington; verifies that his or her residence address is correctly stated; and has knowingly only signed the petition once. In addition, there is a declaration that states:

"I,, swear or affirm under penalty of law that I circulated this sheet of the foregoing petition, and that, to the best of my knowledge, every person who signed this sheet of the foregoing petition knowingly and without any compensation or promise of compensation willingly signed his or her true name and that the information provided therewith is true and correct. I further acknowledge that under chapter 29A.84 RCW, forgery of signatures on this petition constitutes a class C felony, and that offering consideration or gratuity to any person to induce them to sign a petition is a gross misdemeanor, such violations being punishable by fine or imprisonment or both."

Summary of Bill:

The declaration must be signed by the signature gather who circulated the petition sheet after the sheet has been signed by the petitioners but before the petition is submitted to the Secretary of State. Additional lines will be added following the declaration for the signature gatherer's signature, date of signature, printed name, printed street address and printed city, state and zip code. Additional language is added that signing this declaration constitutes an oath subjecting the signatory to the penalty of law. The declaration must be individually signed by the signature gatherer and stamps or other signature reproductions may not be used.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.