
HOUSE BILL 2351

State of Washington

55th Legislature

1998 Regular Session

By Representatives McDonald, Costa, L. Thomas, Scott, Gardner, Linville, Hatfield, Benson, Keiser, Romero, Butler, Dunshee, Kessler, Kenney, Cooke, Mitchell, Cooper, Kastama, Dunn, Lambert, Constantine, Sullivan, Conway and Lantz; by request of Secretary of State

Prefiled 01/08/98. Read first time 01/12/98. Referred to Committee on Government Administration.

1 AN ACT Relating to the address confidentiality program; and
2 amending RCW 40.24.030 and 40.24.080.

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

4 **Sec. 1.** RCW 40.24.030 and 1991 c 23 s 3 are each amended to read
5 as follows:

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

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

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

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

6 (d) The new address or addresses that the applicant requests not be
7 disclosed for the reason that disclosure will increase the risk of
8 domestic violence;

9 (e) The signature of the applicant and of any individual or
10 representative of any office designated in writing under RCW 40.24.080
11 who assisted in the preparation of the application, and the date on
12 which the applicant signed the application.

13 (2) Applications shall be filed with the office of the secretary of
14 state.

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

20 (4) A person who falsely attests in an application that disclosure
21 of the applicant's address would endanger the applicant's safety or the
22 safety of the applicant's children or the minor or incapacitated person
23 on whose behalf the application is made, or who knowingly provides
24 false or incorrect information upon making an application, shall be
25 punishable under RCW 40.16.030 or other applicable statutes.

26 **Sec. 2.** RCW 40.24.080 and 1991 c 23 s 8 are each amended to read
27 as follows:

28 The secretary of state shall designate state and local agencies and
29 nonprofit agencies that provide counseling and shelter services to
30 either victims of domestic violence or sexual assault to assist persons
31 applying to be program participants. Any assistance and counseling
32 rendered by the office of the secretary of state or its designees to
33 applicants shall in no way be construed as legal advice.

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