

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1546

57th Legislature
2001 Regular Legislative Session

Passed by the House March 9, 2001
Yeas 94 Nays 0

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 4, 2001
Yeas 47 Nays 0

President of the Senate

Approved

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1546** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

HOUSE BILL 1546

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Representatives Schual-Berke, Campbell, Ballasiotes, D. Schmidt, Simpson, Conway, Keiser, Darneille, Kagi, Woods, Ruderman, Hurst and McIntire; by request of Secretary of State

Read first time 01/29/2001. Referred to Committee on State Government.

1 AN ACT Relating to address confidentiality for victims of
2 stalking; and amending RCW 40.24.010, 40.24.030, and 40.24.080.

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

4 **Sec. 1.** RCW 40.24.010 and 1998 c 138 s 1 are each amended to
5 read as follows:

6 The legislature finds that persons attempting to escape from
7 actual or threatened domestic violence ((or)) sexual assault, or
8 stalking frequently establish new addresses in order to prevent their
9 assailants or probable assailants from finding them. The purpose of
10 this chapter is to enable state and local agencies to respond to
11 requests for public records without disclosing the location of a
12 victim of domestic violence ((or)) sexual assault, or stalking, to
13 enable interagency cooperation with the secretary of state in
14 providing address confidentiality for victims of domestic violence
15 ((or)) sexual assault, or stalking, and to enable state and local
16 agencies to accept a program participant's use of an address
17 designated by the secretary of state as a substitute mailing address.

1 **Sec. 2.** RCW 40.24.030 and 1998 c 138 s 2 are each amended to
2 read as follows:

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

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

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

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

23 (d) The new address or addresses that the applicant requests not
24 be disclosed for the reason that disclosure will increase the risk of
25 domestic violence ~~((or))~~, sexual assault, or stalking;

26 (e) The signature of the applicant and of any individual or
27 representative of any office designated in writing under RCW
28 40.24.080 who assisted in the preparation of the application, and the
29 date on which the applicant signed the application.

30 (2) Applications shall be filed with the office of the secretary
31 of state.

32 (3) Upon filing a properly completed application, the secretary
33 of state shall certify the applicant as a program participant.
34 Applicants shall be certified for four years following the date of
35 filing unless the certification is withdrawn or invalidated before

1 that date. The secretary of state shall by rule establish a renewal
2 procedure.

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

10 **Sec. 3.** RCW 40.24.080 and 1998 c 138 s 4 are each amended to
11 read as follows:

12 The secretary of state shall designate state and local agencies
13 and nonprofit agencies that provide counseling and shelter services
14 to ~~((either))~~ victims of domestic violence ~~((or))~~, sexual assault, or
15 stalking to assist persons applying to be program participants. Any
16 assistance and counseling rendered by the office of the secretary of
17 state or its designees to applicants shall in no way be construed as
18 legal advice.

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