

---

SENATE BILL 5634

---

State of Washington

57th Legislature

2001 Regular Session

By Senators Regala, Patterson, Swecker, Rasmussen, McAuliffe and Kohl-Welles

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

1 AN ACT Relating to initiative or referendum petition signature  
2 solicitors; amending RCW 29.79.490; adding a new section to chapter  
3 29.79 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29.79 RCW  
6 to read as follows:

7 (1) A person who solicits or procures signatures on an initiative  
8 or referendum petition must be a resident of the state as defined by  
9 RCW 29.01.140 and at least eighteen years of age.

10 (2) When a person who receives compensation for soliciting or  
11 procuring signatures on an initiative or referendum petition is  
12 soliciting or procuring signatures for which he or she has been or will  
13 be compensated, the person shall wear a badge on the front of his or  
14 her outermost clothing above the waist that clearly and conspicuously  
15 identifies the person as a paid signature solicitor.

16 (3) A person who is soliciting or procuring signatures on an  
17 initiative or referendum for which he or she will not be compensated  
18 shall wear a badge on the front of his or her outermost clothing above

1 the waist that clearly and conspicuously identifies the person as an  
2 unpaid volunteer signature solicitor.

3 (4) A person who solicits or procures signatures on an initiative  
4 or referendum petition must execute an affidavit that includes his or  
5 her printed name, the permanent address where he or she physically  
6 resides, the county, and the date he or she signed the affidavit; that  
7 he or she has read and understands the laws governing the circulation  
8 of petitions; that he or she will permit signatures to be affixed only  
9 in the solicitor's presence; that to the best of the solicitor's  
10 ability each of the persons signing the petition section is, at the  
11 time of signing, registered to vote in this state; a statement of the  
12 solicitor's paid or unpaid status at the time this petition will be  
13 circulated; and that he or she has not paid or will not in the future  
14 pay and that he or she believes that no other person has paid or will  
15 pay, directly or indirectly, any money or other thing of value to any  
16 signer for the purpose of inducing or causing the signer to affix his  
17 or her signature to the petition. Each petition circulated for  
18 signatures must have a properly executed affidavit attached while it is  
19 being circulated.

20 (5) The affidavit required by subsection (4) of this section must  
21 be attached to each individual petition submitted to the secretary of  
22 state for validation. The secretary of state may not accept for filing  
23 a petition that does not have a properly executed affidavit attached.

24 **Sec. 2.** RCW 29.79.490 and 1993 c 256 s 4 are each amended to read  
25 as follows:

26 Every person (~~shall be~~) is guilty of a gross misdemeanor who:

27 (1) For any consideration or gratuity or promise thereof, signs or  
28 declines to sign any initiative or referendum petition; or

29 (2) Provides or receives consideration for soliciting or procuring  
30 signatures on an initiative or referendum petition if any part of the  
31 consideration is based upon the number of signatures solicited or  
32 procured, or offers to provide or agrees to receive such consideration  
33 any of which is based on the number of signatures solicited or  
34 procured; or

35 (3) Gives or offers any consideration or gratuity to any person to  
36 induce him or her to sign or not to sign or to vote for or against any  
37 initiative or referendum measure; or

1 (4) Interferes with or attempts to interfere with the right of any  
2 voter to sign or not to sign an initiative or referendum petition or  
3 with the right to vote for or against an initiative or referendum  
4 measure by threats, intimidation, or any other corrupt means or  
5 practice; or

6 (5) Receives, handles, distributes, pays out, or gives away,  
7 directly or indirectly, money or any other thing of value contributed  
8 by or received from any person, firm, association, or corporation whose  
9 residence or principal office is, or the majority of whose members or  
10 stockholders have their residence outside, the state of Washington, for  
11 any service rendered for the purpose of aiding in procuring signatures  
12 upon any initiative or referendum petition or for the purpose of aiding  
13 in the adoption or rejection of any initiative or referendum measure:  
14 PROVIDED, That this subsection shall not apply to or prohibit any  
15 activity which is properly reported in accordance with the applicable  
16 provisions of chapter 42.17 RCW; or

17 (6) Solicits or procures signatures for an initiative or referendum  
18 petition if he or she is not a resident of the state as defined in RCW  
19 29.01.140 and at least eighteen years of age; or

20 (7) Fails to wear a badge identifying him or her as a paid  
21 signature solicitor when required by section 1(2) of this act; or

22 (8) Wears a badge identifying him or her as an unpaid volunteer  
23 signature solicitor under section 1(3) of this act when he or she is  
24 compensated for soliciting or procuring signatures under section 1(2)  
25 of this act; or

26 (9) Solicits or procures signatures for an initiative or referendum  
27 petition without having attached to it a properly executed affidavit as  
28 required by section 1(4) of this act.

29 A gross misdemeanor under this section is punishable to the same  
30 extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

--- END ---