
**State Government & Tribal
Affairs Committee**

SHB 2019

Brief Description: Requiring signature gatherers of ballot measure petitions to sign petition declarations under oath.

Sponsors: House Committee on State Government & Tribal Affairs (originally sponsored by Senators McDermott, Ormsby, Appleton, Miloscia, Hunt, Kessler, Hasegawa and Kenney).

Brief Summary of Substitute Bill

- Requires signature-gatherers to sign initiative and referendum petitions.

Hearing Date: 1/18/08

Staff: Tracey Taylor (786-7196).

Background:

In 2005, the Legislature passed a law requiring a declaration be printed on the back of initiative and referendum petitions. The declaration 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 any 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.

In 2006, upon request, the Attorney General published an opinion stating that the law as passed does not require a signature gatherer to actually sign the petition.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Lines for signature, date, name, and address are added to the declaration printed on the back of the petition. Language is added that signing the declaration constitutes an oath and subjects the signatory to the penalty of law. Failure to sign the declaration is grounds for the Secretary of State to refuse to file the declaration.

Proposed Substitute Compared to Substitute Bill:

The Secretary of State no longer has discretion, but must refuse to file any initiative or referendum petition that does not contain the statutorily required information, has insufficient signatures, was not filed in a timely manner, or does not have a properly signed declaration on the reverse side.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill has an emergency clause and takes effect immediately.