
HOUSE BILL 1838

State of Washington 63rd Legislature 2013 Regular Session

By Representatives Moeller, Ryu, and Jenkins

Read first time 02/12/13. Referred to Committee on Judiciary.

1 AN ACT Relating to surname changes; amending RCW 4.24.130; adding
2 a new section to chapter 26.04 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.04 RCW
5 to read as follows:

6 After the solemnization of a marriage, either spouse may elect to
7 change his or her surname to: (1) The surname of the other spouse; (2)
8 any former surname of either spouse; (3) a single surname that combines
9 all or a segment of the premarriage surname or any former surname of
10 either spouse; or (4) a combination surname separated by a hyphen as
11 long as each part of the combination surname is the premarriage
12 surname, or any former surname, of either spouse.

13 **Sec. 2.** RCW 4.24.130 and 1998 c 220 s 5 are each amended to read
14 as follows:

15 (1) Any person desiring a change of his or her name, except for
16 surname changes due to marriage, or that of his or her child or ward,
17 may apply therefor to the district court of the judicial district in

1 which he or she resides, by petition setting forth the reasons for such
2 change; thereupon such court in its discretion may order a change of
3 the name and thenceforth the new name shall be in place of the former.

4 (2) An offender under the jurisdiction of the department of
5 corrections who applies to change his or her name under subsection (1)
6 of this section shall submit a copy of the application to the
7 department of corrections not fewer than five days before the entry of
8 an order granting the name change. No offender under the jurisdiction
9 of the department of corrections at the time of application shall be
10 granted an order changing his or her name if the court finds that doing
11 so will interfere with legitimate penological interests, except that no
12 order shall be denied when the name change is requested for religious
13 or legitimate cultural reasons or in recognition of marriage or
14 dissolution of marriage. An offender under the jurisdiction of the
15 department of corrections who receives an order changing his or her
16 name shall submit a copy of the order to the department of corrections
17 within five days of the entry of the order. Violation of this
18 subsection is a misdemeanor.

19 (3) A sex offender subject to registration under RCW 9A.44.130 who
20 applies to change his or her name under subsection (1) of this section
21 shall follow the procedures set forth in RCW 9A.44.130(6).

22 (4) The district court shall collect the fees authorized by RCW
23 36.18.010 for filing and recording a name change order, and transmit
24 the fee and the order to the county auditor. The court may collect a
25 reasonable fee to cover the cost of transmitting the order to the
26 county auditor.

27 (5) Name change petitions may be filed and shall be heard in
28 superior court when the person desiring a change of his or her name or
29 that of his or her child or ward is a victim of domestic violence as
30 defined in RCW 26.50.010(1) and the person seeks to have the name
31 change file sealed due to reasonable fear for his or her safety or that
32 of his or her child or ward. Upon granting the name change, the
33 superior court shall seal the file if the court finds that the safety
34 of the person seeking the name change or his or her child or ward
35 warrants sealing the file. In all cases filed under this subsection,
36 whether or not the name change petition is granted, there shall be no
37 public access to any court record of the name change filing,

1 proceeding, or order, unless the name change is granted but the file is
2 not sealed.

3 (6) Surname changes due to marriage as authorized under section 1
4 of this act may be completed through the state registrar of vital
5 statistics by presenting a marriage certificate and photo
6 identification. Upon presentation of the marriage certificate and
7 photo identification, the state registrar of vital statistics must
8 issue a stand-alone certified name change certificate that can be
9 utilized to change a surname at state and local government offices.
10 The state registrar of vital statistics must adopt rules to implement
11 this subsection.

12 NEW SECTION. Sec. 3. This act takes effect August 1, 2013.

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