

SB 6618 - S AMD 610  
By Senator Liiias

1 On page 2, after line 4, insert the following:

2 "NEW SECTION. **Sec. 2.** (1) The legislature recognizes that  
3 forged signatures on petitions is an increasing problem. Initiative  
4 or referendum petitions suspected of containing fabricated names or  
5 forged signatures were submitted to the office of the secretary of  
6 state in:

7 (a) 2008 on Initiative Measure No. 985;

8 (b) 2010 on Initiative Measure No. 1098;

9 (c) 2011 on Initiative Measure No. 1163;

10 (d) 2012 on Referendum 74, Initiative Measure No. 1185, and  
11 Initiative Measure No. 1240; and

12 (e) 2013 on Initiative Measure No. 517 and Initiative Measure No.  
13 522.

14 (2) The legislature recognizes that the petitions containing  
15 suspect names and signatures were circulated by individuals who were  
16 compensated based on the number of signatures placed on the  
17 petitions. The legislature further recognizes that while some  
18 investigations resulted in criminal charges and felony convictions,  
19 more recent investigations have been hampered by additional false  
20 information provided to the investigating agencies by the entities  
21 that compensated the signature gatherers.

22 (3) The legislature recognizes that, because of the sensitivity  
23 of data collected by signature gatherers and the need to ensure  
24 public safety, it is important there be a level of accountability for  
25 those employed to collect signatures and those who employ signature  
26 gatherers as required for other employers and employees engaged in  
27 the political process in Washington.

28 (4) The legislature recognizes that requiring disclosure by the  
29 entities that compensate for petition signatures is consistent with  
30 Washington's existing disclosure laws, promotes transparency in  
31 government, and will result in more accurate information.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 29A.72  
2    RCW to read as follows:

3        (1) Any entity that compensates, or expects to compensate, any  
4    individual for gathering signatures on a state or local initiative,  
5    referendum, or recall petition in this state must, within five days,  
6    disclose to the secretary of state:

7        (a) The name of the entity;

8        (b) The physical and mailing addresses of the entity;

9        (c) The phone number of the entity;

10       (d) An email address for the entity;

11       (e) The entity's business license number required by chapter  
12    19.02 RCW;

13       (f) A list of the initiative, referendum, and recall petitions  
14    for which the entity is compensating individuals to gather  
15    signatures;

16       (g) For each individual that the entity compensates for gathering  
17    signatures:

18       (i) The full name, and any assumed names, of the signature  
19    gatherer;

20       (ii) The permanent address of the signature gatherer, and a  
21    Washington address if the signature gatherer is from out-of-state.  
22    The addresses are exempt from public inspection and copying;

23       (iii) The phone number of the signature gatherer. The phone  
24    number is exempt from public inspection and copying;

25       (iv) An email address for the signature gatherer. The email  
26    address is exempt from public inspection and copying;

27       (v) A digital photograph of the signature gatherer taken within  
28    the past twelve months that satisfies the requirements of a photo for  
29    a United States passport;

30       (vi) A copy of the signature gatherer's driver's license, state  
31    identification card, or other government-issued photo identification.  
32    The driver's license, state identification card, or other government-  
33    issued photo identification is exempt from public inspection and  
34    copying;

35       (vii) A list of the initiative, referendum, and recall petitions  
36    on which the signature gatherer will be gathering signatures or has  
37    gathered signatures;

38       (viii) Attestation that the signature gatherer has completed a  
39    training program administered or outlined by the secretary of state  
40    that includes the rights and responsibilities of voters, signature

1 gatherers, public property owners, and private property owners. The  
2 training program must be available in electronic formats and easy to  
3 access for the signature gatherer; and

4 (ix) Confirmation that a national background check has been  
5 completed on the signature gatherer and that the signature gatherer  
6 has not been convicted of a criminal offense involving fraud,  
7 forgery, or identity theft in any state in the past five years, or  
8 has not been found in violation of any election law under chapter  
9 29A.84 RCW, or its equivalent in another jurisdiction, in the past  
10 five years; and

11 (h) Any other information required by rules adopted by the  
12 secretary of state.

13 (2) An entity may not compensate any individual for gathering  
14 signatures on a state or local initiative, referendum, or recall  
15 petition if the individual:

16 (a) Has been convicted of a criminal offense involving fraud,  
17 forgery, or identification theft in any jurisdiction within the past  
18 five years;

19 (b) Has been convicted of a crime under chapter 29A.84 RCW, or  
20 its equivalent in another jurisdiction, in the past five years; or

21 (c) Has been found in violation of elections law under chapter  
22 29A.84 RCW, or its equivalent in another jurisdiction, in the past  
23 five years.

24 (3) An entity must, within five days, update its disclosure if it  
25 compensates a signature gatherer not already disclosed, or  
26 compensates for signatures on an initiative, referendum, and recall  
27 petition not already disclosed.

28 (4) An entity may not condition compensation for petition  
29 signatures based on receiving other petition signatures for free.

30 (5) The secretary of state must adopt rules to implement this  
31 section.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.84  
33 RCW to read as follows:

34 An entity that compensates any individual for gathering  
35 signatures on a state or local initiative, referendum, or recall  
36 petition in this state not fully disclosed as required by section 3  
37 of this act, or who compensates for gathering signatures on an  
38 initiative, referendum, or recall petition in this state not fully  
39 disclosed as required by section 3 of this act, is subject to

1 citation and a fine in the amount of five hundred dollars per  
2 violation.

3 **Sec. 5.** RCW 29A.56.160 and 2003 c 111 s 1412 are each amended to  
4 read as follows:

5 Recall petitions must be printed on single sheets of paper of  
6 good writing quality (including but not limited to newsprint) not  
7 less than eleven inches in width and not less than fourteen inches in  
8 length. No petition may be circulated or signed prior to the first  
9 day of the one hundred eighty or two hundred seventy day period  
10 established by RCW 29A.56.150 for that recall petition. The petitions  
11 must be substantially in the following form:

12 The warning prescribed by RCW 29A.72.140; followed by:

13 Petition for the recall of (here insert the name of the office  
14 and of the person whose recall is petitioned for) to the Honorable  
15 (here insert the name and title of the officer with whom the charge  
16 is filed).

17 We, the undersigned citizens and legal voters of (the state of  
18 Washington or the political subdivision in which the recall is to be  
19 held), respectfully direct that a special election be called to  
20 determine whether or not (here insert the name of the person charged  
21 and the office which he or she holds) be recalled and discharged from  
22 his or her office, for and on account of (his or her having committed  
23 the act or acts of malfeasance or misfeasance while in office, or  
24 having violated his or her oath of office, as the case may be), in  
25 the following particulars: (here insert the synopsis of the charge);  
26 and each of us for himself or herself says: I have personally signed  
27 this petition; I am a legal voter of the State of Washington in the  
28 precinct and city (or town) and county written after my name, and my  
29 residence address is correctly stated, and to my knowledge, have  
30 signed this petition only once.

31 The petition must include a place for each petitioner to sign and  
32 print his or her name, and the address, city, and county at which he  
33 or she is registered to vote.

34 The petition must include the following printed on the reverse  
35 side:

36 I circulated this petition. I did not offer any consideration,  
37 gratuity, or other thing of value to induce any person to sign this  
38 petition. Forgery of a signature on this petition is a class B

1 felony. Offering consideration, gratuity, or other thing of value to  
2 induce any person to sign this petition is a gross misdemeanor.

3 Print name:

4 Address:

5 Address:

6 Phone:

7 **Sec. 6.** RCW 29A.72.110 and 2005 c 239 s 1 are each amended to  
8 read as follows:

9 Petitions for proposing measures for submission to the  
10 legislature at its next regular session must be substantially in the  
11 following form:

12 The warning prescribed by RCW 29A.72.140; followed by:

13 INITIATIVE PETITION FOR SUBMISSION TO THE LEGISLATURE

14 To the Honorable . . . . ., Secretary of State of the State of  
15 Washington:

16 We, the undersigned citizens and legal voters of the State of  
17 Washington, respectfully direct that this petition and the proposed  
18 measure known as Initiative Measure No. . . . . and entitled (here  
19 set forth the established ballot title of the measure), a full, true,  
20 and correct copy of which is printed on the reverse side of this  
21 petition, be transmitted to the legislature of the State of  
22 Washington at its next ensuing regular session, and we respectfully  
23 petition the legislature to enact said proposed measure into law; and  
24 each of us for himself or herself says: I have personally signed this  
25 petition; I am a legal voter of the State of Washington in the city  
26 (or town) and county written after my name, my residence address is  
27 correctly stated, and I have knowingly signed this petition only  
28 once.

29 ~~((The following declaration must be printed on the reverse side~~  
30 ~~of the petition:~~

31 ~~I, . . . . ., swear or affirm under penalty of law~~  
32 ~~that I circulated this sheet of the foregoing petition, and that, to~~  
33 ~~the best of my knowledge, every person who signed this sheet of the~~  
34 ~~foregoing petition knowingly and without any compensation or promise~~  
35 ~~of compensation willingly signed his or her true name and that the~~  
36 ~~information provided therewith is true and correct. I further~~

1 ~~acknowledge that under chapter 29A.84 RCW, forgery of signatures on~~  
2 ~~this petition constitutes a class C felony, and that offering any~~  
3 ~~consideration or gratuity to any person to induce them to sign a~~  
4 ~~petition is a gross misdemeanor, such violations being punishable by~~  
5 ~~fine or imprisonment or both.~~

6 ~~RCW 9A.46.020 applies to any conduct constituting harassment~~  
7 ~~against a petition signature gatherer. This penalty does not preclude~~  
8 ~~the victim from seeking any other remedy otherwise available under~~  
9 ~~law.)~~

10 The petition must include a place for each petitioner to sign and  
11 print his or her name, and the address, city, and county at which he  
12 or she is registered to vote.

13 The petition must include the following printed on the reverse  
14 side:

15 I circulated this petition. I did not offer any consideration,  
16 gratuity, or other thing of value to induce any person to sign this  
17 petition. Forgery of a signature on this petition is a class C  
18 felony. Offering consideration, gratuity, or other thing of value to  
19 induce any person to sign this petition is a gross misdemeanor.

20 Print name:

21 Address:

22 Address:

23 Phone:

24 **Sec. 7.** RCW 29A.72.120 and 2005 c 239 s 2 are each amended to  
25 read as follows:

26 Petitions for proposing measures for submission to the people for  
27 their approval or rejection at the next ensuing general election must  
28 be substantially in the following form:

29 The warning prescribed by RCW 29A.72.140; followed by:

30 INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE

31 To the Honorable . . . . ., Secretary of State of the State of  
32 Washington:

33 We, the undersigned citizens and legal voters of the State of  
34 Washington, respectfully direct that the proposed measure known as  
35 Initiative Measure No. . . . ., entitled (here insert the established  
36 ballot title of the measure), a full, true and correct copy of which

1 is printed on the reverse side of this petition, be submitted to the  
2 legal voters of the State of Washington for their approval or  
3 rejection at the general election to be held on the . . . . day of  
4 November, (year); and each of us for himself or herself says: I have  
5 personally signed this petition; I am a legal voter of the State of  
6 Washington, in the city (or town) and county written after my name,  
7 my residence address is correctly stated, and I have knowingly signed  
8 this petition only once.

9 ~~((The following declaration must be printed on the reverse side  
10 of the petition:~~

11 ~~I, . . . . ., swear or affirm under penalty of law  
12 that I circulated this sheet of the foregoing petition, and that, to  
13 the best of my knowledge, every person who signed this sheet of the  
14 foregoing petition knowingly and without any compensation or promise  
15 of compensation willingly signed his or her true name and that the  
16 information provided therewith is true and correct. I further  
17 acknowledge that under chapter 29A.84 RCW, forgery of signatures on  
18 this petition constitutes a class C felony, and that offering any  
19 consideration or gratuity to any person to induce them to sign a  
20 petition is a gross misdemeanor, such violations being punishable by  
21 fine or imprisonment or both.~~

22 ~~RCW 9A.46.020 applies to any conduct constituting harassment  
23 against a petition signature gatherer. This penalty does not preclude  
24 the victim from seeking any other remedy otherwise available under  
25 law.))~~

26 The petition must include a place for each petitioner to sign and  
27 print his or her name, and the address, city, and county at which he  
28 or she is registered to vote.

29 The petition must include the following printed on the reverse  
30 side:

31 I circulated this petition. I did not offer any consideration,  
32 gratuity, or other thing of value to induce any person to sign this  
33 petition. Forgery of a signature on this petition is a class C  
34 felony. Offering consideration, gratuity, or other thing of value to  
35 induce any person to sign this petition is a gross misdemeanor.

36 Print name:

37 Address:

38 Address:

1 Phone:

2 **Sec. 8.** RCW 29A.72.130 and 2013 c 11 s 74 are each amended to  
3 read as follows:

4 Petitions ordering that acts or parts of acts passed by the  
5 legislature be referred to the people at the next ensuing general  
6 election, or special election ordered by the legislature, must be  
7 substantially in the following form:

8 The warning prescribed by RCW 29A.72.140; followed by:

9 PETITION FOR REFERENDUM

10 To the Honorable . . . . ., Secretary of State of the State of  
11 Washington:

12 We, the undersigned citizens and legal voters of the State of  
13 Washington, respectfully order and direct that Referendum Measure  
14 No. . . . ., filed to revoke a (or part or parts of a) bill that  
15 (concise statement required by RCW 29A.72.050) and that was passed by  
16 the . . . . . legislature of the State of Washington at the last  
17 regular (special) session of said legislature, shall be referred to  
18 the people of the state for their approval or rejection at the  
19 regular (special) election to be held on the . . . . day of November,  
20 (year); and each of us for himself or herself says: I have personally  
21 signed this petition; I am a legal voter of the State of Washington,  
22 in the city (or town) and county written after my name, my residence  
23 address is correctly stated, and I have knowingly signed this  
24 petition only once.

25 ~~((The following declaration must be printed on the reverse side  
26 of the petition:~~

27 ~~I, . . . . ., swear or affirm under penalty of law  
28 that I circulated this sheet of the foregoing petition, and that, to  
29 the best of my knowledge, every person who signed this sheet of the  
30 foregoing petition knowingly and without any compensation or promise  
31 of compensation willingly signed his or her true name and that the  
32 information provided therewith is true and correct. I further  
33 acknowledge that under chapter 29A.84 RCW, forgery of signatures on  
34 this petition constitutes a class C felony, and that offering any  
35 consideration or gratuity to any person to induce them to sign a  
36 petition is a gross misdemeanor, such violations being punishable by  
37 fine or imprisonment or both.~~



1 ~~RCW 9A.46.020 applies to any conduct constituting harassment~~  
2 ~~against a petition signature gatherer. This penalty does not preclude~~  
3 ~~the victim from seeking any other remedy otherwise available under~~  
4 ~~law.)~~)

5 The petition must include a place for each petitioner to sign and  
6 print his or her name, and the address, city, and county at which he  
7 or she is registered to vote.

8 The petition must include the following printed on the reverse  
9 side:

10 I circulated this petition. I did not offer any consideration,  
11 gratuity, or other thing of value to induce any person to sign this  
12 petition. Forgery of a signature on this petition is a class C  
13 felony. Offering consideration, gratuity, or other thing of value to  
14 induce any person to sign this petition is a gross misdemeanor.

15 Print name:

16 Address:

17 Address:

18 Phone:

19 **Sec. 9.** RCW 29A.72.170 and 2003 c 111 s 1818 are each amended to  
20 read as follows:

21 The secretary of state may refuse to file any initiative or  
22 referendum petition being submitted upon any of the following  
23 grounds:

24 (1) That the petition does not contain the information required  
25 by RCW 29A.72.110, 29A.72.120, or 29A.72.130. Failure or refusal by  
26 the petition circulator to provide information on the reverse side of  
27 the petition does not constitute grounds for refusal.

28 (2) That the petition clearly bears insufficient signatures.

29 (3) That the time within which the petition may be filed has  
30 expired.

31 In case of such refusal, the secretary of state shall endorse on  
32 the petition the word "submitted" and the date, and retain the  
33 petition pending appeal.

34 If none of the grounds for refusal exists, the secretary of state  
35 must accept and file the petition."

36 Renumber the remaining section consecutively.

37 On page 2, after line 6, insert the following:

1           "NEW SECTION.   **Sec. 11.**   This act takes effect January 4, 2017."

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2           On page 1, line 2 of the title, after "29A.24.131" strike the  
3 remainder of the title and insert ", 29A.56.160, 29A.72.110,  
4 29A.72.120, 29A.72.130, and 29A.72.170; adding a new section to  
5 chapter 29A.72 RCW; adding a new section to chapter 29A.84 RCW;  
6 creating new sections; prescribing penalties; and providing an  
7 effective date."

EFFECT: Makes provisions for the registration and disclosure of paid signature gatherers by businesses who operate in the state of Washington. Sets conditions for the compensation of persons who gather signatures, specifically that the individual has not been convicted of a crime involving elections, fraud, forgery, or identification theft in any jurisdiction in the past five years. Precludes compensation of an individual who has been found to be in violation of an election law statute in any jurisdiction in the past five years. Establishes penalties for failure to fully disclose that individuals are compensated for signature gathering by a business entity in Washington state. Clarifies the form of declarations that should appear on the reverse side of petition forms that signature gatherers use with registered voters, and authorizes the secretary of state to adopt rules to implement requirements of the act.

--- END ---