

# HOUSE BILL REPORT

## SHB 2359

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### As Amended by the Senate

**Title:** An act relating to updating obsolete provisions and making technical corrections.

**Brief Description:** Updating obsolete provisions and making technical corrections.

**Sponsors:** House Committee on Judiciary (originally sponsored by Representatives Goodman and Jinkins; by request of Statute Law Committee).

#### Brief History:

##### Committee Activity:

Judiciary: 1/19/16, 1/26/16 [DPS].

##### Floor Activity:

Passed House: 2/17/16, 98-0.

Senate Amended.

Passed Senate: 3/1/16, 46-1.

#### Brief Summary of Substitute Bill

- Amends form year designations throughout the Revised Code of Washington (RCW) by removing references to a specific century and instead providing a general instruction to insert the year as follows: "(year)."
- Removes obsolete language in various sections of the RCW and corrects technical errors.

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#### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Goodman, Haler, Hansen, Kirby, Klippert, Kuderer, Muri, Orwall and Stokesbary.

**Staff:** Omeara Harrington (786-7136).

#### Background:

Duties of the Statute Law Committee.

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*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.*

The primary responsibilities of the Statute Law Committee (Committee) and the Code Reviser (Reviser) are to periodically codify, index, and publish the RCW and to revise, correct, and harmonize the statutes by means of administrative or suggested legislative action. The Committee, or the Reviser with the approval of the Committee, must periodically make written recommendations to the Legislature concerning deficiencies, conflicts, or obsolete provisions in the RCW.

#### Form Year Designations.

Throughout the RCW are provisions directing that certain forms, in substantially the form specified in the particular statute, be filed or used. A few examples of such forms include:

- notice of sale;
- writ of garnishment;
- declaration of completion of garnishment; and
- lien notice.

Generally, somewhere in the form there is a space where the reference to a date is to be inserted. In many of the statutory forms, in the space for the date the century is specified, such as "19\_\_" and "20\_\_."

#### **Summary of Substitute Bill:**

A variety of forms throughout the RCW are amended to remove references to the twentieth century. Rather than specifying "19\_\_" in the space where the date is to be inserted, the form language provides a general instruction to insert the year as follows: "(year)."

Certain obsolete and expired provisions are removed from the RCW. Other corrections are made to resolve conflicts in expiration dates and to harmonize multiple amendments to different versions of the same RCW section.

#### **EFFECT OF SENATE AMENDMENT(S):**

The Senate amendment adds omitted amendments from enacted 2015 legislation in a section merging multiple amendments from the same RCW section.

The Senate amendment makes several changes to provisions related to the Secretary of State's Office:

- Rather than requiring the Secretary of State to accept and file facsimile transmissions of certain documents, the Secretary of State may accept and file electronic transmissions of documents. Electronic signatures satisfy the signature requirement of documents that must be signed.
- Filings submitted by limited liability companies are included on the list of filings for which the Secretary of State may require a summary face sheet or cover sheet in order to expedite review.
- Statutory provisions are removed that require the Secretary of State to prepare and make available a "notice of termination of state registered domestic partnership" form.
- Several statutory sections are repealed, including sections regarding the Bureau of Statistics and a section authorizing the Secretary of State to contract with federal

agencies to issue conditional federal employer identification numbers or other federal documents in conjunction with an application for certain state licenses.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This is by request of the Statute Law Committee (Committee), which is a three branch of government committee that oversees the Code Reviser's Office and tends to the code. It is the mission of the Committee to find and correct obsolete provisions of the code, and that is what this bill does. This is a non-controversial technical corrections bill. This is the third time it has been proposed. The changes made last year are not in this version. In this version, just the year is changed, and no surrounding language is changed. Everything else is purely technical.

(Opposed) None.

**Persons Testifying:** Representative Goodman, prime sponsor; and Kyle Thiessen, Statute Law Committee.

**Persons Signed In To Testify But Not Testifying:** None.