

HB 2067 - H AMD 140

By Representative Davis

ADOPTED 03/06/2019

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

2 "Sec. 3. RCW 40.24.030 and 2011 c 64 s 2 are each amended to read
3 as follows:

4 (1)(a) An adult person, a parent or guardian acting on behalf of
5 a minor, or a guardian acting on behalf of an incapacitated person,
6 as defined in RCW 11.88.010, and (b) any criminal justice
7 participant as defined in RCW 9A.46.020 who is a target for threats
8 or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv),
9 and any family members residing with him or her, may apply to the
10 secretary of state to have an address designated by the secretary of
11 state serve as the person's address or the address of the minor or
12 incapacitated person. The secretary of state shall approve an
13 application if it is filed in the manner and on the form prescribed
14 by the secretary of state and if it contains:

15 (i) A sworn statement, under penalty of perjury, by the
16 applicant that the applicant has good reason to believe (A) that the
17 applicant, or the minor or incapacitated person on whose behalf the
18 application is made, is a victim of domestic violence, sexual
19 assault, trafficking, or stalking and that the applicant fears for
20 his or her safety or his or her children's safety, or the safety of
21 the minor or incapacitated person on whose behalf the application is
22 made; or (B) that the applicant, as a criminal justice participant
23 as defined in RCW 9A.46.020, is a target for threats or harassment
24 prohibited under RCW 9A.46.020(2)(b) (iii) or (iv);

25 (ii) If applicable, a sworn statement, under penalty of perjury,
26 by the applicant, that the applicant has reason to believe they are
27 a victim of (A) domestic violence, sexual assault, or stalking

1 perpetrated by an employee of a law enforcement agency, or (B)
2 threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or
3 (iv);

4 (iii) A designation of the secretary of state as agent for
5 purposes of service of process and for the purpose of receipt of mail;

6 (iv) The residential address and any telephone number where the
7 applicant can be contacted by the secretary of state, which shall
8 not be disclosed because disclosure will increase the risk of (A)
9 domestic violence, sexual assault, trafficking, or stalking, or (B)
10 threats or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or
11 (iv);

12 (v) The signature of the applicant and of any individual or
13 representative of any office designated in writing under RCW
14 40.24.080 who assisted in the preparation of the application, and
15 the date on which the applicant signed the application.

16 (2) Applications shall be filed with the office of the secretary
17 of state.

18 (3)(a) Upon filing a properly completed application, the
19 secretary of state shall certify the applicant as a program
20 participant. Applicants shall be certified for four years following
21 the date of filing unless the certification is withdrawn or
22 invalidated before that date. The secretary of state shall by rule
23 establish a renewal procedure.

24 (b) Upon certifying an applicant as a program participant, the
25 secretary of state shall provide a notice of certification to the
26 department of licensing for the sole purpose of updating any related
27 vehicle or vessel ownership records that may be subject to
28 disclosure. The notice of certification must include the
29 participant's address as designated by the secretary of state.

30 (4) A person who knowingly provides false or incorrect
31 information upon making an application or falsely attests in an
32 application that disclosure of the applicant's address would
33 endanger (a) the applicant's safety or the safety of the applicant's
34 children or the minor or incapacitated person on whose behalf the

1 application is made, or (b) the safety of any criminal justice
2 participant as defined in RCW 9A.46.020 who is a target for threats
3 or harassment prohibited under RCW 9A.46.020(2)(b) (iii) or (iv), or
4 any family members residing with him or her, shall be punished under
5 RCW 40.16.030 or other applicable statutes."

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7 Correct the title.

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EFFECT: Requires the Secretary of State, upon certifying a participant in the Address Confidentiality Program, to provide the Department of Licensing with a notice of certification that includes the participant's new designated address for the sole purpose of updating any related vehicle or vessel ownership records that are subject to disclosure.

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