
Public Safety Committee

SSB 5148

Brief Description: Concerning the harassment of election officials.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Frockt, Hunt, Billig, Darneille, Das, Hasegawa, Kuderer, Lovelett, Pedersen, Saldaña, Salomon and Wilson, C.).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Elevates the crime of harassment to a class C felony when the harassment is directed at an election official employed by the Secretary of State or county auditor's office.
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Hearing Date: 3/19/21

Staff: Cassie Jones (786-7303).

Background:

A person is guilty of harassment if the person knowingly threatens certain actions and by words or conduct places the threatened person in reasonable fear that the threat will be carried out. The offense applies where the person threatens:

- to cause bodily injury immediately or in the near future to the person threatened or another;
- to cause physical damage to another's property;
- to subject any person to physical confinement or restraint; or
- maliciously to do any other act intended to substantially harm the physical or mental health or safety of the threatened person or another.

Harassment is generally a gross misdemeanor; however, a person who harasses another is guilty

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of a class C felony if the person:

- has previously been convicted of harassment against the same victim or family member or other person named in a no-contact or no-harassment order;
- harasses another by threatening to kill the person;
- harasses a criminal justice participant who is performing their official duties at the time the threat is made; or
- harasses a criminal justice participant because of an action taken or decision made by the participant during the performance of their official duties.

Summary of Substitute Bill:

A person who harasses another is guilty of a class C felony if the person:

- harasses an election official who is performing his or her official duties at the time the threat is made; or
- harasses an election official because of an action taken or decision made by the election official during the performance of his or her official duties.

The fear from the threat must be a fear that a reasonable person would have under all the circumstances. Election official includes any staff member of the office of the Secretary of State or staff member of the county auditor's office, regardless of whether the member is employed on a temporary or part-time basis, whose duties relate to voter registration or the processing of votes.

Appropriation: None.

Fiscal Note: Available.

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