
State Government & Tribal Relations Committee

HB 2205

Brief Description: Establishing protections for citizens participating in the initiative and referendum process.

Sponsors: Representatives Cheney, Couture, Hutchins and Graham.

Brief Summary of Bill

- Creates a 25-foot buffer zone around people collecting signatures for, signing, or attempting to sign an initiative or referendum petition, in which people cannot interfere with the freedom to collect signatures, sign, or attempt to suggest or persuade people to sign or decline to sign.
- Prohibits people from engaging in such prohibited activities by use of electronic amplification more than 100 feet away, if the person is capable of being understood in the buffer zone at that distance.
- Makes it a gross misdemeanor to violate these provisions.

Hearing Date: 1/17/24

Staff: Jason Zolle (786-7124).

Background:

Washington allows citizens to participate in the lawmaking process by suggesting initiatives or referenda that may be voted on by the general public. Initiatives may also be submitted to the Legislature. To qualify for the ballot, petitions must be signed by a certain percentage of legal voters. For initiatives, petitions must be signed by at least 8 percent of the number of votes cast

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

for governor at the last election. A referendum petition requires at least 4 percent of the number of votes at the last gubernatorial election.

State law makes it a gross misdemeanor to interfere with, or attempt to interfere with, the right of any voter to sign or not to sign an initiative or referendum petition by threats, intimidation, or any other corrupt means or practice. A gross misdemeanor is punishable by up to 364 days in a county jail and a fine of up to \$5,000.

State law also creates a buffer zone of 100 feet around voting center or student engagement hub entrances and 25 feet around ballot drop boxes. Within this buffer zone, people may not:

- suggest or persuade, or attempt to suggest or persuade, any voter to vote for or against any candidate or ballot measure;
- circulate cards or handbills of any kind;
- solicit signatures to any kind of petition; or
- engage in any practice which interferes with the freedom of voters or disrupts the administration of the voting center.

Furthermore, it is illegal to engage of any of these prohibited activities using electronic amplification outside the buffer zone if the person is capable of being understood within the buffer zone. Violation of any of these provisions is also a gross misdemeanor.

Summary of Bill:

A 25-foot buffer zone is created around a person collecting signatures for or signing or attempting to sign an initiative or referendum petition. In this buffer zone, a person may not engage in the following activities without the consent of other persons in the buffer zone:

- suggest, persuade, or attempt to suggest or persuade any person to sign or decline to sign an initiative or referendum petition; or
- engage in any practice that interferes with the freedom of a person to collect signatures or sign an initiative or referendum petition.

Furthermore, it is illegal to engage of any of these prohibited activities using electronic amplification more than 100 feet away if the person is capable of being understood within the buffer zone. Violation of any of these provisions is a gross misdemeanor.

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.