
SENATE BILL 6339

State of Washington

60th Legislature

2008 Regular Session

By Senators Kohl-Welles, Swecker, Hargrove, Regala, Fraser, Marr, and
Kauffman

Read first time 01/15/08. Referred to Committee on Human Services &
Corrections.

1 AN ACT Relating to address confidentiality of victims of
2 trafficking; and amending RCW 40.24.010, 40.24.020, 40.24.030, and
3 40.24.080.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 40.24.010 and 2001 c 28 s 1 are each amended to read
6 as follows:

7 The legislature finds that persons attempting to escape from actual
8 or threatened domestic violence, sexual assault, trafficking, or
9 stalking frequently establish new addresses in order to prevent their
10 assailants or probable assailants from finding them. The purpose of
11 this chapter is to enable state and local agencies to respond to
12 requests for public records without disclosing the location of a victim
13 of domestic violence, sexual assault, trafficking, or stalking, to
14 enable interagency cooperation with the secretary of state in providing
15 address confidentiality for victims of domestic violence, sexual
16 assault, trafficking, or stalking, and to enable state and local
17 agencies to accept a program participant's use of an address designated
18 by the secretary of state as a substitute mailing address.

1 **Sec. 2.** RCW 40.24.020 and 1991 c 23 s 2 are each amended to read
2 as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

5 (1) "Address" means a residential street address, school address,
6 or work address of an individual, as specified on the individual's
7 application to be a program participant under this chapter.

8 (2) "Program participant" means a person certified as a program
9 participant under RCW 40.24.030.

10 (3) "Domestic violence" means an act as defined in RCW 10.99.020
11 and includes a threat of such acts committed against an individual in
12 a domestic situation, regardless of whether these acts or threats have
13 been reported to law enforcement officers.

14 (4) "Trafficking" means an act as defined in RCW 9A.40.100
15 regardless of whether these acts have been reported to law enforcement
16 officers.

17 **Sec. 3.** RCW 40.24.030 and 2001 c 28 s 2 are each amended to read
18 as follows:

19 (1) An adult person, a parent or guardian acting on behalf of a
20 minor, or a guardian acting on behalf of an incapacitated person, as
21 defined in RCW 11.88.010, may apply to the secretary of state to have
22 an address designated by the secretary of state serve as the person's
23 address or the address of the minor or incapacitated person. The
24 secretary of state shall approve an application if it is filed in the
25 manner and on the form prescribed by the secretary of state and if it
26 contains:

27 (a) A sworn statement by the applicant that the applicant has good
28 reason to believe (i) that the applicant, or the minor or incapacitated
29 person on whose behalf the application is made, is a victim of domestic
30 violence, sexual assault, trafficking, or stalking; and (ii) that the
31 applicant fears for his or her safety or his or her children's safety,
32 or the safety of the minor or incapacitated person on whose behalf the
33 application is made;

34 (b) A designation of the secretary of state as agent for purposes
35 of service of process and for the purpose of receipt of mail;

36 (c) The mailing address where the applicant can be contacted by the

1 secretary of state, and the phone number or numbers where the applicant
2 can be called by the secretary of state;

3 (d) The new address or addresses that the applicant requests not be
4 disclosed for the reason that disclosure will increase the risk of
5 domestic violence, sexual assault, trafficking, or stalking;

6 (e) The signature of the applicant and of any individual or
7 representative of any office designated in writing under RCW 40.24.080
8 who assisted in the preparation of the application, and the date on
9 which the applicant signed the application.

10 (2) Applications shall be filed with the office of the secretary of
11 state.

12 (3) Upon filing a properly completed application, the secretary of
13 state shall certify the applicant as a program participant. Applicants
14 shall be certified for four years following the date of filing unless
15 the certification is withdrawn or invalidated before that date. The
16 secretary of state shall by rule establish a renewal procedure.

17 (4) A person who falsely attests in an application that disclosure
18 of the applicant's address would endanger the applicant's safety or the
19 safety of the applicant's children or the minor or incapacitated person
20 on whose behalf the application is made, or who knowingly provides
21 false or incorrect information upon making an application, shall be
22 punishable under RCW 40.16.030 or other applicable statutes.

23 **Sec. 4.** RCW 40.24.080 and 2001 c 28 s 3 are each amended to read
24 as follows:

25 The secretary of state shall designate state and local agencies and
26 nonprofit agencies that provide counseling and shelter services to
27 victims of domestic violence, sexual assault, trafficking, or stalking
28 to assist persons applying to be program participants. Any assistance
29 and counseling rendered by the office of the secretary of state or its
30 designees to applicants shall in no way be construed as legal advice.

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