
SUBSTITUTE HOUSE BILL 2552

State of Washington

63rd Legislature

2014 Regular Session

By House Government Operations & Elections (originally sponsored by Representatives Reykdal, Appleton, Sawyer, Kirby, Smith, Ormsby, Buys, Vick, S. Hunt, Fey, and Tarleton)

READ FIRST TIME 02/05/14.

1 AN ACT Relating to signature gathering for initiatives, referenda,
2 and recall petitions; amending RCW 29A.56.160, 29A.72.110, 29A.72.120,
3 and 29A.72.130; adding new sections to chapter 29A.72 RCW; prescribing
4 penalties; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.72 RCW
7 to read as follows:

8 (1) A person paid to gather signatures of electors on a state or
9 local initiative, referendum, or recall petition must register with the
10 secretary of state and complete either a training program that includes
11 information prescribed by the secretary or an online training program
12 made available by the secretary before collecting signatures. The
13 registration application must include the following:

- 14 (a) The full name and any assumed name of the applicant;
- 15 (b) The permanent address of the applicant, as well as a local
16 address if the applicant is from out-of-state;
- 17 (c) The applicant's e-mail address and phone number;
- 18 (d) A copy of the applicant's driver license, state identification
19 card, or other photo identification;

1 (e) A list of the initiative, referendum, and recall petitions on
2 which the applicant will gather signatures;

3 (f) Evidence that the applicant has completed the training program
4 required by this section;

5 (g) A recent digital photograph of the applicant showing the face
6 or the face, neck, and shoulders of the applicant;

7 (h) A statement signed by the prime sponsor or sponsors of the
8 initiative, referendum, or recall petition or the signature gathering
9 business certifying that a national background check has been completed
10 for the applicant and the applicant has not been convicted for a
11 criminal offense involving fraud, forgery, or identity theft in any
12 state in the past five years and has not been found in violation of
13 elections law under chapter 29A.84 RCW, or its equivalent in another
14 jurisdiction, in the past five years;

15 (i) A statement signed by the applicant acknowledging that the
16 applicant has read and understands Washington law applicable to the
17 gathering of signatures on initiative, referendum, and recall petitions
18 as the law is summarized in the training program established by the
19 secretary of state;

20 (j) A statement signed by the prime sponsor or sponsors of the
21 initiative, referendum, or recall petition or the signature gathering
22 business paying the signature gatherer acknowledging that the sponsors
23 or the business or entity is liable for violations of the law or rule
24 committed by the signature gatherer; and

25 (k) Any other information required by the secretary.

26 (2) The secretary of state must register each applicant who has
27 completed the registration process outlined in subsection (1) of this
28 section within five business days of completing the process.

29 (3) An individual is ineligible for registration under this section
30 if he or she:

31 (a) Has been convicted of a criminal offense involving fraud,
32 forgery, or identification theft in any jurisdiction within the past
33 five years;

34 (b) Has been convicted of a crime under chapter 29A.84 RCW, or its
35 equivalent in another jurisdiction, in the past five years;

36 (c) Has been found in violation of elections law under chapter
37 29A.84 RCW, or its equivalent in another jurisdiction, in the past five
38 years; or

1 (d) Has submitted an incomplete application.

2 (4) The secretary of state must assign each registered signature
3 gatherer a registration number.

4 (5) An individual registered under this section must carry on his
5 or her person evidence of registration including the paid signature
6 gatherer's photograph and registration number. If requested, the paid
7 signature gatherer must produce the evidence of registration.

8 (6) An individual registered under this section may not obtain
9 signatures on a petition or prospective petition for which the
10 individual is being paid and, at the same time, obtain signatures on a
11 petition or prospective petition for which the individual is not being
12 paid.

13 (7) A paid signature gatherer must reregister with the secretary of
14 state before the second Monday in January of each odd-numbered year.
15 Failure to do so terminates the registration.

16 (8) A fine of five hundred dollars shall be issued to the prime
17 sponsor or sponsors of the initiative, referendum, or recall petition
18 or the signature gathering business for each of its paid signature
19 gatherers who are not registered under this section, and for each
20 signature gatherer who violates subsection (6) of this section.

21 (9) The applicant's driver license, state identification card, or
22 other photo identification required under subsection (1)(d) of this
23 section is exempt from public inspection or copying.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.72 RCW
25 to read as follows:

26 (1) A signature gathering business operating in this state engaged
27 in the activity of collecting signatures for state or local initiative,
28 referendum, or recall petitions and that are using paid signature
29 gatherers must register with the secretary of state. The registration
30 application must include:

31 (a) The name and physical address of the business;

32 (b) An e-mail address and phone number for the business;

33 (c) The name of the individual representing the organization or
34 entity to complete the training program prescribed by the secretary of
35 state;

36 (d) The business license number required by chapter 19.02 RCW;

1 (e) A list of individuals being paid to collect signatures for the
2 signature gathering business;

3 (f) A list of the initiative, referendum, and recall petitions for
4 which the signature gathering business is paying individuals to gather
5 signatures; and

6 (g) An affirmation signed by the sponsor or sponsors of the
7 signature gathering business that the organization or entity operates
8 in compliance with the law.

9 (2) The secretary of state must register each signature gathering
10 business that has completed the registration process outlined in
11 subsection (1) of this section within five business days of completing
12 the process.

13 (3) A signature gathering business engaged in the activity of
14 collecting signatures for state or local initiative, referendum, or
15 recall petitions in this state and that uses paid signature gatherers
16 must notify the secretary of state if that business is using paid
17 signature gatherers who were not listed on the original registration
18 for that election cycle and if the business becomes involved in
19 gathering signatures on a new petition within five business days of
20 hiring new signature gatherers or becoming involved in the new
21 petition.

22 (4) A signature gathering business must reregister with the
23 secretary of state before the second Monday in January of each odd-
24 numbered year. Failure to do so terminates the registration.

25 (5) A signature gathering business that uses paid signature
26 gatherers not registered under section 1 of this act or who obtain
27 signatures in violation of section 1 of this act shall be issued a five
28 hundred dollar fine for each violation.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.72 RCW
30 to read as follows:

31 The definitions in this section apply to sections 1 and 2 of this
32 act unless the context clearly requires otherwise.

33 (1) "Paid signature gatherer" means an individual who is
34 compensated through payments of money or other valuable consideration
35 to obtain signatures on a state or local initiative, referendum, or
36 recall petition.

1 (2) "Prime sponsor or sponsors" means the registered voter or
2 voters who complete the affidavit on proposed initiative or referendum
3 or files a recall petition under chapter 29A.56 RCW as well as any
4 persons who hold themselves out publicly as the sponsor of an
5 initiative, referendum, or recall petition.

6 (3) "Signature gathering business" means a business that
7 compensates individuals for gathering signatures for state or local
8 initiative, referendum, or recall petitions.

9 **Sec. 4.** RCW 29A.56.160 and 2003 c 111 s 1412 are each amended to
10 read as follows:

11 Recall petitions must be printed on single sheets of paper of good
12 writing quality (including but not limited to newsprint) not less than
13 eleven inches in width and not less than fourteen inches in length. No
14 petition may be circulated or signed prior to the first day of the one
15 hundred eighty or two hundred seventy day period established by RCW
16 29A.56.150 for that recall petition. The petitions must be
17 substantially in the following form:

18 The warning prescribed by RCW 29A.72.140; followed by:

19 Petition for the recall of (here insert the name of the office and
20 of the person whose recall is petitioned for) to the Honorable (here
21 insert the name and title of the officer with whom the charge is
22 filed).

23 We, the undersigned citizens and legal voters of (the state of
24 Washington or the political subdivision in which the recall is to be
25 held), respectfully direct that a special election be called to
26 determine whether or not (here insert the name of the person charged
27 and the office which he or she holds) be recalled and discharged from
28 his or her office, for and on account of (his or her having committed
29 the act or acts of malfeasance or misfeasance while in office, or
30 having violated his or her oath of office, as the case may be), in the
31 following particulars: (here insert the synopsis of the charge); and
32 each of us for himself or herself says: I have personally signed this
33 petition; I am a legal voter of the State of Washington in the precinct
34 and city (or town) and county written after my name, and my residence
35 address is correctly stated, and to my knowledge, have signed this
36 petition only once.

1 The petition must include a place for each petitioner to sign and
2 print his or her name, and the address, city, and county at which he or
3 she is registered to vote.

4 The following declaration must be printed on the reverse side of
5 the petition, and must be signed by the signature gatherer who
6 circulated the petition sheet after the sheet has been signed by
7 petitioners but before the petition is submitted to the secretary of
8 state or county auditor:

9 I,, swear or affirm under penalty of law
10 that I circulated this sheet of the foregoing petition, and that, to
11 the best of my knowledge, every person who signed this sheet of the
12 foregoing petition knowingly and without any compensation or promise of
13 compensation willingly signed his or her true name and that the
14 information provided therewith is true and correct. I further
15 acknowledge that under Chapter 29A.84 RCW, forgery of signatures on
16 this petition constitutes a class C felony, and that offering any
17 consideration or gratuity to any person to induce them to sign a
18 petition is a gross misdemeanor, such violations being punishable by
19 fine or imprisonment or both.

20 Signature.....
21 Date of Signature.....
22 Print Name.....
23 Print Street Address.....
24 Print City, State, Zip Code.....

25 Signing this declaration constitutes an oath subjecting the
26 signatory to the penalty of the law. The declaration must be
27 individually signed by the signature gatherer. Stamps or other
28 signature reproductions may not be used.

29 **Sec. 5.** RCW 29A.72.110 and 2005 c 239 s 1 are each amended to read
30 as follows:

31 Petitions for proposing measures for submission to the legislature
32 at its next regular session must be substantially in the following
33 form:

34 The warning prescribed by RCW 29A.72.140; followed by:

1 INITIATIVE PETITION FOR SUBMISSION TO THE LEGISLATURE

2 To the Honorable, Secretary of State of the State of
3 Washington:

4 We, the undersigned citizens and legal voters of the State of
5 Washington, respectfully direct that this petition and the proposed
6 measure known as Initiative Measure No. and entitled (here set
7 forth the established ballot title of the measure), a full, true, and
8 correct copy of which is printed on the reverse side of this petition,
9 be transmitted to the legislature of the State of Washington at its
10 next ensuing regular session, and we respectfully petition the
11 legislature to enact said proposed measure into law; and each of us for
12 himself or herself says: I have personally signed this petition; I am
13 a legal voter of the State of Washington in the city (or town) and
14 county written after my name, my residence address is correctly stated,
15 and I have knowingly signed this petition only once.

16 The petition must include a place for each petitioner to sign and
17 print his or her name and the address, city, and county at which he or
18 she is registered to vote.

19 The following declaration must be printed on the reverse side of
20 the petition, and must be signed by the signature gatherer who
21 circulated the petition sheet after the sheet has been signed by
22 petitioners but before the petition is submitted to the secretary of
23 state:

24 I,, swear or affirm under penalty of law
25 that I circulated this sheet of the foregoing petition, and that, to
26 the best of my knowledge, every person who signed this sheet of the
27 foregoing petition knowingly and without any compensation or promise of
28 compensation willingly signed his or her true name and that the
29 information provided therewith is true and correct. I further
30 acknowledge that under chapter 29A.84 RCW, forgery of signatures on
31 this petition constitutes a class C felony, and that offering any
32 consideration or gratuity to any person to induce them to sign a
33 petition is a gross misdemeanor, such violations being punishable by
34 fine or imprisonment or both.

1 Signature.....
2 Date of Signature.....
3 Print Name.....
4 Print Street Address.....
5 Print City, State, Zip Code.....

6 Signing this declaration constitutes an oath subjecting the
7 signatory to the penalty of the law. The declaration must be
8 individually signed by the signature gatherer. Stamps or other
9 signature reproductions may not be used.

10 RCW 9A.46.020 applies to any conduct constituting harassment
11 against a petition signature gatherer. This penalty does not preclude
12 the victim from seeking any other remedy otherwise available under law.

13 (~~The petition must include a place for each petitioner to sign and~~
14 ~~print his or her name, and the address, city, and county at which he or~~
15 ~~she is registered to vote.))~~

16 **Sec. 6.** RCW 29A.72.120 and 2005 c 239 s 2 are each amended to read
17 as follows:

18 Petitions for proposing measures for submission to the people for
19 their approval or rejection at the next ensuing general election must
20 be substantially in the following form:

21 The warning prescribed by RCW 29A.72.140; followed by:

22 INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE
23 To the Honorable, Secretary of State of the State of
24 Washington:

25 We, the undersigned citizens and legal voters of the State of
26 Washington, respectfully direct that the proposed measure known as
27 Initiative Measure No., entitled (here insert the established
28 ballot title of the measure), a full, true and correct copy of which is
29 printed on the reverse side of this petition, be submitted to the legal
30 voters of the State of Washington for their approval or rejection at
31 the general election to be held on the day of November,
32 (year); and each of us for himself or herself says: I have personally
33 signed this petition; I am a legal voter of the State of Washington, in

1 the city (or town) and county written after my name, my residence
2 address is correctly stated, and I have knowingly signed this petition
3 only once.

4 The petition must include a place for each petitioner to sign and
5 print his or her name and the address, city, and county at which he or
6 she is registered to vote.

7 The following declaration must be printed on the reverse side of
8 the petition, and must be signed by the signature gatherer who
9 circulated the petition sheet after the sheet has been signed by
10 petitioners but before the petition is submitted to the secretary of
11 state:

12 I,, swear or affirm under penalty of law
13 that I circulated this sheet of the foregoing petition, and that, to
14 the best of my knowledge, every person who signed this sheet of the
15 foregoing petition knowingly and without any compensation or promise of
16 compensation willingly signed his or her true name and that the
17 information provided therewith is true and correct. I further
18 acknowledge that under chapter 29A.84 RCW, forgery of signatures on
19 this petition constitutes a class C felony, and that offering any
20 consideration or gratuity to any person to induce them to sign a
21 petition is a gross misdemeanor, such violations being punishable by
22 fine or imprisonment or both.

23 Signature.....
24 Date of Signature.....
25 Print Name.....
26 Print Street Address.....
27 Print City, State, Zip Code.....

28 Signing this declaration constitutes an oath subjecting the
29 signatory to the penalty of the law. The declaration must be
30 individually signed by the signature gatherer. Stamps or other
31 signature reproductions may not be used.

32 RCW 9A.46.020 applies to any conduct constituting harassment
33 against a petition signature gatherer. This penalty does not preclude
34 the victim from seeking any other remedy otherwise available under law.

1 ((The petition must include a place for each petitioner to sign and
2 print his or her name, and the address, city, and county at which he or
3 she is registered to vote.))

4 **Sec. 7.** RCW 29A.72.130 and 2013 c 11 s 74 are each amended to read
5 as follows:

6 Petitions ordering that acts or parts of acts passed by the
7 legislature be referred to the people at the next ensuing general
8 election, or special election ordered by the legislature, must be
9 substantially in the following form:

10 The warning prescribed by RCW 29A.72.140; followed by:

11 PETITION FOR REFERENDUM

12 To the Honorable, Secretary of State of the State of
13 Washington:

14 We, the undersigned citizens and legal voters of the State of
15 Washington, respectfully order and direct that Referendum Measure No.
16, filed to revoke a (or part or parts of a) bill that (concise
17 statement required by RCW 29A.72.050) and that was passed by the
18 legislature of the State of Washington at the last regular
19 (special) session of said legislature, shall be referred to the people
20 of the state for their approval or rejection at the regular (special)
21 election to be held on the day of November, (year); and each of
22 us for himself or herself says: I have personally signed this
23 petition; I am a legal voter of the State of Washington, in the city
24 (or town) and county written after my name, my residence address is
25 correctly stated, and I have knowingly signed this petition only once.

26 The petition must include a place for each petitioner to sign and
27 print his or her name and the address, city, and county at which he or
28 she is registered to vote.

29 The following declaration must be printed on the reverse side of
30 the petition, and must be signed by the signature gatherer who
31 circulated the petition sheet after the sheet has been signed by
32 petitioners but before the petition is submitted to the secretary of
33 state:

34 I,, swear or affirm under penalty of law
35 that I circulated this sheet of the foregoing petition, and that, to
36 the best of my knowledge, every person who signed this sheet of the

1 foregoing petition knowingly and without any compensation or promise of
2 compensation willingly signed his or her true name and that the
3 information provided therewith is true and correct. I further
4 acknowledge that under chapter 29A.84 RCW, forgery of signatures on
5 this petition constitutes a class C felony, and that offering any
6 consideration or gratuity to any person to induce them to sign a
7 petition is a gross misdemeanor, such violations being punishable by
8 fine or imprisonment or both.

9 Signature.....
10 Date of Signature.....
11 Print Name.....
12 Print Street Address.....
13 Print City, State, Zip Code.....

14 Signing this declaration constitutes an oath subjecting the
15 signatory to the penalty of the law. The declaration must be
16 individually signed by the signature gatherer. Stamps or other
17 signature reproductions may not be used.

18 RCW 9A.46.020 applies to any conduct constituting harassment
19 against a petition signature gatherer. This penalty does not preclude
20 the victim from seeking any other remedy otherwise available under law.

21 ~~((The petition must include a place for each petitioner to sign and~~
22 ~~print his or her name, and the address, city, and county at which he or~~
23 ~~she is registered to vote.))~~

24 NEW SECTION. Sec. 8. A new section is added to chapter 29A.72 RCW
25 to read as follows:

26 The secretary of state shall adopt rules necessary to implement
27 chapter . . ., Laws of 2014 (this act).

28 NEW SECTION. Sec. 9. This act takes effect January 3, 2015.

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