Chapter 43.07 RCW
SECRETARY OF STATE

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RCW 43.07.010 Official bond. The secretary of state must execute an official bond to the state in the sum of ten thousand dollars, conditioned for the faithful performance of the duties of his or her office, and shall receive no pay until such bond, approved by the governor, is filed with the state auditor. [2009 c 549 s 5024; 1965 c 8 s 43.07.010. Prior: 1890 p 633 s 10; RRS s 10994.]

RCW 43.07.020 Assistant and deputy secretary of state, chief of staff. The secretary of state may have one assistant secretary of state, one deputy secretary of state, and one chief of staff each of whom shall have signing authority and be appointed by the secretary in writing, and continue serving at the pleasure of the secretary. The assistant secretary of state, deputy secretary of state, and chief of staff shall have the power to perform any act or duty relating to the secretary of state's office, that the secretary of state has, and the secretary of state shall be responsible for the acts of said assistant, deputy, and chief of staff. [2023 c 142 s 1; 2009 c 549 s 5025; 1965 c 8 s 43.07.020. Prior: 1947 c 107 s 1; 1903 c 75 s 1; 1890 p 633 s 12; RRS s 10995.]

RCW 43.07.030 General duties. The secretary of state shall:

(1) Keep a register of and attest the official acts of the governor;

(2) Affix the state seal, with his or her attestation, to commissions, pardons, and other public instruments to which the signature of the governor is required, and also attestations and authentications of certificates and other documents properly issued by the secretary;

(3) Record all articles of incorporation, deeds, or other papers filed in the secretary of state's office;

(4) Receive and file all the official bonds of officers required to be filed with the secretary of state;

(5) Take and file in the secretary of state's office receipts for all books distributed by him or her;

(6) Certify to the legislature the election returns for all officers required by the Constitution to be so certified, and certify to the governor the names of all other persons who have received at any election the highest number of votes for any office the incumbent of which is to be commissioned by the governor;

(7) Furnish, on demand, to any person paying the fees therefor, a certified copy of all or any part of any law, record, or other instrument filed, deposited, or recorded in the secretary of state's office;

(8) Present to the speaker of the house of representatives, at the beginning of each regular session of the legislature during an odd-numbered year, a full account of all purchases made and expenses incurred by the secretary of state on account of the state;

(9) File in his or her office an impression of each and every seal in use by any state officer;

(10) Keep a record of all fees charged or received by the secretary of state. [2009 c 549 s 5026; 1982 c 35 s 186; 1980 c 87 s 21; 1969 ex.s. c 53 s 3; 1965 c 8 s 43.07.030. Prior: 1890 p 630 s 2; RRS s 10992.]

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.032 Authenticity or certification of signatures—Attestation. (1) The secretary of state may attest to the authenticity of the signature of a public official in the state of Washington.

(2) The secretary of state may attest to the authenticity of, or certify a signature of, a notary public except as noted in subsection (3) of this section.

(3) The secretary of state may not certify or attest to the signature of a notary public on:

(a) A document regarding allegiance to a government or jurisdiction;

(b) A document relating to the relinquishment or renunciation of citizenship, sovereignty, military status, or world service authority;

(c) A document setting forth or implying for the bearer a claim of immunity from the laws of the jurisdictions of Washington, immunity from the laws of the state of Washington, or immunity from federal law; or

(d) An individually created document that can or should be issued as a certified copy from a city, county, or state entity.

(4) The secretary of state may adopt rules to implement this section. [2026 c 80 s 8; 2016 sp.s. c 23 s 1.]

RCW 43.07.035 Memorandum of agreement or contract for secretary of state's services with state agencies or private entities. The secretary of state shall have the authority to enter into a memorandum of agreement or contract with any agency of state government or private entity to provide for the performance of any of the secretary of state's services or duties under the various corporation statutes of this state. [1985 c 156 s 19; 1982 c 35 s 190.]

Effective date—1985 c 156: "Sections 1 through 19, 21, and 23 through 26 shall take effect on January 1, 1986." [1985 c 156 s 27.]

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.037 Gifts, grants, conveyances—Receipt, sale—Rules. The secretary of state and the *council may accept gifts, grants, conveyances, bequests, and devises, of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, invest, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms. The secretary of state shall adopt rules to govern and protect the receipt and expenditure of the proceeds. [1996 c 253 s 105.]

***Reviser's note:** 1996 c 253 s 101, which created the international education and exchange council, was vetoed.

Findings—Purpose—Severability—Part headings not law—1996 c 253: See notes following RCW 28B.109.010.

RCW 43.07.040 Custodian of state records. The secretary of state is charged with the custody:

(1) Of all acts and resolutions passed by the legislature;

(2) Of the journals of the legislature;

(3) Of the seal of the state;

(4) Of all books, records, deeds, parchments, maps, and papers required to be kept on deposit in his or her office pursuant to law;

(5) Of the enrolled copy of the Constitution. [2009 c 549 s 5027; 1965 c 8 s 43.07.040. Prior: 1903 c 107 s 1; 1890 p 629 s 1; RRS s 10991.]

RCW 43.07.120 Fees—Rules. (1) The secretary of state must establish by rule and collect the fees in this subsection:

(a) For a copy of any law, resolution, record, or other document or paper on file in the secretary's office;

(b) For any certificate under seal;

(c) For filing and recording trademark;

(d) For each deed or patent of land issued by the governor;

(e) For recording miscellaneous records, papers, or other documents.

(2) The secretary of state may adopt rules under chapter 34.05 RCW establishing reasonable fees for the following services rendered under chapter 23.95 RCW, Title 23B RCW, chapter 18.100, 19.09, 19.77, 23.86, 23.90, 24.03A, 24.06, 24.12, 24.20, 24.24, 24.28, 24.36, *25.04, 25.15, 25.10, 25.05, or 26.60 RCW:

(a) Any service rendered in-person at the secretary of state's office;

(b) Any expedited service;

(c) The electronic or facsimile transmittal of information from corporation records or copies of documents;

(d) The providing of information by micrographic or other reduced-format compilation;

(e) The handling of checks, drafts, or credit or debit cards upon adoption of rules authorizing their use for which sufficient funds are not on deposit; and

(f) Special search charges.

(3) To facilitate the collection of fees, the secretary of state may establish accounts for deposits by persons who may frequently be assessed such fees to pay the fees as they are assessed. The secretary of state may make whatever arrangements with those persons as may be necessary to carry out this section.

(4) The secretary of state may adopt rules for the use of credit or debit cards for payment of fees.

(5) No member of the legislature, state officer, justice of the supreme court, judge of the court of appeals, or judge of the superior court may be charged for any search relative to matters pertaining to the duties of his or her office; nor may such official be charged for a certified copy of any law or resolution passed by the legislature

relative to his or her official duties, if such law has not been published as a state law. [2021 c 176 s 5220; 2019 c 132 s 3; 2015 c 176 s 8101; 2010 1st sp.s. c 29 s 6; 1998 c 103 s 1309. Prior: 1994 c 211 s 1310; 1994 c 60 s 5; 1993 c 269 s 15; 1991 c 72 s 53; 1989 c 307 s 39; 1982 c 35 s 187; 1971 c 81 s 107; 1965 c 8 s 43.07.120; prior: 1959 c 263 s 5; 1907 c 56 s 1; 1903 c 151 s 1; 1893 c 130 s 1; RRS s 10993.]

***Reviser's note:** Chapter 25.04 RCW was repealed in its entirety by 1998 c 103 s 1308.

Effective date—2021 c 176: See note following RCW 24.03A.005.

Effective date—Contingent effective date—2015 c 176: See note following RCW 23.95.100.

Intent—2010 1st sp.s. c 29: See note following RCW 24.06.450.

Effective date—1994 c 211: See note following RCW 18.04.025.

Effective date—1993 c 269: See note following RCW 23.86.070.

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.125 Fees—Charitable trusts—Charitable solicitations. The secretary of state may adopt rules under chapter 34.05 RCW establishing reasonable fees for the following services rendered under chapter 11.110 or 19.09 RCW:

(1) Any service rendered in-person at the secretary of state's office;

(2) Any expedited service;

(3) The electronic transmittal of documents;

(4) The providing of information by microfiche or other reduced-format compilation;

(5) The handling of checks or drafts for which sufficient funds are not on deposit;

(6) The resubmission of documents previously submitted to the secretary of state where the documents have been returned to the submitter to make such documents conform to the requirements of the applicable statute;

(7) The handling of telephone requests for information; and

(8) Special search charges. [1993 c 471 s 24; 1993 c 269 s 14.]

Effective date—1993 c 471: See RCW 19.09.915.

Effective date—1993 c 269: See note following RCW 23.86.070.

RCW 43.07.128 Fees—Library operations account. (1) In addition to other required filing fees, the secretary of state shall collect a fee of five dollars at the time of filing for:

(a) Articles of incorporation for domestic corporations or applications for certificates of authority for foreign corporations under Title 23B RCW;

(b) Certificates of formation for domestic limited liability companies or registrations of foreign limited liability companies under chapter 25.15 RCW;

(c) Registrations of foreign and domestic partnerships and limited liability partnerships under chapter 25.05 RCW;

(d) Certificates of limited partnerships and registrations of foreign limited partnerships under chapter 25.10 RCW; and

(e) Registrations of trademarks under chapter 19.77 RCW.

(2) Moneys received under subsection (1) of this section must be deposited into the library operations account created in RCW 43.07.129. [2019 c 448 s 6; 2007 c 523 s 1.]

Findings—Intent—2019 c 448: See note following RCW 43.07.405.

Effective date—2007 c 523 s 1: "Section 1 of this act takes effect January 1, 2009." [2007 c 523 s 7.]

Contingency—2007 c 523: "If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2007, in the omnibus appropriations act, this act is null and void." [2007 c 523 s 6.] Funding was provided in 2007 c 520 s 6013(9) (capital budget).

RCW 43.07.129 Washington state library operations account. The Washington state library operations account is created in the custody of the state treasurer. All moneys received under RCW 36.18.010(11) and 43.07.128 must be deposited in the account. Expenditures from the account may be made only for the following purposes:

(1) Payment of the financing contract entered into by the secretary of state for the Washington state library-archives building;

(2) Capital maintenance of the Washington state library-archives building and the specialized regional facility located in eastern Washington designed to serve the archives, records management, and digital data management needs of local government; and

(3) Program operations that serve the public, relate to the collections and exhibits housed in the Washington state library-archives building, or fulfill the missions of the state archives and state library.

Only the secretary of state or the secretary of state's designee may authorize expenditures from the account. An appropriation is not required for expenditures, but the account is subject to allotment procedures under chapter 43.88 RCW. [2019 c 448 s 7; 2012 2nd sp.s. c 7 s 917; 2011 1st sp.s. c 50 s 940; 2007 c 523 s 4.]

Findings—Intent—2019 c 448: See note following RCW 43.07.405.

Effective date—2012 2nd sp.s. c 7: See note following RCW 2.68.020.

Effective dates—2011 1st sp.s. c 50: See note following RCW 15.76.115.

Contingency—2007 c 523: See note following RCW 43.07.128.

RCW 43.07.130 Secretary of state's revolving fund—Publication fees authorized, disposition. There is created within the state treasury a revolving fund, to be known as the "secretary of state's revolving fund," which must be used by the office of the secretary of state to defray the costs of providing registration and information services authorized by law by the office of the secretary of state, and any other cost of carrying out the functions of the secretary of state under Title 11, 18, 19, 23, 23B, 24, 25, 26, 30A, 30B, 42, 43, or 64 RCW.

The secretary of state is authorized to charge a fee for publications in an amount which will compensate for the costs of printing, reprinting, and distributing such printed matter. Fees recovered by the secretary of state under RCW 43.07.120(2), 19.09.305, 19.09.315, 19.09.440, 23.95.260(1) (a)(ii) and (iii), (b), and (d), or 46.64.040, and such other moneys as are expressly designated for deposit in the secretary of state's revolving fund must be placed in the secretary of state's revolving fund.

During the 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the treasurer to transfer money from the secretary of state's revolving fund to the state general fund. [2026 c 268 s 918; 2026 c 80 s 9; 2025 c 424 s 1907; 2015 c 176 s 8102; 2010 1st sp.s. c 29 s 7; 2005 c 518 s 924; 1994 c 211 s 1311; 1991 c 72 s 54; 1989 c 307 s 40; 1982 c 35 s 188; 1973 1st ex.s. c 85 s 1; 1971 ex.s. c 122 s 1.]

Reviser's note: This section was amended by 2026 c 80 s 9 and by 2026 c 268 s 918, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2026 c 268: See note following RCW 28B.15.210.

Effective date—2025 c 424: See note following RCW 9.46.100.

Effective date—Contingent effective date—2015 c 176: See note following RCW 23.95.100.

Intent—2010 1st sp.s. c 29: See note following RCW 24.06.450.

Effective date—2005 c 518: See note following RCW 28A.600.110.

Effective date—1994 c 211: See note following RCW 18.04.025.

Legislative finding—1989 c 307: See note following RCW 23.86.007.

Application—1989 c 307: See RCW 23.86.900.

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.140 Materials specifically authorized to be printed and distributed. The secretary of state is hereby specifically authorized to print, reprint, and distribute the following materials:

(1) Lists of active corporations;

(2) The provisions of Title 23 RCW;
(3) The provisions of Title 23B RCW;
(4) The provisions of Title 24 RCW;
(5) The provisions of chapter 25.10 RCW;
(6) The provisions of Title 29A RCW;
(7) The provisions of chapter 18.100 RCW;
(8) The provisions of chapter 19.77 RCW;
(9) The provisions of chapter 43.07 RCW;
(10) The provisions of the Washington state Constitution;
(11) The provisions of chapters 40.14, 40.16, and 40.20 RCW, and any statutes, rules, schedules, indexes, guides, descriptions, or other materials related to the public records of state or local government or to the state archives; and
(12) Rules and informational publications related to the statutory provisions set forth above. [2015 c 53 s 70; 1991 c 72 s 55; 1982 c 35 s 189; 1973 1st ex.s. c 85 s 2.]

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.150 Uniform commercial code powers, duties, and functions transferred to department of licensing. All powers, duties, and functions vested by law in the secretary of state relating to the Uniform Commercial Code are transferred to the department of licensing. [1979 c 158 s 92; 1977 ex.s. c 117 s 1.]

Severability—1977 ex.s. c 117: "If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1977 ex.s. c 117 s 13.]

Effective date—1977 ex.s. c 117: "This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1977." [1977 ex.s. c 117 s 14.]

RCW 43.07.160 Authenticating officers—Appointment authorized—Use of facsimile signature. The secretary of state may appoint authenticating officers and delegate to the authenticating officers power to sign for the secretary of state any document which, to have legal effect, requires the secretary of state's signature and which is of a class which the secretary of state has authorized for signature by the authenticating officers in a writing on file in the secretary of state's office. Authenticating officers shall sign in the following manner: ". . . . . ., Authenticating Officer for the Secretary of State . . . . . ."
The secretary of state may also delegate to the authenticating officers power to use the secretary of state's facsimile signature for signing any document which, to have legal effect, requires the secretary of state's signature and is of a class with respect to which the secretary of state has authorized use of his or her facsimile signature by a writing filed in the secretary of state's office. As

used in this section, "facsimile signature" includes, but is not limited to, the reproduction of any authorized signature by a copper plate, a rubber stamp, or by a photographic, photostatic, or mechanical device.

The secretary of state shall effect the appointment and delegation by placing on file in the secretary of state's office in a single document the names of all persons appointed as authenticating officers and each officer's signature, a list of the classes of documents each authenticating officer is authorized to sign for the secretary of state, a copy of the secretary of state's facsimile signature, and a list of the classes of documents which each authenticating officer may sign for the secretary of state by affixing the secretary of state's facsimile signature. The secretary of state may revoke the appointment or delegation or powers by placing on file in the secretary of state's office a new single document which expressly revokes the authenticating officers and the powers delegated to them. The secretary of state shall record and index documents filed by him or her under this section, and the documents shall be open for public inspection.

The authorized signature of an authenticating officer or an authorized facsimile signature of the secretary of state shall have the same legal effect and validity as the genuine manual signature of the secretary of state. [1982 c 35 s 2.]

Intent—1982 c 35: "The legislature finds that the secretary of state's office, particularly the corporations division, performs a valuable public service for the business and nonprofit corporate community, and for the state of Washington. The legislature further finds that numerous filing and other requirements of the laws relating to the secretary of state's responsibilities have not been recently updated, thereby causing problems and delays for the corporate community as well as the secretary of state's office.

To provide better service to the corporate community in this state, and to permit the secretary of state to make efficient use of state resources and improve collection of state revenues, statutory changes are necessary. It is the intent of the legislature to provide for the modernization and updating of the corporate laws and other miscellaneous filing statutes and to give the secretary of state the appropriate authority the secretary of state needs to implement the modernization and streamlining effort." [1982 c 35 s 1.]

Severability—1982 c 35: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 35 s 202.]

Effective dates—Application—1982 c 35: "(1) Except as provided under subsection (3) of this section, this act shall take effect July 1, 1982.

(2) Sections 6, 14, 47, 72, 75(2), 76(4), 80, 81, 97, 101, 120, 121(4), 124, 169, and 171(4) shall be construed and apply only to actions taken or documents filed after that date.

(3) Sections 39, 45, 46, 52, 61, 63, and 201 of this act shall take effect January 1, 1983." [1982 c 35 s 203.]

RCW 43.07.170 Establishment of a corporate filing system using other methods authorized. (1) If the secretary of state determines that the public interest and the purpose of the filing and registration statutes administered by the secretary of state would be best served by a filing system utilizing microfilm, microfiche, methods of reduced-format document recording, or electronic or online filing, the secretary of state may, by rule adopted under chapter 34.05 RCW, establish such a filing system.

(2) In connection with a reduced-format filing system, the secretary of state may eliminate any requirement for a duplicate original filing copy, and may establish reasonable requirements concerning paper size, print legibility, and quality for photo-reproduction processes as may be necessary to ensure utility and readability of any reduced-format filing system.

(3) In connection with an electronic or online filing system, the secretary of state may eliminate any requirement for a duplicate original filing copy and may establish reasonable requirements for electronic filing, including but not limited to signature technology, file format and type, delivery, types of filing that may be completed electronically, and methods for the return of filed documents. [2002 c 74 s 20; 1982 c 35 s 191.]

Captions not law—2002 c 74: See note following RCW 19.09.020.

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.173 Electronic transmissions—Acceptance and filing by the secretary of state. (1) The secretary of state may accept and file in the secretary's office electronic transmissions of any documents authorized or required to be filed pursuant to Title 23, 23B, 24, or 25 RCW or chapter 18.100 RCW. The acceptance by the secretary of state is conditional upon the document being legible and otherwise satisfying the requirements of state law or rules with respect to form and content, including those established under RCW 43.07.170. If the document must be signed, that requirement may be satisfied by an electronic signature.

(2) If a fee is required for filing the document, the secretary may reject the document for filing if the fee is not received before, or at the time of, receipt. [2019 c 132 s 4; 2016 c 202 s 61; 1998 c 38 s 1.]

RCW 43.07.175 Copies of certain filed documents to insurance commissioner. The secretary of state shall deliver to the office of the insurance commissioner copies of corporate documents filed with the secretary of state by health care service contractors and health maintenance organizations that have been provided for the insurance commissioner under RCW 48.44.013 and 48.46.012. [1998 c 23 s 18.]

RCW 43.07.180 Staggered corporate license renewal system authorized. The secretary of state may, by rule adopted under chapter 34.05 RCW, adopt and implement a system of renewals for annual

corporate licenses or filings in which the renewal dates are staggered throughout the year.

To facilitate the implementation of the staggered system, the secretary of state may extend the duration of corporate licensing periods or report filing periods and may impose and collect such additional proportional fees as may be required on account of the extended periods. [1982 c 35 s 192.]

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.190 Use of a summary face sheet or cover sheet with the filing of certain documents authorized. Where the secretary of state determines that a summary face sheet or cover sheet would expedite review of any documents made under Title 23B RCW, or chapter 18.100, 23.86, 23.90, 24.03A, 24.06, 24.12, 24.20, 24.24, 24.36, 25.10, or 25.15 RCW, the secretary of state may require the use of a summary face sheet or cover sheet that accurately reflects the contents of the attached document. The secretary of state may, by rule adopted under chapter 34.05 RCW, specify the required contents of any summary face sheet and the type of document or documents in which the summary face sheet will be required, in addition to any other filing requirements which may be applicable. [2021 c 176 s 5221; 2016 c 202 s 62; 1991 c 72 s 56; 1989 c 307 s 41; 1982 c 35 s 193.]

Effective date—2021 c 176: See note following RCW 24.03A.005.

Legislative finding—1989 c 307: See note following RCW 23.86.007.

Application—1989 c 307: See RCW 23.86.900.

Intent—Severability—Effective dates—Application—1982 c 35: See notes following RCW 43.07.160.

RCW 43.07.200 Department of revenue as secretary of state's agent for legal entity renewals. The secretary of state and the director of revenue may enter into agreements designating the department of revenue as the secretary of state's agent for issuing all or a portion of the legal entity renewals within the jurisdiction of the secretary of state. [2011 c 298 s 24; 1982 c 182 s 12.]

Purpose—Intent—Agency transfer—Contracting—Effective date—2011 c 298: See notes following RCW 19.02.020.

Business licensing service act: Chapter 19.02 RCW.

Certain business or professional activity licenses exempt: RCW 19.02.800.

RCW 43.07.210 Filing false statements—Penalty. Any person who files a false statement, which he or she knows to be false, in the articles of incorporation or in any other materials required to be

filed with the secretary of state shall be guilty of a gross misdemeanor punishable under chapter 9A.20 RCW. [1984 c 75 s 25.]

RCW 43.07.300 Division of elections—Director. The secretary of state shall establish a division of elections within the office of the secretary of state and under the secretary's supervision. The division shall be under the immediate supervision of a director of elections who shall be appointed by the secretary of state and serve at the secretary's pleasure. [1992 c 163 s 1.]

RCW 43.07.310 Division of elections—Duties. The secretary of state, through the division of elections, is responsible for the following duties, as prescribed by Title 29A RCW:

(1) The filing, verification of signatures, and certification of state initiative, referendum, and recall petitions;

(2) The production and distribution of a state voters' pamphlet;

(3) The examination, testing, and certification of voting equipment, voting devices, and vote tallying systems;

(4) The administration, canvassing, and certification of the presidential primary, state primaries, and state general elections;

(5) The administration of motor voter and other voter registration and voter outreach programs;

(6) The training, testing, and certification of state and local elections personnel as established in RCW 29A.04.530;

(7) The conduct of reviews as established in RCW 29A.04.570; and

(8) Other duties that may be prescribed by the legislature. [2009 c 415 s 11; 2003 c 111 s 2303; 1992 c 163 s 2.]

RCW 43.07.350 Citizens' exchange program. The secretary of state, in consultation with the *department of trade, the department of agriculture, economic development consultants, the consular corps, and other international trade organizations, shall develop a Washington state citizens' exchange program that will initiate and promote:

(1) Citizen exchanges between Washington state agricultural, technical, and educational groups and organizations with their counterparts in targeted foreign countries.

(2) Expanded educational and training exchanges between Washington state individuals and organizations with similar groups in targeted foreign countries.

(3) Programs to extend Washington state expertise to targeted foreign countries to help promote better health and technical assistance in agriculture, water resources, hydroelectric power, forestry management, education, and other areas.

(4) Efforts where a special emphasis is placed on utilizing Washington state's rich human resources who are retired from public and private life and have the time to assist in this program.

(5) People-to-people programs that may result in increased tourism, business relationships, and trade from targeted foreign nations to the Pacific Northwest. [1993 c 113 s 1.]

*__Reviser's note:__ The department of trade and economic development was the correct name for this department. The name of the department is now the department of community, trade, and economic development,

pursuant to 1993 c 280. The "department of community, trade, and economic development" was renamed the "department of commerce" by 2009 c 565.

RCW 43.07.363 Washington state legacy project—Oral histories—Advisory council. (1) The secretary of state shall administer and conduct a program to record and document oral histories of current and former members and staff of the Washington state executive and judicial branches, the state's congressional delegation, and other citizens who have participated in the political history of Washington state. The program shall be called the Washington state legacy project. The secretary of state may contract with independent oral historians or history departments of the state universities to interview and record oral histories. The manuscripts and publications shall be made available for research and reference through the state archives. The transcripts, together with current and historical photographs, may be published for distribution to libraries and the general public, and be posted on the secretary of state's website.

(2) The Washington state legacy project may act as a principal repository for oral histories related to community, family, and other various projects.

(3) The oral history of a person who occupied positions, or was staff to a person who occupied positions, in more than one branch of government shall be conducted by the entity authorized to conduct oral histories of persons in the position last held by the person who is the subject of the oral history. However, the person being interviewed may select the entity he or she wishes to prepare his or her oral history.

(4) The secretary of state may create a Washington state legacy project advisory council to provide advice and guidance on matters pertaining to operating the legacy project. The secretary of state may not compensate members of the legacy project advisory council but may provide reimbursement to members for expenses that are incurred in the conduct of their official duties. [2008 c 222 s 10.]

Purpose—2008 c 222: See note following RCW 44.04.320.

RCW 43.07.365 Washington state legacy project—Funding—Rules. The secretary of state may fund Washington state legacy project activities through donations as provided in RCW 43.07.037. The activities may include, but not be limited to, conducting interviews, preparing and indexing transcripts, publishing transcripts and photographs, and presenting displays and programs. Donations that do not meet the criteria of the Washington state legacy project may not be accepted. The secretary of state shall adopt rules necessary to implement this section. [2008 c 222 s 11; 2002 c 358 s 3.]

Purpose—2008 c 222: See note following RCW 44.04.320.

RCW 43.07.370 Washington state legacy project—Gifts, grants, conveyances—Expenditures—Rules. (1) The secretary of state may solicit and accept gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise, and

sell, lease, exchange, invest, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms.

(2) Moneys received under this section may be used only for the following purposes:

(a) Conducting the Washington state legacy project;

(b) Archival activities;

(c) Washington state library activities;

(d) Development, construction, and operation of the Washington state library-archives building; and

(e) Donation of Washington state flags.

(3)(a) Moneys received under subsection (2)(a) through (c) of this section must be deposited in the Washington state legacy project, state library, and archives account established in RCW 43.07.380.

(b) Moneys received under subsection (2)(d) of this section must be deposited in the Washington state library-archives building account created in RCW 43.07.410.

(c) Moneys received under subsection (2)(e) of this section must be deposited in the secretary of state's revolving fund created in RCW 43.07.130.

(4) The secretary of state shall adopt rules to govern and protect the receipt and expenditure of the proceeds. [2025 c 399 s 5; 2019 c 448 s 8; 2009 c 71 s 1; 2008 c 222 s 12; 2007 c 523 s 3; 2003 c 164 s 1.]

Effective dates—2025 c 399 ss 1-13, 15, and 17: See note following RCW 72.09.092.

Findings—Intent—2019 c 448: See note following RCW 43.07.405.

Purpose—2008 c 222: See note following RCW 44.04.320.

Contingency—2007 c 523: See note following RCW 43.07.128.

RCW 43.07.380 Washington state legacy project, state library, and archives account. The Washington state legacy project, state library, and archives account is created in the custody of the state treasurer. All moneys received under RCW 43.07.370 must be deposited in the account. Expenditures from the account may be made only for the purposes of the Washington state legacy project under RCW 43.07.363, archives program under RCW 40.14.020, and the state library program under chapter 27.04 RCW. Only the secretary of state or the secretary of state's designee may authorize expenditures from the account. An appropriation is not required for expenditures, but the account is subject to allotment procedures under chapter 43.88 RCW. [2008 c 222 s 13; 2003 c 164 s 2.]

Purpose—2008 c 222: See note following RCW 44.04.320.

RCW 43.07.390 Real estate excise tax enforcement—Disclosure of transfer of controlling interest, real property. (1)(a) The secretary of state must adopt rules requiring any entity that is required to file an annual report with the secretary of state, including entities under Titles 23, 23B, 24, and 25 RCW, to disclose: (i) Any transfer of

the controlling interest in the entity or an interest that amounts to at least one-third of a controlling interest in the entity; and (ii) the granting of any option to acquire an interest described in (a)(i) of this subsection.

(b) The disclosure requirement in this subsection only applies to entities owning an interest in real property located in this state.

(2) This information must be made available to the department of revenue upon request for the purposes of tracking the transfer of the controlling interest in entities owning real property and to determine when the real estate excise tax is applicable in such cases.

(3) For the purposes of this section, "controlling interest" has the same meaning as provided in RCW 82.45.033. [2019 c 424 s 6; 2010 1st sp.s. c 23 s 213; 2005 c 326 s 2.]

Automatic expiration date and tax preference performance statement exemption—Effective date—2019 c 424: See notes following RCW 82.45.060.

Effective date—2010 1st sp.s. c 23: See note following RCW 82.32.655.

Findings—Intent—2010 1st sp.s. c 23: See notes following RCW 82.04.220.

RCW 43.07.400 Domestic partnership registry—Forms—Rules. (1) The state domestic partnership registry is created within the secretary of state's office.

(2)(a) The secretary shall prepare a form entitled "declaration of state registered domestic partnership" to meet the requirements of RCW 26.60.010, 26.60.020, 26.60.030, and 26.60.070.

(b) The "declaration of state registered domestic partnership" form must contain a statement that registration may affect property and inheritance rights, that registration is not a substitute for a will, deed, or partnership agreement, and that any rights conferred by registration may be completely superseded by a will, deed, or other instrument that may be executed by either party. The form must also contain instructions on how the partnership may be terminated.

(3) This form shall be available to the public at the secretary of state's office and on the internet.

(4) The secretary shall adopt rules necessary to implement the administration of the state domestic partnership registry. [2016 c 202 s 63; 2007 c 156 s 3.]

RCW 43.07.405 Library-archives building. The secretary of state's office shall own and operate the library-archives building. The secretary of state's office is authorized to enter into a long-term land lease from the port of Olympia for a period of up to seventy-five years. To comply with the provisions of this section, this project is exempt from the provisions of RCW 43.82.010. [2019 c 448 s 2.]

Finding—Intent—2019 c 448: "(1) The legislature finds that the current facilities housing the Washington state archives, Washington state library, Washington state corporations and charities office, and

the state elections office is in need of modernization and update. This is due to these vital programs being housed in obsolete and crowded facilities that do not meet modern standards for the functions performed in each.

(2) It is the intent of the secretary of state and the legislature to preserve and protect the state's vital records and collections, provide convenient service to the public, be excellent stewards of state funds, and house staff and collections in a state of the art, energy efficient building owned and operated by the office of the secretary of state. This will be accomplished by constructing a new building funded by a financing contract entered into by the secretary of state pursuant to chapter 39.94 RCW. The principal and interest requirements of the financing contract will be serviced by existing rents, existing fees, and a new fee on documents recorded at county recording offices.

(3) This building, to be known as the library-archives building, will replace the existing state archives, the existing leased library location, the existing leased elections office, and the corporations and charities building on Capitol Way in addition to consolidating other archival structures. The consolidation of facilities will create efficiency under RCW 43.82.010(6) and convenience for customers with the eventual goal of housing all functions of the various divisions of the office of the secretary of state." [2019 c 448 s 1.]

RCW 43.07.410 Library-archives building account. The Washington state library-archives building account is created in the custody of the state treasurer. All moneys received under RCW 36.18.010(12), 36.22.175(3), and 43.07.370(3) must be deposited in the account. Except for during the 2023-2025 fiscal biennium, expenditures from the account may be made only for the purposes of payment of the financing contract entered into by the secretary of state for the Washington state library-archives building. During the 2023-2025 fiscal biennium, the secretary of state may spend up to $8,000,000 from the account for costs associated with the design and construction of the state library-archives building and for costs necessary to prepare the building for occupancy. Only the secretary of state or the secretary of state's designee may authorize expenditures from the account. An appropriation is not required for expenditures, but the account is subject to allotment procedures under chapter 43.88 RCW. During the 2025-2027 fiscal biennium, moneys in the account may also be transferred into the state general fund. [2025 c 424 s 945; 2023 c 474 s 8030; 2019 c 448 s 9.]

Effective date—2025 c 424: See note following RCW 9.46.100.

Conflict with federal requirements—Effective date—2023 c 474: See notes following RCW 28A.320.330.

Findings—Intent—2019 c 448: See note following RCW 43.07.405.

RCW 43.07.900 Transfer of powers, duties, and functions—Legislative oral history program. (1) All powers, duties, and functions of the secretary of state pertaining to the legislative oral history program are transferred to the secretary of the senate and the

chief clerk of the house of representatives. All references to the secretary of state or the office of the secretary of state in the Revised Code of Washington shall be construed to mean the secretary of the senate and the chief clerk of the house of representatives when referring to the functions transferred in this section.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the secretary of state pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the secretary of the senate and the chief clerk of the house of representatives. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the secretary of the senate and the chief clerk of the house of representatives.

(b) Any appropriations made to the secretary of state for carrying out the powers, functions, and duties transferred shall, on June 12, 2008, be transferred and credited to the secretary of the senate and the chief clerk of the house of representatives.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All rules and all pending business before the secretary of state pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the secretary of the senate and the chief clerk of the house of representatives. All existing contracts and obligations shall remain in full force and shall be performed by the secretary of the senate and the chief clerk of the house of representatives.

(4) The transfer of the powers, duties, functions, and personnel of the secretary of state shall not affect the validity of any act performed before June 12, 2008.

(5) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(6) Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the public employment relations commission as provided by law.

(7) The secretary of the senate and the chief clerk of the house of representatives will determine location and staff reporting for the program. [2008 c 222 s 9.]

Purpose—2008 c 222: See note following RCW 44.04.320.