
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: I-2394.1/11

ATTY/TYPIST: AI:ean

BRIEF DESCRIPTION:

Initiative Measure No. 1145

filed March 3, 2011

AN ACT Relating to permitting the electorate to sign online petitions for Washington state documents; adding a new section to chapter 29A.72 RCW; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The initiative process is encumbered by the requirement to physically obtain signatures on a petition, and only twenty signatures can be obtained on one page. The volume of paperwork and the cost act as a deterrent for individuals becoming involved in presenting solutions for our state government. As a result, many solutions that could benefit the electorate are never presented. The federal government created the government paperwork elimination act that requires, when practicable, agencies use electronic forms, electronic filing, and electronic signatures to conduct official business with the public by 2003. United States law allows "an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record." RCW

19.34.010 created laws to provide a voluntary licensing mechanism by which businesses, consumers, courts, government agencies, and other entities can reasonably be assured as to the integrity, authenticity, and nonrepudiation of a digitally signed electronic communication. A person who has a valid Washington state driver's license or state identicard may submit a voter registration application electronically on the secretary of state's web site. It is not only logical but environmentally friendly to apply this to the initiative process and other petitions, such as the recall of elected officials.

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

The criteria for gathering signatures for petitions via the internet are as follows: For all initiatives submitted to the secretary of state, within seven calendar days after the secretary of state has filed a serial number to the initiative, a link shall be created by the secretary of state's elections division to allow the electorate to sign a petition online via the secretary of state's election web site.

(1) The secretary of state may not employ security measures to ensure the accuracy and integrity of signatures beyond those used for voter registration applications submitted electronically.

(2) For each electronic application, the secretary of state must obtain a digital copy of the applicant's driver's license or state identicard signature from the department of licensing.

(3) Individuals and organizations may create or use alternate web sites to gather signatures for petitions. In doing so, they will be required to present all information required and provide the individuals with the ability to download the petition in a format that is not less than eleven inches in width and not less than fourteen inches in length.

(4) Individuals and organizations that create or use alternate web sites to gather signatures will be required to present information required for voter registration to the secretary of state's elections division. This information consists of:

(a) Either a valid Washington state driver's license or state identicard.

(i) He/she will verify eligibility to sign a petition in Washington state by answering the following questions:

(A) Are you a citizen of the United States?

(B) Will you be at least eighteen years of age on or before the next election?

(C) Are you a resident of Washington state?

(ii) Personal identification information:

(A) First name;

(B) Middle name;

(C) Last name;

(D) Suffix;

(E) Driver's license or state identicard number;

(F) Date of birth;

(G) Gender;

(H) Telephone or contact number;

(I) E-mail address (optional);

(J) Residential - physical address;

(K) City;

(L) ZIP;

(M) County; and

(N) Mailing address, if different.

(b) A voter declaration that states the following:

(i) By submitting this document, I hereby assert, under penalty of perjury, that I am legally eligible to vote. I am a citizen of the United States.

(ii) I am not presently denied my civil right to vote as a result of being convicted of a felony.

(iii) I will have lived in Washington state at this address for thirty days immediately before the next election at which I will vote.

(iv) I will be at least eighteen years of age on or before election day.

(v) I declare that the facts presented to sign this online petition are true.

(vi) I authorize the secretary of state to use my signature on my Washington state driver's license or state identicard card for petition signature purposes.

NEW SECTION. **Sec. 3.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. **Sec. 4.** 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.

NEW SECTION. **Sec. 5.** This act may be known and cited as the right to use the internet to obtain signatures act.