

Initiative & Referenda Handbook - 2024



Table Of Contents

Introduction.....3

The Initiative.....4

The Referendum.....5

How to File.....6

Processing an Initiative.....7

Processing a Referenda.....8

Assignment of Ballot Title and Summary.....8

Petition Form & Signature Collection.....9

Submitting Initiative and Referendum Petition Sheets.....10

Fiscal Impact Statement.....12

Validating Petition Signatures.....12

Certification of an Initiative or Referendum Measure.....13

Filing Checklist.....14

Frequently Asked Questions (FAQ).....15

Example Petition Sheet & Templates.....17

Introduction

In 1912, Washington became one of the first states to adopt the initiative and referendum process, thus securing the rights of citizens to make and remake their laws, and to provide a check over the decisions of their Legislature.

Today, if Washingtonians are dissatisfied with certain laws or feel new laws are needed, they can petition to place proposed legislation on the ballot. The process is termed “**Initiative**” because the electorate can initiate legislation. The electorate can either place a proposition directly on the ballot or it can submit the proposed law to the Legislature at the regular legislative session allowing the elected representatives an opportunity to enact the proposed legislation themselves instead of placing the measure on the ballot.

A **Referenda** allows citizens, through the petition process, to refer acts of the Legislature to the ballot before they become law. The Referendum also permits the Legislature itself to refer proposed legislation to the electorate for approval or rejection.

The Initiative and Referendum processes guarantee Washington’s electorate the right to legislate. Sponsors of Initiative or Referendum measures must obtain a substantial number of petition signatures from registered voters in order to certify their measures to the ballot or to the Legislature.

Washington’s history has shown the Initiative and Referendum processes to be effective in protecting the people’s interests. In fact, many of our most significant laws, such as our public disclosure laws, were enacted by this process.

This manual is designed to inform citizens about the Initiative and Referendum processes and to serve as a basic road map to those who wish to exercise these important constitutional rights. We recommend working with your attorney to help you understand and follow all applicable laws and procedures as you go through the Initiative and Referenda process.

The Initiative

The initiative process is the direct power of the voters to enact new or change existing laws. It allows the voters to place proposed legislation on the ballot. An initiative cannot be used to amend the State Constitution. (Article XXIII – Amendments)

There are two types of Initiatives:

Initiative to the People are submitted for a direct vote of the people. If enough signatures are submitted, the measure will appear on the next state general election ballot in November.

Initiative to the Legislature are submitted to the Legislature at its regular session each January. Once submitted, the Legislature must take one of the following three actions:

- The Legislature may adopt the Initiative as proposed and it becomes law without a vote of the people;
- The Legislature may reject or refuse to act on the proposed Initiative and the Initiative must be placed on the ballot at the next state general election; or
- The Legislature may propose a different measure dealing with the same subject and both measures must be placed on the next state general election ballot.

Who Can Propose an Initiative?

Any registered voter of Washington State, acting individually or on behalf of an organization, may propose legislation to create a new state law or to amend or repeal an existing state law.

When to File

Initiatives to the People

- Filing starts 10 months before the state general election in with signature petition sheets due four months before the state general election.

Initiatives to the Legislature

- Filing starts in 10 months before the start of the next state legislative session with signatures due 10 days before the state legislative session starts.

The Referendum

The primary purpose of the Referendum is to give voters an opportunity to approve or reject laws either proposed or enacted by the Legislature.

Sections of enacted laws with an emergency clause—those that are necessary for the immediate preservation of the public peace, health or safety, and the support of state government and its existing institutions—are exempt from the referendum process.

There are two types of Referendum:

Referenda Measures

Referendum Measures are on laws or acts recently passed by the State Legislature and placed on the ballot by referendum petition. A referendum may be filed on all or part of the law or act.

Referenda Bills

Referendum Bills are proposed laws referred to the voters by the State Legislature.

Who Can Propose a Referenda Measure?

Any registered voter of Washington State, acting individually or on behalf of an organization, may by petition demand a law passed by the Legislature be referred to the voters prior to going into effect (except sections with emergency clauses, which are exempt from the referendum process—see above).

When Can a Referenda Be Filed?

Referenda signature petition sheets must be filed no later than 90 days after the final adjournment of the legislative session at which the act or law at issue was passed. The Referenda is then submitted at the next state general election.

2024 Filing Periods

Initiatives to the People: January 5, 2024, to July 5, 2024

Initiatives to the Legislature: March 13, 2024, to December 31, 2024

Referendums: Prior to June 6, 2024

*Not later than 90 days after final adjournment of the session in which the measure passed.

**These dates refer to fulfilling all required filings including the submission of the required signatures necessary for a referendum to pass.*

How to File

Filing a Proposed Initiative Measure

Initiative filings are made through the Secretary of States Elections online Petitions Portal filing system. All correspondence from the Code Reviser, Attorney General and the Office of the Secretary of State is sent directly to the Sponsor's email address and to the Sponsor's Petitions Portal account.

To File an Initiative, go to: <https://www.sos.wa.gov/elections/initiatives-referenda/filing-initiative> to create a Sponsor account.

The Sponsors must:

- Create a Sponsor account in the Petitions Portal (multiple initiatives may be filed under one sponsor account).
- Upload a scanned copy of your signed affidavit in PDF format for the proposed Initiative (electronic signatures are not allowed). Once an account is created, the Sponsor can add co-sponsors to the Initiative filing (A scan of their signed affidavit in PDF formatting will be required for each co-sponsor).
- Upload a PDF version of the full text of the Initiative.
- Pay a five-dollar fee (\$5.00) for an Initiative to the People and pay a one hundred fifty-six-dollar fee (\$156.00) (WAC 434-379-005) for Initiatives to the Legislature (either with Visa or MasterCard online or by submitting a check by mail).

Note: For online filing, if you need to pay with a check, you can mail your payment to:

Initiative Support
Office of the Secretary of State
Elections Division
PO Box 40229
Olympia WA 98504-0237

For Referenda, you will submit your five-dollar fee (\$5.00) filing fee, signed affidavit and full text of the bill or act your referenda is on, in person at:

The Secretary of States Office
416 Sid Snyder Ave SW
Olympia, WA

Note: Only the Sponsor has the power to make decisions about their Initiative or Referenda, and all communication will be done through the Sponsor's email and Petitions Portal account. Co-sponsors would only have decision making ability if the Sponsor died or was otherwise incapacitated.

Your Public Information and Public Disclosure

Register with the Public Disclosure Commission (PDC)

Voters approved Washington State's Public Disclosure Law in 1972. This act authorizes the PDC to administer the law and to develop rules and regulations to implement the laws related to campaign finance.

Requirements under this law stipulate that any person, organization, or committee which expects to receive funds or make expenditures in an effort to support or oppose any Initiative or Referendum must register with the PDC.

Sponsors of Initiatives and Referendum must register with the PDC and file a "Statement of Organization" (RCW 42.17A.205). Sponsors of an Initiative or Referendum are also required to file C1, C3 and C4 reports with the PDC if they accept contributions to support their initiative, or if they raise or spend more than \$5,000 on the initiative campaign or accept more than \$500 from one donor in support of your initiative. For more information see: <https://www.pdc.wa.gov/>

Public Information

Sponsors should be aware their voter registration information will appear on the Office of the Secretary of State's website unless other public contact information is provided on the affidavit. Lists of Initiative and Referendum filings are posted on the Office of the Secretary of State's web site (www.sos.wa.gov) and are routinely made available to the public, the news media, and others.

Processing an Initiative

Once the Sponsor files an Initiative, the Secretary of State will send a copy of the initial text to the office of the Code Reviser.

The Code Reviser has seven (7) working days, to perform the following:

- Review the draft of the text for technical errors and style;
- Advise the Sponsor of any potential conflicts between the proposal and existing laws, and;
- Return the proposal to the Sponsor with recommended changes and the Certificate of Review. All changes suggested by the Code Reviser are advisory and are subject to approval or dismissal by the Sponsor.

Submitting the Final Text

The Sponsor has fifteen (15) working days from the initial filing date to file the final draft of the measure (the final text), on the Office of the Secretary of State's online system ([RCW 29A.72.020](#)). The final text must be accompanied by the Code Reviser's Certificate of Review. It is the Sponsors responsibility to ensure the final text of the measure is complete with all necessary changes or edits before filing. Once the final text is filed, no more changes can be made to it.

Processing a Referenda

Referenda do not go through a Code Reviser review. For a Referenda, the only text submitted is the text submitted at the time of filing. It is the Sponsors responsibility to ensure the text of the bill or act the Referenda is on, is complete before filing. If the text of the bill or act the Referenda is on does not match what the final version the Legislature voted on and the Governor signed into law, the Referenda will not be approved.

Once the Office of the Secretary of State receives and approves the Sponsor's filing of the Referenda, the OSOS will assign a serial number to the Referenda and forward the text of the Referenda to the office of the Attorney General for formulation of the Ballot Title and Summary.

Assignment of Ballot Title and Summary

Upon receipt of the final text of an Initiative or Referenda, the Attorney General has five (5) working days to formulate and return the ballot title and summary to the Office of the Secretary of State.

The Ballot Title will consist of three parts:

Part I. A statement of the subject of the petition that is:

- No more than 10 words.
- Sufficiently precise to give notice of the measure's subject matter.
- Sufficiently broad to reflect the subject of the measure.

Part II. A concise description of the measure that is:

- No more than 30 words.
- A true and impartial description of the measure's essential content.
- Phrased to clearly identify the proposition to be voted on.
- Without prejudice for or against the measure.

Part III. A question in the format prescribed in RCW [29A.72.050](#)

Ballot Measure Summary

The ballot measure summary written by the Attorney General's Office will summarize the initiative or Referenda and will not be more than 75 words. Immediately after receiving the ballot title and summary, the Office of the Secretary of State will post it on our Elections website:

For Proposed Initiatives to the People:

<https://apps.sos.wa.gov/elections/initiatives/initiatives.aspx?y=2024&t=p>

For Proposed Initiatives to the Legislature:

<https://apps.sos.wa.gov/elections/initiatives/initiatives.aspx?y=2024&t=l>

For Proposed Referendum measures:

<https://apps.sos.wa.gov/elections/initiatives/referendum.aspx?y=2024>

Any person dissatisfied with either the Ballot Title or Summary prepared by the Attorney General may file a challenge by petitioning the Thurston County Superior Court in Olympia. The challenge must be filed within five (5) working days of the Attorney General submission of the Ballot Title and Summary to the Office of the Secretary of State, which is published to the SOS Elections website. The court is required to give priority to such challenges and render a decision within five (5) days. The decision of the court is final.

Petition Sheets and Signatures

Petition Form and Content

The sponsors of an Initiative and Referenda measures are responsible for printing signature petition sheets at their own expense after the Ballot Title and Summary is issued by the Attorney General's Office. The Office of the Secretary of State may reject any petition that does not meet the statutory requirements of [RCW 29A.72.170](#) and [WAC 434-379-008](#).

State law requires:

- Petitions must be printed on sheets of good quality paper.
- Petition sheets must not measure less than 11 inches in width and not less than 14 inches in length.
- Petition sheets must all be the same size and format.
- The following items must be printed on the front of each petition sheet:
 1. The official ballot title and summary as prepared by the Attorney General;
 2. The serial number assigned by the Office of the Secretary of State;
 3. The heading specified by [RCW 29A.72.110](#) for Petitions to the Legislature, [RCW 29A.72.120](#) for Petitions to the People, or [RCW 29A.72.130](#) for Referendum Petitions;
 4. Not more than 20 numbered lines, each with space for a voter's signature, his/her printed name and the address, city, and county at which they are registered to vote; and
 5. The following warning, which must occupy not less than four (4) square inches:

"Every person who signs this petition with any other than his or her true name, knowingly signs more than one of these petitions, signs this petition when he or she is not a legal voter or makes any false statement on this petition may be punished by fine or imprisonment or both."

6. The following items must be printed on the back of each petition sheet.
 - a. The full text of the measure.
 - b. The following declaration by the signature gatherer as required by [RCW 29A.72.110](#), [RCW 29A.72.120](#) or [RCW 29A.72.130](#) must be on the reverse side of every petition page.

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

Note: If the text of the measure is too long to fit all of it on the back of the petition sheet, you can go up to a 12in x 18in size sheet. You can also print your petition sheet on one large sheet that is then folded like a newspaper to accommodate the text of the measure. Stapling extra sheets to the petition sheet is not allowed (RCW29A.72.100).

See page 17 or visit <https://www.sos.wa.gov/elections> for petition templates, instructions, and links.

Circulation of Petition Sheets

Sponsors must notify the Office of the Secretary of State when signatures are being collected at least three months prior to the submission deadline. This allows the Office of the Secretary of State time to prepare sufficient staffing and supplies. Sponsors must also provide a sample of the petition (in **Word** format) before the petitions are submitted (**WAC 434-379-009**).

State law prescribes certain rules for collecting signatures. Failure by signature gatherers and/or signers to adhere to these rules can result in criminal prosecution.

Any person soliciting signatures should be fully aware of the following petition requirements:

- Only legally registered Washington voters are legally allowed to sign a petition.
- Signers should record, on the line with their signatures, the address at which they are registered to vote.
- Signers should print their names in the space provided to facilitate the validation of their signature.

Signature Requirements of Initiatives and Referendum Measures

The Washington State Constitution requires Initiative and Referendum measures to contain a specified number of legal voter signatures to be certified for either the ballot or the Legislature. Those specified numbers are as follows:

- Initiatives –Petitions must include a number of legal voter signatures equal to or in excess of eight (8) percent of the total votes cast for the office of Governor at the last regular state gubernatorial election.
- Referendum Measures – Petitions must include a number of legal voter signatures equal to or in excess of four (4) percent of the total votes cast for the office of Governor at the last regular state gubernatorial election. (Half the number of required signatures for an initiative.)

NOTE: *The votes cast in the 2020 Governor’s race was 4,056,454 (including write-ins). Since a percentage of petition signatures are normally found to be invalid due to duplication, nonregistration, or fraud, it is recommended that sponsors file as many signatures as possible. While no number of signatures can guarantee sufficiency, an additional 15 - 20% “cushion” may prove sufficient to qualify the measure for the ballot, assuming the petition has a normal rate of invalidation.*

Initiative Petition Signatures Required + 25% cushion = 405,000
Referendum Petition Signatures Required + 25% cushion = 202,000

Submitting Initiative and Referendum Petition Sheets

An appointment to submit petitions sheets can only be made by the Sponsor of the Initiative or Referendum and only once the minimum required signatures have been collected. The appointment to submit petition sheets **must** be made at least two days in advance of your desired drop-off day with the Office of the Secretary of State ([WAC 434-379-009](#)). Scheduling at least two to three weeks in advance of submitting petition sheets is preferred so we can insure we have enough staff and supplies on hand.

All signed petition sheets **must** be returned by those collecting signatures to the Sponsor of the Initiative or Referenda before the Sponsor's drop-off appointment with the Office of the Secretary of State. Once the petition sheets are accepted and filed, additional petition sheets may be submitted by the Sponsor until the applicable deadline established by [RCW 29A.72.160](#).

At your drop-off appointment, the staff will count the boxes of sheets of petitions and give the Sponsor a receipt for them. The petition sheets must clearly contain the **minimum** number of legal voter signatures needed for certification in order for the Office of the Secretary of State to accept the Initiative measure or Referendum petition for signature checking.

- **The Office of the Secretary of State may reject petitions short of the minimum requirements.**
- **The Office of the Secretary of State may reject any petition not in the legally required form.**

Petitions that are submitted should be unfolded with any staples, rubber bands, sticky-notes, clips, and any other objects removed from the petition sheets and organized by size (if there are different size petition sheets).

Petitions must be submitted in person by the Sponsor by the close of business (5:00 pm) on the last business day in the specified period for submission of signatures. Please contact the office of the Secretary of State Elections division, 360-902-4180, 800-448-4881 or InitiativeSupport@sos.wa.gov to make your appointment and get directions for where to drop-off.

Note: If a deadline falls on a Saturday, the office will be open on that Saturday for the transaction of business from 8:00 am to 5:00 pm. If a deadline falls on an observed public holiday the deadline will be the previous business day (if not also a Saturday).

2024 Filing Periods

January 5, 2024 – July 5, 2024

Initiatives to the People

March 13, 2024 - December 31, 2024

Initiatives to the Legislature

Prior To June 6, 2024

Referendums

*Not later than 90 days after final adjournment of the session in which the measure passed

*These dates refer to fulfilling all required filings including the submission of the required signatures.

The sponsor may appeal the Office of the Secretary of State's rejection of an Initiative or Referendum petition by filing an action with the Thurston County Superior Court within ten days of the rejection.

Fiscal Impact Statement

Upon the Sponsor making an appointment to submit signatures, the Office of the Secretary of State notifies the Office of Financial Management to create a “Fiscal Impact Statement” that will describe any projected increase or decrease in revenues, costs, expenditures, or indebtedness that the state or local governments will experience if the ballot measure were approved by state voters. (RCW [29A.72.025](#)).

The Office of the Secretary of State also notifies and the Attorney General’s Office to provide a “Public Disclosure Description” (RCW [29A.72.283](#)), which is a short description to be displayed on the ballot, of the tax increase or decrease the proposed measure is asking for. The description must be formulated to show the most up to date, 10-year cost projection of how the implication of the measure would affect government spending.

The Statement and Description for fiscal impacts are posted online on the OSOS website and issued to the Sponsor by the Secretary of State. Any challenge to the fiscal impact statement and/or disclosure must be done within 3 days of their filing to the Secretary of State in the Thurston County Superior Court. (Sec. 6, chapter 29A.72 RCW)

Validating Petition Signatures

Once the petition signatures are dropped off, the Office of the Secretary of State checks petitions for duplicate signatures and the signers’ status as a legal Washington voter. Petition checkers are trained by the Washington State Patrol to verify signatures (RCW [29A.40.110 \(3\)](#) & WAC [434-379-020](#)). Only one signature per voter counts.

State law allows that the Office of the Secretary of State may check a random sample of signatures. The random sample process may only be used when the number of signatures submitted is substantially in excess of the minimum needed to validate the measure.

Random sampling is used to project the proportion of invalid signatures on the initiative or referendum petitions. (WAC [434-379-010](#))

- If the random sampling indicates the number of valid signatures is equal to or in excess of the minimum needed, the measure is certified.
- If the random sampling indicates the number of valid signatures is less than the number required the Secretary of State will proceed to verify each signature not checked during the sampling process. (The random sample process may not be used to reject an initiative or referendum.)

Both proponents and opponents of a measure may have designated observers present during the check of signatures. The Office of the Secretary of State has the authority to establish rules of conduct for observers and may limit the number of observers if necessary. (RCW [29A.72.230](#))

Any citizen may appeal the Office of the Secretary of State’s final determination of the number of valid signatures by applying to the Thurston County Superior Court within five days of the initial determination.

Certification of Initiative and Referendum Measure

If sufficient signatures are validated on an Initiative to the People or a Referendum, certification containing the measure's serial number and title is transmitted to each county for placement on the next state general election ballot.

For Initiatives to the Legislature, a certified copy of the initiative ballot title and summary is transmitted to the Legislature as soon as it convenes its regular session. The Office of the Secretary of State then notifies the Legislature of the results of the signature verification process.

Assistance and Information

This manual is designed to inform citizens about the initiative and referendum processes and to serve as a Basic Road map to those who wish to exercise these important constitutional rights. We recommend working with your own attorney to make sure you follow all applicable laws and procedures as you go through the initiative and referenda process.

Further questions or requests should be directed to:

Initiative Support
Office of the Secretary of State
Elections Division
PO Box 40229
Olympia WA 98504-0237
Phone: (360) 902-4180
Fax: (360) 664-4619
Email: InitiativeSupport@sos.wa.gov
Website: <https://www.sos.wa.gov/elections>

Filing Checklist

Are you ready to file?

- You are registered to vote in the State of Washington
- You have a scanned copy (in PDF format) of your signed affidavit(s) ready
Forms are available on the Secretary of State's website:
[Initiatives & Referenda - Elections & Voting - WA Secretary of State](#)
- You have the complete text of the Initiative or Referenda measure (in PDF format)
- You are ready to submit a \$5.00 filing fee (Referenda or Initiative to the People) or a \$156.00 filing fee for Initiatives to the Legislature (Visa or MasterCard accepted)

This checklist is designed to assist sponsors with the Initiative and Referendum process

- 1) Create a sponsor's online Initiative filing account on the Office of the Secretary of State Elections website: <https://www.sos.wa.gov/elections/initiatives-referenda/filing-initiative> .
- 2) File preliminary text (Initiatives) or the text of the signed and passed Bill you want your Referenda on, your signed affidavit of sponsorship, and filing fee on the Office of the Secretary of State Petition Portal.
- 3) Register and file a "Statement of Organization" with the Public Disclosure Commission www.pdc.wa.gov after you file your Initiative or Referenda measure with the Office of the Secretary of State.
- 4) **For Initiative filings only:** approve and file the final text of the Initiative along with the "Certificate of Review" you received from the Code Reviser, with the Office of the Secretary of State, within 15 working days of initial filing.
- 5) After the Attorney General's office submits the Ballot Title and Summary for your proposed Initiative or Referenda measure, and after the 5-day Ballot Title challenge period has passed, you can print your petition sheets, and submit your petition sheet template to initiativesupport@sos.wa.gov .
- 6) Circulate you petition among voters to collect signatures.
- 7) Make your appointment for submitting petition signatures (only after collecting the **minimum** number of required signatures).
- 8) File your petition sheets with the Office of the Secretary of State.
- 9) If your Initiative or Referenda gets certified to the ballot, you as the sponsor will submit the "For" statement for the Voters' Pamphlet - see [Guidelines for Ballot Measures](#).

FREQUENTLY ASKED QUESTIONS (FAQ)

The Washington State Constitution reserves to the people the right to approve or reject certain state laws through the process of Initiative or Referendum. A registered voter, or group of voters, desiring to qualify an Initiative or Referendum for the ballot must gather signatures on petitions in order to do so.

The Office of the Secretary of State is frequently asked about issues specifically related to the circulation of petitions and signature gathering. The following questions and answers are designed to summarize these issues.

What if I'm against an initiative or referendum? Do I have the right to urge people not to sign a petition?

Yes, as a matter of freedom of speech. Please be aware of the applicable laws regarding petition gathering.

This principle works both ways, of course. Neither side of an Initiative or Referendum campaign has the right to prevent the other from expressing opinions.

If I am asked to sign a petition, am I entitled to read the petition or the proposed measure before I make up my mind?

Yes. State law requires that petitions contain certain information, including the full text of the measure. This includes a ballot title and summary, written by either the Attorney General or a Superior Court judge, and other required information. The full text is printed on the back of the petition. Sometimes petition circulators attach the petitions to clip boards in order to make them easier to sign or easier for the circulator to handle. You should feel free to read any part of the petition that you think is necessary in order for you to make up your mind, even if that means unfolding it or removing it from a clipboard.

Can I pay workers to collect petition signatures on my behalf?

Yes. You can pay an hourly wage to signature gatherers, but **it is illegal** to pay a signature gatherer on the basis of the number of signatures the worker secures on the petitions. The legislature finds that paying a worker on the basis of the number of signatures the worker secures on Initiative or Referendum petitions, encourages the introduction of fraud in the signature gathering process, and threaten the integrity of the initiative and referendum process. (RCW [29A.84.280](#))

What are the rules regarding the collecting of signatures at shopping malls, retail stores, etc.?

Gathering signatures for ballot measure petitions is a constitutionally guaranteed practice in the State of Washington. However, the right does not extend to all commercial private property open to the public. To what extent businesses and private property owners can exclude signature gatherers is not clearly spelled out in state law.

For further information on this subject, you may wish to have your legal counsel review the principal Washington court decisions on the subject:

- Initiative 172 v. Western Washington Fair Association, 88 Wn. App. 579, 945 P.2d 761 (1997);
- Waremart Inc. v. Progressive Campaigns, Inc., 139 Wn.2d 623, 989 P.2d 524 (1999); Initiatives and Referenda In Washington State 16
- Southcenter Joint Venture v. National Democratic Policy Committee., 113 Wn.2d 413, 780 P.2d 1282 (1989);
- Alderwood Associates v. Washington Environmental Council, 96 Wn.2d 230, 635 P.2d 108 (1981).

The courts' decisions depended on several factors, but the most important factor was whether the business in question had a policy of permitting or welcoming non-commercial, community or political activities onto the property. The courts have characterized this as maintaining a policy of allowing charitable, civic and political groups to use designated "public service centers" on the property.

Can the property owner restrict where, when, or how petitions can be circulated?

Yes, within limits. Washington courts have explained that when Initiative or Referendum supporters collect signatures on private property, there might be limits so that the activity does not interfere with what other people are doing on the property. Just what limits might be reasonable will depend on the circumstances, including how big the area is, the potential for blocking traffic or interfering with the business involved, or perhaps whether somebody else has already made arrangements to be on the property at a particular time. There might also be other reasonable concerns. A relevant case may be Initiative 172 v. Western Washington Fair Assoc., 88 Wn. App. 579, 945 P.2d 761 (1997). When unsure it is suggested that you consult with your own legal counsel.

What role does the Office of the Secretary of State play in resolving these disputes?

None. Disagreements between property owners and signature gatherers are civil disputes that can only be resolved by the courts. We urge aggrieved parties to consult their own attorneys, and we make clear any redress is a matter for the courts to decide.

Does the signature gatherer need to sign the declaration on the back of the petition?

No. Due to an opinion published by the Attorney General's office in 2006, the Office of the Secretary of State does not require that the signature gatherer sign the declaration in order for the petition to be accepted. For more information, see AGO 2006 No. 13.

