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HOUSE BILL 1671

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State of Washington

68th Legislature

2023 Regular Session

**By** Representatives Couture, Volz, Sandlin, McEntire, Waters, Klicker, McClintock, Christian, Orcutt, Corry, Walsh, Jacobsen, Mosbrucker, Chambers, Schmidt, Stokesbary, and Low

1 AN ACT Relating to securing honesty and valor of elected  
2 representatives and senators; adding a new section to chapter 9A.60  
3 RCW; adding a new section to chapter 29A.32 RCW; and prescribing  
4 penalties.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.60  
7 RCW to read as follows:

8 (1) A person is guilty of misrepresenting or falsely claiming  
9 military service as a state elected official or a candidate for state  
10 elected office if the person:

11 (a) Is a statewide elected official or a state legislator, or a  
12 candidate for statewide office or the state legislature;

13 (b) Publicly states that they have served in the military,  
14 describes their military record, or describes having taken part in  
15 certain circumstances or activities regarding military service; and

16 (c) Knows that the statement or description is false or is  
17 misleading to an objective reasonable observer.

18 (2) For purposes of this section, a person "publicly states" a  
19 statement or description if it is made in a public speech or in a  
20 publicly disseminated written, audio, or video form, such as in paper

1 materials, posted on the internet, or made available to the public  
2 through any other public communication platform.

3 (3) The crime of misrepresenting or falsely claiming military  
4 service as a state elected official or a candidate for state elected  
5 office is a misdemeanor, punishable by a fine of \$50,000.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.32  
7 RCW to read as follows:

8 (1) A candidate statement submitted for inclusion in the voters'  
9 pamphlet may not contain false or misleading statements about the  
10 candidate having served in the military or the details of such  
11 service. Whether a statement is misleading is assessed using an  
12 objective reasonable observer standard.

13 (2) A committee is established in the office of the secretary of  
14 state to adjudicate claims that a candidate statement contains a  
15 statement prohibited under subsection (1) of this section. The  
16 committee shall consist of:

17 (a) The secretary of state, or their designee;

18 (b) Two county auditors, one from a county west of the crest of  
19 the Cascade mountains and one from a county east of the crest of the  
20 Cascade mountains; and

21 (c) Two representatives from the Washington military department.

22 (3) A registered voter may initiate a committee investigation  
23 into whether a candidate statement contains a statement prohibited  
24 under subsection (1) of this section. The committee may also initiate  
25 its own investigations sua sponte.

26 (4) At the conclusion of its investigation, the committee shall  
27 vote to determine whether the candidate statement contains a  
28 statement prohibited under subsection (1) of this section. If a  
29 majority of the committee votes that a violation has occurred, the  
30 committee must publicly report its findings.

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