

HOUSE BILL REPORT

HB 1237

As Reported by House Committee On: Transportation

Title: An act relating to registering with the federal selective service when applying for an instruction permit, intermediate license, driver's license, or identicard.

Brief Description: Concerning federal selective service registration upon application for an instruction permit, intermediate license, driver's license, or identicard.

Sponsors: Representatives Haler, Clibborn, Klippert and Moeller.

Brief History:

Committee Activity:

Transportation: 1/26/11, 2/8/11 [DPS].

Brief Summary of Substitute Bill

- Requires that all male applicants for driver's licenses, instruction permits, intermediate licenses, and identicards who are under age 26 be given the opportunity to register with the Selective Service System.
- Prohibits the Department of Licensing (DOL) from denying the issuance of requested documents because an applicant declines to register with the Selective Service System.
- Requires the DOL to forward to the Selective Service System personal information from an applicant who authorizes the DOL to forward the information.
- Allows the DOL to provide Selective Service System registration information to applicants who decline to register if the applicant requests the information.
- Prohibits the DOL from creating a record indicating that an applicant declined to register, exempts any DOL information that indicates that an applicant declined to register from the disclosure requirements of the Public Records Act, and prohibits the DOL from disclosing the information to any other government agency.

HOUSE COMMITTEE ON TRANSPORTATION

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives Clibborn, Chair; Billig, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Jinkins, Johnson, Ladenburg, McCune, Moeller, Moscoso, Overstreet, Reykdal, Rivers, Rodne, Rolfes, Ryu, Shea, Takko, Upthegrove and Zeiger.

Minority Report: Without recommendation. Signed by 1 member: Representative Liias, Vice Chair.

Staff: Wendy Malkin (786-7114).

Background:

The federal Military Selective Service Act of 1948 requires virtually all men between the ages of 18 and 26 living in the United States, as well as male United States citizens between the ages of 18 and 26 living abroad, to register with the Selective Service System. Individuals can register many different ways, including online, by mail, or by checking a box on the federal application for student aid.

Failure to register with the Selective Service System is a felony punishable by up to five years imprisonment, a maximum fine of \$250,000, or both. In addition to the criminal penalties, registration with the Selective Service System is required for men to remain eligible for federal student loans and grants, many federal jobs, certain job training benefits, and United States citizenship for male immigrants seeking citizenship.

Summary of Substitute Bill:

All male applicants for driver's licenses, instruction permits, intermediate licenses, and identicards who are under the age of 26 must be given the opportunity to register with the Selective Service System. An applicant who declines to register with the Selective Service System cannot be denied the requested document if the applicant meets all of the other requirements to receive the requested document.

When an applicant authorizes the Department of Licensing (DOL) to forward personal information necessary to register with the Selective Service System, the DOL is required to forward the personal information to the Selective Service System within 10 days of receipt of the application. The DOL is required to notify the applicant that by submitting the application he is authorizing the DOL to register him with the Selective Service System. If the applicant is under the age of 18, the DOL is required to notify the applicant that the registration will occur when the applicant turns 18 years of age. The DOL is also allowed to provide Selective Service System registration information to applicants who decline to register with the system through the DOL if the applicant requests the information.

The DOL is prohibited from creating a record indicating that an applicant declined to register. Any DOL information that indicates that an applicant declined to register is exempted from

the disclosure requirements of the Public Records Act, and the DOL is prohibited from disclosing the information to any other government agency.

The requirements placed on the DOL are subject to the availability of funds appropriated for the purpose of the activities contained in the bill.

Substitute Bill Compared to Original Bill:

The DOL may provide Selective Service System registration information to an applicant who declines to register only if the applicant requests the information.

The DOL is prohibited from creating a record indicating that an applicant declined to register.

Any DOL information that indicates that an applicant declined to register is exempted from the disclosure requirements of the Public Records Act, and the DOL is prohibited from disclosing the information to any other government agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect January 1, 2012.

Staff Summary of Public Testimony:

(In support) There are a lot of young men who have not registered for the Selective Service System who miss the opportunity for federal school grants and to work for the federal government. This bill will help them register.

There is similar legislation in effect in over 40 other states. Rates of registration have increased in states with similar legislation. In Washington, 18-year-olds register at about a 60 percent rate. In states that allow registration through DOLs, the rates of registration for 18-year-olds are around 80 percent. Our youth could miss out on the opportunity for grants and federal jobs. Also, resident noncitizens who do not register jeopardize their ability to gain citizenship. The cost of implementation is fairly low. It ranges from \$1,300 in Iowa to \$13,000 in Texas. In addition, the Selective Service has a history of providing startup funds for the first year.

(Opposed) None.

Persons Testifying: Representative Haler, prime sponsor; and Terry Oxley, Washington State Selective Service.

Persons Signed In To Testify But Not Testifying: None.