

2 **SSB 6188** - H COMM AMD **ADOPTED 03/03/94**

3 By Committee on State Government

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 10.64 RCW
8 to read as follows:

9 Within fourteen days of the entry of a judgment of conviction of an
10 individual for a felony, the clerk of the court shall send a notice of
11 the conviction including the full name of the defendant and his or her
12 residential address to the county auditor or custodian of voting
13 records in the county of the defendant's residence.

14 **Sec. 2.** RCW 29.01.006 and 1990 c 59 s 2 are each amended to read
15 as follows:

16 As used in this title:

17 (1) "Ballot" means, as the context implies, either:

18 (a) The issues and offices to be voted upon in a jurisdiction or
19 portion of a jurisdiction at a particular primary, general election, or
20 special election;

21 (b) A facsimile of the contents of a particular ballot whether
22 printed on a paper ballot or ballot card or as part of a voting machine
23 or voting device;

24 (c) A physical or electronic record of the choices of an individual
25 voter in a particular primary, general election, or special election;
26 or

27 (d) The physical document on which the voter's choices are to be
28 recorded;

29 (2) "Paper ballot" means a piece of paper on which the ballot for
30 a particular election or primary has been printed, on which a voter may
31 record his or her choices for any candidate or for or against any
32 measure, and that is to be tabulated manually;

33 (3) "Ballot card" means any type of card or piece of paper of any
34 size on which a voter may record his or her choices for any candidate

1 and for or against any measure and that is to be tabulated on a vote
2 tallying system;

3 (4) "Sample ballot" means a printed facsimile of all the issues and
4 offices on the ballot in a jurisdiction and is intended to give voters
5 notice of the issues, offices, and candidates that are to be voted on
6 at a particular primary, general election, or special election;

7 (5) "Special ballot" means a ballot issued to a voter at the
8 polling place on election day by the precinct election board, for one
9 of the following reasons:

10 (a) The voter's name does not appear in the poll book;

11 (b) There is an indication in the poll book that the voter has
12 requested an absentee ballot, but the voter wishes to vote at the
13 polling place;

14 (c) There is a question on the part of the voter concerning the
15 issues or candidates on which the voter is qualified to vote.

16 **Sec. 3.** RCW 29.04.040 and 1986 c 167 s 2 are each amended to read
17 as follows:

18 (1) No paper ballot precinct may contain more than three hundred
19 active registered voters. The county legislative authority may divide,
20 alter, or combine precincts so that, whenever practicable, over-
21 populated precincts shall contain no more than two hundred fifty active
22 registered voters in anticipation of future growth.

23 (2) Precinct boundaries may be altered at any time as long as
24 sufficient time exists prior to a given election for the necessary
25 procedural steps to be honored. Except as permitted under subsection
26 (5) of this section, no precinct boundaries may be changed during the
27 period starting on the thirtieth day prior to the first day for
28 candidates to file for the primary election and ending with the day of
29 the general election.

30 (3) Precincts in which voting machines or electronic voting devices
31 are used may contain as many as nine hundred active registered voters,
32 but there shall be at least one voting machine or device for each three
33 hundred active registered voters or major fraction thereof when a state
34 primary or general election is held in an even-numbered year.

35 (4) On petition of twenty-five or more voters resident more than
36 ten miles from any place of election, the county legislative authority
37 shall establish a separate voting precinct therefor.

1 (5) The county auditor shall temporarily adjust precinct boundaries
2 when a city annexes county territory to the city. The adjustment shall
3 be made as soon as possible after the approval of the annexation. The
4 temporary adjustment shall be limited to the minimum changes necessary
5 to accommodate the addition of the territory to the city and shall
6 remain in effect only until precinct boundary modifications reflecting
7 the annexation are adopted by the county legislative authority.

8 The county legislative authority may establish by ordinance a
9 limitation on the maximum number of active registered voters in each
10 precinct within its jurisdiction. The limitation may be different for
11 precincts based upon the method of voting used for such precincts and
12 the number may be less than the number established by law, but in no
13 case may the number exceed that authorized by law.

14 The county legislative authority of each county in the state
15 hereafter formed shall, at their first session, divide their respective
16 counties into election precincts with two hundred fifty active
17 registered voters or less and establish the boundaries of the
18 precincts. The county auditor shall thereupon designate the voting
19 place for each such precinct.

20 (6) In determining the number of active registered voters for the
21 purposes of this section, persons who are ongoing absentee voters under
22 RCW 29.36.013 shall not be counted. Nothing in this subsection may be
23 construed as altering the vote tallying requirements of RCW 29.62.090.

24 **Sec. 4.** RCW 29.04.070 and 1965 c 9 s 29.04.070 are each amended to
25 read as follows:

26 The secretary of state through ((his)) the election division shall
27 be the chief election officer for all federal, state, county, city,
28 town, and district elections and it shall be his or her duty to keep
29 records of such elections held in the state and to make such records
30 available to the public upon request, and to coordinate those state
31 election activities required by federal law.

32 **Sec. 5.** RCW 29.04.100 and 1975-'76 2nd ex.s. c 46 s 1 are each
33 amended to read as follows:

34 (1) In the case of voter registration records received through the
35 department of licensing, the identity of the office at which any
36 particular individual registered to vote is not available for public
37 inspection and shall not be disclosed to the public. In the case of

1 voter registration records received through an agency designated under
2 section 26 of this act, the identity of the agency at which any
3 particular individual registered to vote is not available for public
4 inspection and shall not be disclosed to the public. Any record of a
5 particular individual's choice not to register to vote at an office of
6 the department of licensing or a state agency designated under section
7 26 of this act is not available for public inspection and any
8 information regarding such a choice by a particular individual shall
9 not be disclosed to the public.

10 (2) All poll books or current lists of registered voters, except
11 original voter registration forms or their images, shall be public
12 records and be made available for inspection under such reasonable
13 rules and regulations as the county auditor may prescribe. The county
14 auditor shall promptly furnish current lists or mailing labels of
15 registered voters in his or her possession, at actual reproduction
16 cost, to any person requesting such information: PROVIDED, That such
17 lists and labels shall not be used for the purpose of mailing or
18 delivering any advertisement or offer for any property, establishment,
19 organization, product, or service or for the purpose of mailing or
20 delivering any solicitation for money, services, or anything of value:
21 PROVIDED, HOWEVER, That such lists and labels may be used for any
22 political purpose. ~~((In the case of political subdivisions which~~
23 ~~encompass portions of more than one county, the request may be directed~~
24 ~~to the secretary of state who shall contact the appropriate county~~
25 ~~auditors and arrange for the timely delivery of the requested~~
26 ~~information.))~~

27 **Sec. 6.** RCW 29.04.110 and 1973 1st ex.s. c 111 s 3 are each
28 amended to read as follows:

29 Except original voter registration forms or their images, a
30 reproduction of any form of data storage, in the custody of the county
31 auditor, ~~((for))~~ including poll books and precinct lists of registered
32 voters, ~~((including))~~ magnetic tapes or discs, punched cards, and any
33 other form of storage of such books and lists, shall at the written
34 request of any person be furnished to him or her by the county auditor
35 pursuant to such reasonable rules and regulations as the county auditor
36 may prescribe, and at a cost equal to the county's actual cost in
37 reproducing such form of data storage. Any data contained in a form of
38 storage furnished under this section shall not be used for the purpose

1 of mailing or delivering any advertisement or offer for any property,
2 establishment, organization, product or service or for the purpose of
3 mailing or delivering any solicitation for money, services or anything
4 of value: PROVIDED, HOWEVER, That such data may be used for any
5 political purpose. Whenever the county auditor furnishes any form of
6 data storage under this section, he or she shall also furnish the
7 person receiving the same with a copy of RCW 29.04.120.

8 NEW SECTION. **Sec. 7.** A new section is added to chapter 29.04 RCW
9 to read as follows:

10 Each county auditor shall maintain for at least two years and shall
11 make available for public inspection and copying all records concerning
12 the implementation of programs and activities conducted for the purpose
13 of insuring the accuracy and currency of official lists of eligible
14 voters. These records must include lists of the names and addresses of
15 all persons to whom notices are sent and information concerning whether
16 or not each person has responded to the notices. These records must
17 contain lists of all persons removed from the list of eligible voters
18 and the reasons why the voters were removed.

19 **Sec. 8.** RCW 29.07.010 and 1984 c 211 s 3 are each amended to read
20 as follows:

21 (1) In all counties, the county auditor shall be the chief
22 registrar of voters for every precinct within the county. (~~He or she~~
23 ~~shall~~) The auditor may appoint a ((deputy registrar)) registration
24 assistant for each precinct or group of precincts and shall appoint
25 city or town clerks as (~~deputy registrars~~) registration assistants to
26 assist in registering persons residing in cities, towns, and rural
27 precincts within the county.

28 (2) In addition, the auditor (~~shall~~) may appoint a (~~deputy~~
29 ~~registrar~~) registration assistant for each common school. (~~A deputy~~
30 ~~registrar in a common school shall be a school official or school~~
31 ~~employee.~~) The auditor (~~shall~~) may appoint a (~~deputy registrar~~)
32 registration assistant for each fire station (~~that he or she finds is~~
33 ~~convenient to the public for registration purposes and is adequately~~
34 ~~staffed so that registration would not be a great inconvenience for the~~
35 ~~fire station personnel. A fire station appointee shall be a person~~
36 ~~employed at the station)). All common schools, fire stations, and~~

1 public libraries shall make voter registration application forms
2 available to the public.

3 ~~(3) ((The auditor shall also appoint deputy registrars to provide~~
4 ~~voter registration services for each state office providing voter~~
5 ~~registration under RCW 29.07.025.~~

6 ~~(4) A deputy registrar shall))~~ A registration assistant must be a
7 registered voter. Except for city and town clerks, each ~~((registrar~~
8 ~~shall))~~ registration assistant holds office at the pleasure of the
9 county auditor.

10 ~~((+5))~~ (4) The county auditor shall be the custodian of the
11 official registration records of ~~((each precinct within))~~ that county.

12 NEW SECTION. Sec. 9. A new section is added to chapter 29.07 RCW
13 to read as follows:

14 "Information required for voter registration" means the minimum
15 information provided on a voter registration application that is
16 required by the county auditor in order to place a voter registration
17 applicant on the voter registration rolls. This information includes
18 the applicant's name, complete residence address, date of birth, and a
19 signature attesting to the truth of the information provided on the
20 application. All other information supplied is ancillary and not to be
21 used as grounds for not registering an applicant to vote.

22 Sec. 10. RCW 29.07.025 and 1984 c 211 s 2 are each amended to read
23 as follows:

24 ~~(1) ((The director or chief administrative officer of))~~ Each state
25 agency designated under section 26 of this act shall provide voter
26 registration services for employees and the public within each office
27 of that agency ~~((which is convenient to the public for registration~~
28 ~~purposes except where, or during such times as, the director or officer~~
29 ~~finds that there would be a great inconvenience to the public or to the~~
30 ~~operation of the agency due to inadequate staff time for this~~
31 ~~purpose))~~.

32 (2) The secretary of state shall design and provide a standard
33 notice informing the public of the availability of voter registration,
34 which notice shall be posted in each state agency where such services
35 are available.

36 (3) The secretary of state shall design and provide standard voter
37 registration forms for use by these state agencies.

1 **Sec. 11.** RCW 29.07.070 and 1990 c 143 s 7 are each amended to read
2 as follows:

3 Except as provided under RCW 29.07.260, an applicant for voter
4 registration shall ~~((provide a voter registrar with))~~ complete an
5 application providing the following information concerning his or her
6 qualifications as a voter in this state:

7 (1) The address of the last former registration of the applicant as
8 a voter in the state;

9 (2) The applicant's full name;

10 (3) The applicant's date of birth;

11 (4) The address of the applicant's residence for voting purposes;

12 (5) The mailing address of the applicant if that address is not the
13 same as the address in subsection (4) of this section;

14 (6) The sex of the applicant;

15 (7) A declaration that the applicant is a citizen of the United
16 States; and

17 (8) Any other information that the secretary of state determines is
18 necessary to establish the identity of the applicant and prevent
19 duplicate or fraudulent voter registrations.

20 This information shall be recorded on a single registration form to
21 be prescribed by the secretary of state.

22 If the applicant fails to provide the information required for
23 voter registration, the auditor shall send the applicant a verification
24 notice. The auditor shall not register the applicant until the
25 required information is provided. If a verification notice is returned
26 as undeliverable or the applicant fails to respond to the notice within
27 forty-five days, the auditor shall not register the applicant to vote.

28 The following warning shall appear in a conspicuous place on the
29 voter registration form:

30 "If you knowingly ~~((providing))~~ provide false information on this
31 voter registration form or knowingly ~~((making))~~ make a false
32 declaration about your qualifications for voter registration ~~((is))~~ you
33 will have committed a class C felony that is punishable by imprisonment
34 for up to five years, or by a fine ~~((not to exceed))~~ of up to ten
35 thousand dollars, or ~~((by))~~ both ~~((such))~~ imprisonment and fine."

36 **Sec. 12.** RCW 29.07.080 and 1990 c 143 s 8 are each amended to read
37 as follows:

1 For voter registrations executed under ~~((this section))~~ RCW
2 29.07.070, the ~~((registrar))~~ registrant shall ~~((require the applicant~~
3 ~~to))~~ sign the following oath:

4 "I declare that the facts ~~((relating to my qualifications as a~~
5 ~~voter recorded))~~ on this voter registration form are true. I am a
6 citizen of the United States, I am not presently denied my civil rights
7 as a result of being convicted of ~~((an infamous crime))~~ a felony, I
8 will have lived in Washington at this ~~((state, county, and precinct))~~
9 address for thirty days immediately ~~((preceding))~~ before the next
10 election at which I ~~((offer to))~~ vote, and I will be at least eighteen
11 years ~~((of age at the time of voting))~~ old when I vote."

12 ~~((The registration officer shall attest and date this oath in the~~
13 ~~following form:~~

14 "Subscribed and sworn to before me this day of,
15 19. . . ., Registration Officer.")

16 **Sec. 13.** RCW 29.07.090 and 1973 1st ex.s. c 21 s 5 are each
17 amended to read as follows:

18 At the time of registering ~~((any)),~~ a voter~~((, each registration~~
19 ~~officer))~~ shall ~~((require him to))~~ sign his or her name upon a
20 signature card ~~((containing spaces for his surname))~~ to be transmitted
21 to the secretary of state. The voter shall also provide his or her
22 first name followed by ~~((his given))~~ the last name or names and the
23 name of the county ~~((and city or town, with post office and street~~
24 ~~address, and the name or number of the precinct,))~~ in which ~~((the~~
25 ~~voter))~~ he or she is registered.

26 **Sec. 14.** RCW 29.07.100 and 1971 ex.s. c 202 s 13 are each amended
27 to read as follows:

28 ~~((Registration officers in incorporated))~~ In cities and towns,
29 clerks shall ~~((keep their respective offices open for registration of~~
30 ~~voters during the days and hours when the same are open for the~~
31 ~~transaction of public business: PROVIDED, That in cities of the first~~
32 ~~class, the county auditor shall establish on a permanent basis at least~~
33 ~~one registration office in each legislative district that lies wholly~~
34 ~~or partially within the city limits by appointing persons as deputy~~
35 ~~registrars who may register any eligible elector of such city.~~

1 ~~Each such deputy registrar, except for city and town clerks, shall~~
2 ~~hold office at the pleasure of the county auditor and shall maintain a~~
3 ~~fixed place, conveniently located, for the registration of voters but~~
4 ~~nothing in this section shall preclude door-to-door registration~~
5 ~~including registration from a portable office as in a trailer)) provide~~
6 ~~voter registration assistance during the normal business hours of the~~
7 ~~office.~~

8 **Sec. 15.** RCW 29.07.115 and 1971 ex.s. c 202 s 23 are each amended
9 to read as follows:

10 A person or organization collecting voter registration application
11 forms must transmit the forms to the secretary of state or a designee
12 at least once weekly~~((, the deputy registrars shall transmit all~~
13 ~~registration records properly completed to the county auditor))~~.

14 **Sec. 16.** RCW 29.07.120 and 1971 ex.s. c 202 s 16 are each amended
15 to read as follows:

16 On each Monday next following the registration of any voter each
17 county auditor shall transmit all cards required by RCW 29.07.090
18 ~~((which have been executed and))~~ received in ~~((his))~~ the auditor's
19 office during the prior week to the secretary of state for filing ~~((in~~
20 ~~his office. Each lot must be accompanied by the certificate of the~~
21 ~~registrar that the cards so transmitted are the original cards, that~~
22 ~~they were signed by the voters whose names appear thereon and that the~~
23 ~~voters are registered in the precincts and from the addresses shown~~
24 ~~thereon))~~. The secretary of state may exempt a county auditor who is
25 providing electronic voter registration and electronic voter signature
26 information to the secretary of state from the requirements of this
27 section.

28 **Sec. 17.** RCW 29.07.130 and 1991 c 81 s 21 are each amended to read
29 as follows:

30 (1) The cards required by RCW 29.07.090 shall be kept on file in
31 the office of the secretary of state in such manner as will be most
32 convenient for, and for the sole purpose of, checking initiative and
33 referendum petitions. The secretary may maintain an automated file of
34 voter registration information for any county or counties in lieu of
35 filing or maintaining these voter registration cards if the automated
36 file includes all of the information from the cards including, but not

1 limited to, a retrievable facsimile of the signature of each voter of
2 that county or counties. Such an automated file may be used only for
3 the purpose authorized for the use of the cards.

4 (2) The county auditor shall have custody of the voter registration
5 records for each county. The original voter registration form, as
6 established by RCW 29.07.070, shall be filed alphabetically without
7 regard to precinct and shall be considered confidential and unavailable
8 for public inspection and copying. An automated file of all registered
9 voters shall be maintained pursuant to RCW 29.07.220. An auditor may
10 maintain the automated file in lieu of filing or maintaining the
11 original voter registration forms if the automated file includes all of
12 the information from the original voter registration forms including,
13 but not limited to, a retrievable facsimile of each voter's signature.

14 (3) The following information contained in voter registration
15 records or files regarding a voter or a group of voters is available
16 for public inspection and copying: The voter's name, gender, voting
17 record, date of registration, and registration number. The address of
18 a registered voter or addresses of a group of voters are available for
19 public inspection and copying except to the extent that the address of
20 a particular voter is not so available under RCW 42.17.310(1)(bb). The
21 political jurisdictions within which a voter or group of voters reside
22 are also available for public inspection and copying except that the
23 political jurisdictions within which a particular voter resides are not
24 available for such inspection and copying if the address of the voter
25 is not so available under RCW 42.17.310(1)(bb). No other information
26 from voter registration records or files is available for public
27 inspection or copying.

28 **Sec. 18.** RCW 29.07.140 and 1990 c 143 s 9 are each amended to read
29 as follows:

30 (1) The secretary of state shall specify by rule the ~~((form))~~
31 format of ~~((the))~~ all voter registration ~~((records required under RCW~~
32 ~~29.07.070 and 29.07.260))~~ applications. These ~~((forms))~~ applications
33 shall be compatible with existing voter registration records. An
34 applicant for voter registration shall be required to complete only one
35 ~~((form))~~ application and to provide the required information other than
36 his or her signature no more than one time. These ~~((forms))~~
37 applications shall also contain information for the voter to transfer
38 his or her registration.

1 Any application format specified by the secretary for use in
2 registering to vote in state and local elections shall satisfy the
3 requirements of the National Voter Registration Act of 1993 (P.L. 103-
4 31) for registering to vote in federal elections.

5 (2) The secretary of state shall adopt by rule a uniform data
6 format for transferring voter registration records on machine-readable
7 media.

8 (3) All registration (~~forms~~) applications required under RCW
9 29.07.070 and 29.07.260 shall be produced and furnished by the
10 secretary of state to the county auditors and the department of
11 licensing.

12 (4) The secretary of state shall produce and distribute any
13 instructional material and other supplies needed to implement RCW
14 29.07.260 through 29.07.300 and 46.20.155.

15 (5) Any notice or statement that must be provided under the
16 National Voter Registration Act of 1993 (P.L. 103-31) to prospective
17 registrants concerning registering to vote in federal elections shall
18 also be provided to prospective registrants concerning registering to
19 vote under this title in state and local elections as well as federal
20 elections.

21 **Sec. 19.** RCW 29.07.170 and 1971 ex.s. c 202 s 21 are each amended
22 to read as follows:

23 (~~Immediately~~) Upon closing ((his)) of the registration files
24 preceding an election, the county auditor shall ((insert therein his
25 certificate as to the authenticity thereof. He shall then)) deliver
26 the ((registration records for each precinct thus certified)) precinct
27 lists of registered voters to the inspector or one of the judges
28 ((thereof at the proper)) of each precinct or group of precincts
29 located at the polling place before the polls open.

30 **Sec. 20.** RCW 29.07.180 and 1971 ex.s. c 202 s 22 are each amended
31 to read as follows:

32 The (~~registration records of~~) precinct list of registered voters
33 for each precinct or group of precincts delivered to the precinct
34 election officers for use on the day of an election held in that
35 precinct shall be returned by them to the county auditor upon the
36 completion of the count of the votes cast in the precinct at that
37 election. While in possession of the county auditor they shall be open

1 to public inspection under such reasonable rules and regulations as may
2 be prescribed therefor.

3 **Sec. 21.** RCW 29.07.260 and 1990 c 143 s 1 are each amended to read
4 as follows:

5 (1) A person may register to vote or transfer a voter registration
6 when he or she applies for or renews a driver's license or
7 identification card under chapter 46.20 RCW.

8 (2) To register to vote or transfer a voter registration under this
9 section, the applicant shall provide the following:

10 (a) His or her full name;

11 (b) Whether the address in the driver's license file is the same as
12 his or her residence for voting purposes;

13 (c) The address of the residence for voting purposes if it is
14 different from the address in the driver's license file;

15 (d) His or her mailing address if it is not the same as the address
16 in (c) of this subsection;

17 (e) Additional information on the ~~((physical))~~ geographic location
18 of that voting residence if it is only identified by route or box;

19 (f) The last address at which he or she was registered to vote in
20 this state;

21 (g) A declaration that he or she is a citizen of the United States;
22 and

23 (h) Any other information that the secretary of state determines is
24 necessary to establish the identity of the applicant and to prevent
25 duplicate or fraudulent voter registrations.

26 (3) The following warning shall appear in a conspicuous place on
27 the voter registration form:

28 "If you knowingly ~~((providing))~~ provide false information on this
29 voter registration form or knowingly ~~((making))~~ make a false
30 declaration about your qualifications for voter registration ~~((is))~~ you
31 will have committed a class C felony that is punishable by imprisonment
32 for up to five years, or by a fine ~~((not to exceed))~~ of up to ten
33 thousand dollars, or ~~((by))~~ both ~~((such))~~ imprisonment and fine."

34 (4) The applicant shall sign a portion of the form that can be used
35 as an initiative signature card for the verification of petition
36 signatures by the secretary of state and shall sign and attest to the
37 following oath:

1 "I declare that the facts (~~relating to my qualifications as a~~
2 ~~voter recorded~~) on this voter registration form are true. I am a
3 citizen of the United States, I am not presently denied my civil rights
4 as a result of being convicted of (~~an infamous crime~~) a felony, I
5 will have lived in (~~this state, county, and precinct~~) Washington at
6 this address for thirty days (~~immediately preceding~~) before the next
7 election at which I (~~offer to~~) vote, and I will be at least eighteen
8 years (~~of age at the time of voting~~) old when I vote."

9 (5) The driver licensing agent shall record that the applicant has
10 requested to register to vote or transfer a voter registration.

11 **Sec. 22.** RCW 29.07.270 and 1990 c 143 s 2 are each amended to read
12 as follows:

13 (1) The secretary of state shall provide for the voter registration
14 forms submitted under RCW 29.07.260 to be collected from each driver's
15 licensing facility (~~at least once each week~~) within five days of
16 their completion.

17 (2) The department of licensing shall produce and transmit to the
18 secretary of state a machine-readable file containing the following
19 information from the records of each individual who requested a voter
20 registration or transfer at a driver's license facility during each
21 period for which forms are transmitted under subsection (1) of this
22 section: The name, address, date of birth, and sex of the applicant
23 and the driver's license number, the date on which the application for
24 voter registration or transfer was submitted, and the location of the
25 office at which the application was submitted.

26 (3) The department of licensing shall provide information on all
27 persons changing their address on change of address forms submitted to
28 the department unless the voter has indicated that the address change
29 is not for voting purposes. This information will be transmitted to
30 the secretary of state each week in a machine-readable file containing
31 the following information on persons changing their address: The name,
32 address, date of birth, and sex of the applicant, the applicant's
33 driver's license number, the applicant's former address, the county
34 code for the applicant's former address, and the date that the request
35 for address change was received.

36 (4) The secretary of state shall forward this information to the
37 appropriate county each week. When the information indicates that the
38 voter has moved within the county, the county auditor shall use the

1 change of address information to transfer the voter's registration and
2 send the voter an acknowledgement notice of the transfer. If the
3 information indicates that the new address is outside the voter's
4 original county, the county auditor shall send the voter a registration
5 by mail form at the voter's new address and advise the voter of the
6 need to reregister in the new county. The auditor shall then place the
7 voter on inactive status.

8 **Sec. 23.** RCW 29.07.300 and 1990 c 143 s 5 are each amended to read
9 as follows:

10 (1) The secretary of state shall deliver the files and lists of
11 voter registration information produced under RCW 29.07.290 to the
12 county auditors no later than ten days after the date on which that
13 information was to be transmitted under RCW 29.07.270(1). The county
14 auditor shall process these records in the same manner as voter
15 registrations executed under RCW 29.07.080.

16 (2) If a registrant has indicated on the voter registration
17 application form that he or she is registered to vote in another county
18 in Washington but has also provided an address within the auditor's
19 county that is for voter registration purposes, the auditor shall send,
20 on behalf of the registrant, a registration cancellation notice to the
21 auditor of that other county and the auditor receiving the notice shall
22 cancel the registrant's voter registration in that other county. If
23 the registrant has indicated on the form that he or she is registered
24 to vote within the county but has provided a new address within the
25 county that is for voter registration purposes, the auditor shall
26 transfer the voter's registration.

27 **Sec. 24.** RCW 29.07.400 and 1991 c 81 s 11 are each amended to read
28 as follows:

29 If any ((~~registrar or deputy registrar~~)) county auditor or
30 registration assistant:

31 (1) Willfully neglects or refuses to perform any duty required by
32 law in connection with the registration of voters; or

33 (2) Willfully neglects or refuses to perform such duty in the
34 manner required by voter registration law; or

35 (3) Enters or causes or permits to be entered on the voter
36 registration records the name of any person in any other manner or at
37 any other time than as prescribed by voter registration law or enters

1 or causes or permits to be entered on such records the name of any
2 person not entitled to be thereon; or

3 (4) Destroys, mutilates, conceals, changes, or alters any
4 registration record in connection therewith except as authorized by
5 voter registration law,

6 he or she is guilty of a gross misdemeanor punishable to the same
7 extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

8 **Sec. 25.** RCW 29.07.410 and 1991 c 81 s 12 are each amended to read
9 as follows:

10 Any person who:

11 (1) Knowingly provides false information on an application for
12 voter registration under any provision of this title;

13 (2) Knowingly makes or attests to a false declaration as to his or
14 her qualifications as a voter;

15 (3) Knowingly causes or permits himself or herself to be registered
16 using the name of another person;

17 (4) Knowingly causes himself or herself to be registered under two
18 or more different names; ((or))

19 (5) Knowingly causes himself or herself to be registered in two or
20 more counties;

21 (6) Offers to pay another person to assist in registering voters,
22 where payment is based on a fixed amount of money per voter
23 registration;

24 (7) Accepts payment for assisting in registering voters, where
25 payment is based on a fixed amount of money per voter registration; or

26 (8) Knowingly causes any person to be registered or causes any
27 registration to be transferred or canceled except as authorized under
28 this title,

29 is guilty of a class C felony punishable under RCW 9A.20.021.

30 NEW SECTION. **Sec. 26.** A new section is added to chapter 29.07 RCW
31 to read as follows:

32 The governor, in consultation with the secretary of state, shall
33 designate agencies to provide voter registration services in compliance
34 with federal statutes.

35 NEW SECTION. **Sec. 27.** A new section is added to chapter 29.07 RCW
36 to read as follows:

1 (1) A person may register to vote or transfer a voter registration
2 when he or she applies for service or assistance and with each renewal,
3 recertification, or change of address at agencies designated under
4 section 26 of this act.

5 (2) A prospective applicant shall initially be offered a form
6 adopted by the secretary of state that is designed to determine whether
7 the person wishes to register to vote. The form must comply with all
8 applicable state and federal statutes regarding content.

9 The form shall also contain a box that may be checked by the
10 applicant to indicate that he or she declines to register.

11 If the person indicates an interest in registering or has made no
12 indication as to a desire to register or not register to vote, the
13 person shall be given a mail-in voter registration application or a
14 prescribed agency application as provided by section 28 of this act.

15 NEW SECTION. **Sec. 28.** A new section is added to chapter 29.07 RCW
16 to read as follows:

17 (1) The secretary of state shall prescribe the method of voter
18 registration for each designated agency. The agency shall use either
19 the state voter registration by mail form with a separate declination
20 form for the applicant to indicate that he or she declines to register
21 at this time, or the agency may use a separate form approved for use by
22 the secretary of state.

23 (2) The person providing service at the agency shall offer voter
24 registration services to every client whenever he or she applies for
25 service or assistance and with each renewal, recertification, or change
26 of address. The person providing service shall give the applicant the
27 same level of assistance with the voter registration application as is
28 offered to fill out the agency's forms and documents.

29 (3) If an agency uses a computerized application process, it may,
30 in consultation with the secretary of state, develop methods to
31 capture simultaneously the information required for voter registration
32 during a person's computerized application process.

33 (4) Each designated agency shall provide for the voter registration
34 application forms to be collected from each agency office at least once
35 each week. The agency shall then forward the application forms to the
36 secretary of state each week. The secretary of state shall forward the
37 forms to the county in which the applicant has registered to vote no

1 later than ten days after the date on which the forms were received by
2 the secretary of state.

3 NEW SECTION. **Sec. 29.** A new section is added to chapter 29.07 RCW
4 to read as follows:

5 The secretary of state shall:

6 (1) Coordinate with the designated agencies and county auditors on
7 the implementation of sections 27 and 28 of this act;

8 (2) Adopt rules governing the delivery and processing of voter
9 registration application forms submitted under sections 27 and 28 of
10 this act and ensuring the integrity of the voter registration process
11 and of the integrity and confidentiality of data on registered voters
12 collected under sections 27 and 28 of this act.

13 **Sec. 30.** RCW 29.08.010 and 1993 c 434 s 1 are each amended to read
14 as follows:

15 The definitions set forth in this section apply throughout this
16 chapter, unless the context clearly requires otherwise((7)).

17 (1) "By mail" means delivery of a completed original voter
18 registration ~~((form))~~ application by mail~~((7))~~ or by personal
19 delivery~~((, or by courier to a county auditor))~~. The secretary of
20 state, in consultation with the county auditors, may adopt rules to
21 develop a process to receive and distribute these applications.

22 (2) For voter registration applicants, "date of mailing" means the
23 date of the postal cancellation on the voter registration application.
24 This date will also be used as the date of application for the purpose
25 of meeting the registration cutoff deadline. If the postal
26 cancellation date is illegible then the date of receipt by the
27 elections official is considered the date of application. If an
28 application is received by the elections official by the close of
29 business on the fifth day after the cutoff date for voter registration
30 and the postal cancellation date is illegible, the application will be
31 considered to have arrived by the cutoff date for voter registration.

32 **Sec. 31.** RCW 29.08.050 and 1993 c 434 s 5 are each amended to read
33 as follows:

34 In addition to the information required under RCW 29.07.070, when
35 registering to vote by mail under this chapter, the applicant shall
36 sign a portion of the form that can be used as an initiative signature

1 card for the verification of petition signatures by the secretary of
2 state and shall sign and attest to the following oath: "I declare that
3 the facts (~~((relating to my qualifications as a voter recorded))~~) on this
4 voter registration form are true. I am a citizen of the United States,
5 I am not presently denied my civil rights as a result of being
6 convicted of (~~((an infamous crime))~~) a felony, I will have lived in
7 (~~((this state, county, and precinct))~~) Washington at this address for
8 thirty days immediately (~~((preceding))~~) before the next election at which
9 I (~~((offer to))~~) vote, and I will be at least eighteen years (~~((of age at~~
10 ~~the time of voting))~~) old when I vote."

11 The voter registration by mail form shall provide, in a conspicuous
12 place, the following warning: "If you knowingly (~~((providing))~~) provide
13 false information on this voter registration form or knowingly
14 (~~((making))~~) make a false declaration about your qualifications for voter
15 registration (~~((is))~~) you will have committed a class C felony that is
16 punishable by imprisonment for up to five years, or by a fine (~~((not to~~
17 ~~exceed))~~) of up to ten thousand dollars, or (~~((by))~~) both (~~((such))~~)
18 imprisonment and fine."

19 **Sec. 32.** RCW 29.08.060 and 1993 c 434 s 6 are each amended to read
20 as follows:

21 (1) On receipt of an application for voter registration under this
22 chapter, the county auditor shall review the application to determine
23 whether the information supplied is complete. An application that
24 contains the applicant's name, complete valid residence address, date
25 of birth, and signature attesting to the truth of the information
26 provided on the application is complete. If it is not complete, the
27 auditor shall promptly (~~((send))~~) mail a verification notice of the
28 deficiency to the applicant. This verification notice shall require
29 the applicant to provide the missing information. If the verification
30 notice is not returned by the applicant or is returned as undeliverable
31 the auditor shall not place the name of the applicant on the county
32 voter list. If the applicant provides the required information, the
33 applicant shall be registered to vote as of the date of mailing of the
34 original voter registration application.

35 (2) If the information is complete, the applicant is considered to
36 be registered to vote as of the date of (~~((the application's postmark.~~
37 ~~If there is no postmark or if the postmark is illegible, the applicant~~
38 ~~is registered on the date the complete and correct application was~~

1 ~~received by the auditor)) mailing.~~ The auditor shall record the
2 appropriate precinct identification, taxing district identification,
3 and date of registration on the voter's record. Within forty-five days
4 after the receipt of an application but no later than seven days before
5 the next primary, special election, or general election, the auditor
6 shall send to the applicant, by first class mail, ~~((a voter
7 registration card))~~ an acknowledgement notice identifying the
8 registrant's precinct and containing such other information as may be
9 required by the secretary of state. The postal service shall be
10 instructed not to forward a voter registration card to any other
11 address and to return to the auditor any card which is not deliverable.
12 If the applicant has indicated that he or she is registered to vote in
13 another county in Washington but has also provided an address within
14 the auditor's county that is for voter registration purposes, the
15 auditor shall send, on behalf of the registrant, a registration
16 cancellation notice to the auditor of that other county and the auditor
17 receiving the notice shall cancel the registrant's voter registration
18 in that other county. If the registrant has indicated on the form that
19 he or she is registered to vote within the county but has provided a
20 new address within the county that is for voter registration purposes,
21 the auditor shall transfer the voter's registration.

22 (3) If ~~((a voter registration))~~ an acknowledgement notice card is
23 properly mailed as required by this section to the address listed by
24 the ~~((applicant))~~ voter as being the ~~((applicant's))~~ voter's mailing
25 address and the ~~((card))~~ notice is subsequently returned to the auditor
26 by the postal service as being undeliverable to the ~~((applicant))~~ voter
27 at that address, the auditor shall ~~((immediately cancel the voter
28 registration of the applicant. The auditor shall))~~ promptly send the
29 ~~((applicant))~~ voter a confirmation notice ~~((and explanation of the
30 cancellation, and a registration application form. The postal service
31 shall be requested to forward this notice as applicable))~~. The auditor
32 shall place the voter's registration on inactive status pending a
33 response from the voter to the confirmation notice.

34 NEW SECTION. Sec. 33. A new section is added to chapter 29.10 RCW
35 to read as follows:

36 The definitions set forth in this section apply throughout this
37 chapter, unless the context clearly requires otherwise.

1 (1) "Verification notice" means a notice sent by the county auditor
2 to a voter registration applicant and is used to verify or collect
3 information about the applicant in order to complete the registration.

4 (2) "Acknowledgement notice" means a notice sent by nonforwardable
5 mail by the county auditor to a registered voter to acknowledge a voter
6 registration transaction, which can include initial registration,
7 transfer, or reactivation of an inactive registration. An
8 acknowledgement notice may be a voter registration card.

9 (3) "Confirmation notice" means a notice sent to a registered voter
10 by first class forwardable mail at the address indicated on the voter's
11 permanent registration record and to any other address at which the
12 county auditor could reasonably expect mail to be received by the voter
13 in order to confirm the voter's residence address. The confirmation
14 notice must be designed so that the voter may update his or her current
15 residence address.

16 NEW SECTION. **Sec. 34.** A new section is added to chapter 29.10 RCW
17 to read as follows:

18 Registered voters are divided into two categories, "active" and
19 "inactive." All registered voters are classified as active, unless
20 assigned to inactive status by the county auditor.

21 **Sec. 35.** RCW 29.10.020 and 1991 c 81 s 23 are each amended to read
22 as follows:

23 To maintain a valid voter registration, a registered voter who
24 changes his or her residence from one address to another within the
25 same county shall(~~(, to maintain a valid voter registration,)~~) transfer
26 his or her registration to the new address in one of the following
27 ways: (1) Sending to the county auditor a signed request stating the
28 voter's present address (~~(and precinct)~~) and the address (~~(and~~
29 ~~precinct)~~) from which the voter was last registered; (2) appearing in
30 person before the auditor and signing such a request; (3) transferring
31 the registration in the manner provided by RCW 29.10.170; or (4)
32 telephoning the county auditor to transfer the registration. The
33 telephone call transferring a registration by telephone must be
34 received by the auditor before the precinct registration files are
35 closed to new registrations for the next primary or special or general
36 election in which the voter participates.

1 The secretary of state (~~((shall))~~) may adopt rules facilitating the
2 transfer of a registration by telephone authorized by this section.
3 (~~((The rules shall include, but need not be limited to, those~~
4 ~~establishing the form which must be signed by a voter subsequent to~~
5 ~~transferring a registration by telephone.))~~)

6 **Sec. 36.** RCW 29.10.040 and 1991 c 81 s 24 are each amended to read
7 as follows:

8 (~~((Except as provided in RCW 29.10.170,))~~) A registered voter who
9 changes his or her residence from one county to another county, shall
10 be required to register anew. Before registering anew, the voter shall
11 sign an authorization to cancel his or her present registration. The
12 authorization shall be on a form prescribed by the secretary of state
13 by rule. The authorization shall be forwarded promptly to the county
14 auditor of the county in which the voter was previously registered.
15 The county auditor of the county where the previous registration was
16 made shall cancel the registration of the voter if it appears that the
17 signatures in the registration record and on the cancellation
18 authorization form were made by the same person.

19 **Sec. 37.** RCW 29.10.051 and 1991 c 81 s 25 are each amended to read
20 as follows:

21 To maintain a valid voter registration, a person who changes his or
22 her name shall notify the county auditor regarding the name change in
23 one of the following ways: (1) By sending the auditor a notice clearly
24 identifying the name under which he or she is registered to vote, the
25 voter's new name, and the voter's residence. Such a notice must be
26 signed by the voter using both this former name and the voter's new
27 name; (2) by appearing in person before the auditor or a (~~((deputy~~
28 ~~registrar))~~) registration assistant and signing such a change-of-name
29 notice; (~~((or))~~) (3) by signing such a change-of-name notice at the
30 voter's precinct polling place on the day of a primary or special or
31 general election; (4) by properly executing a name change on a mail-in
32 registration application or a prescribed state agency application.

33 A properly registered voter who files a change-of-name notice at
34 the voter's precinct polling place during a primary or election and who
35 desires to vote at that primary or election shall sign the poll book
36 using the voter's former and new names in the same manner as is
37 required for the change-of-name notice.

1 The secretary of state may adopt rules facilitating the
2 implementation of this section.

3 NEW SECTION. **Sec. 38.** A new section is added to chapter 29.10 RCW
4 to read as follows:

5 (1) A county auditor shall assign a registered voter to inactive
6 status and shall send the voter a confirmation notice if any of the
7 following documents are returned by the postal service as
8 undeliverable:

9 (a) An acknowledgement of registration;

10 (b) An acknowledgement of transfer to a new address;

11 (c) A vote-by-mail ballot, absentee ballot, or application for a
12 ballot;

13 (d) Notification to a voter after precinct reassignment;

14 (e) Notification to serve on jury duty; or

15 (f) Any other document other than a confirmation notice, required
16 by statute, to be mailed by the county auditor to the voter.

17 (2) A county auditor shall also assign a registered voter to
18 inactive status and shall send the voter a confirmation notice:

19 (a) Whenever change of address information received from the
20 department of licensing under RCW 29.07.270, or by any other agency
21 designated to provide voter registration services under section 26 of
22 this act, indicates that the voter has moved to an address outside the
23 county; or

24 (b) If the auditor receives postal change of address information
25 under RCW 29.10.180, indicating that the voter has moved out of the
26 county.

27 NEW SECTION. **Sec. 39.** A new section is added to chapter 29.10 RCW
28 to read as follows:

29 The county auditor shall return an inactive voter to active voter
30 status if, during the period beginning on the date the voter was
31 assigned to inactive status and ending on the day of the second general
32 election for federal office that occurs after the date that the voter
33 was sent a confirmation notice, the voter: Notifies the auditor of a
34 change of address within the county; responds to a confirmation notice
35 with information that the voter continues to reside at the registration
36 address; votes or attempts to vote in a primary or a special or general
37 election and resides within the county; or signs any petition

1 authorized by statute for which the signatures are required by law to
2 be verified by the county auditor. If the inactive voter fails to
3 provide such a notice or take such an action within that period, the
4 auditor shall cancel the person's voter registration.

5 NEW SECTION. **Sec. 40.** A new section is added to chapter 29.10 RCW
6 to read as follows:

7 (1) Except as otherwise specified by this title, registered voters
8 include those assigned to active and inactive status by the county
9 auditor.

10 (2) Election officials shall not include inactive voters in the
11 count of registered voters for the purpose of dividing precincts,
12 creating vote-by-mail precincts, determining voter turnout, or other
13 purposes in law for which the determining factor is the number of
14 registered voters. Election officials shall not include persons who
15 are ongoing absentee voters under RCW 29.36.013 in determining the
16 maximum permissible size of vote-by-mail precincts or in determining
17 the maximum permissible size of precincts. Nothing in this subsection
18 may be construed as altering the vote tallying requirements of RCW
19 29.62.090.

20 **Sec. 41.** RCW 29.10.090 and 1983 c 110 s 1 are each amended to read
21 as follows:

22 The local registrar of vital statistics in cities of the first
23 class shall submit monthly to the county auditor a list of the names
24 and addresses, if known, of all persons over eighteen years of age who
25 have died.

26 The registrar of vital statistics of the state shall supply such
27 monthly lists for each county of the state, exclusive of cities of the
28 first class, to the county auditor thereof. The county auditors shall
29 compare such lists with the registration records and cancel the
30 registrations of deceased voters. The county auditor may also use
31 newspaper obituary articles as a source of information in order to
32 cancel a voter's registration. The auditor must verify the identity of
33 the voter by matching the voter's date of birth or an address. The
34 auditor shall record the date and source of the obituary in the
35 cancellation records.

36 In addition to the above manner of canceling registration records
37 of deceased voters, any registered voter may sign a statement, subject

1 to the penalties of perjury, to the effect that to his or her personal
2 knowledge or belief another registered voter is deceased. This
3 statement may be filed with (~~any registration officer and the deputy~~
4 ~~registrar shall promptly forward such statement to~~) the county
5 auditor. Upon the receipt of such signed statement, the county auditor
6 shall cancel the registration records concerned and so notify the
7 secretary of state. Upon receipt of such notice, the secretary of
8 state shall in turn cancel his or her copy of said registration record.

9 The secretary of state as chief elections officer shall cause such
10 form to be designed to carry out the provisions of this section. The
11 county auditors shall have such forms available for public use.
12 Further, each such public officer having jurisdiction of an election
13 shall make available a reasonable supply of such forms for the use of
14 the precinct election officers at each polling place on the day of an
15 election.

16 NEW SECTION. **Sec. 42.** A new section is added to chapter 29.10 RCW
17 to read as follows:

18 Upon receiving official notice of a person's conviction of a felony
19 in either state or federal court, if the convicted person is a
20 registered voter in the county, the county auditor shall cancel the
21 defendant's voter registration.

22 **Sec. 43.** RCW 29.10.100 and 1971 ex.s. c 202 s 31 are each amended
23 to read as follows:

24 On the Monday next following the (~~transfer or~~) cancellation of
25 the registration of any voter or the change of name of a voter, each
26 county auditor must certify to all (~~transfers or~~) cancellations or
27 name changes made during the prior week to the secretary of state. The
28 certificate shall set forth the name of each voter whose registration
29 has been (~~transferred or~~) canceled or whose name was changed, and the
30 county, city or town, and precinct in which (~~he~~) the voter was
31 registered (~~and, in case of a transfer, also the name of the county~~
32 ~~and city or town, the name or number of the precinct and the post~~
33 ~~office address (including street and number) to which the registration~~
34 ~~of the voter was transferred~~)).

35 **Sec. 44.** RCW 29.10.180 and 1993 c 434 s 10 and 1993 c 417 s 8 are
36 each reenacted and amended to read as follows:

1 In addition to the case-by-case maintenance required under sections
2 38 and 39 of this act, the county auditor shall establish a general
3 program of voter registration list maintenance. This program must be
4 applied uniformly throughout the county and must be nondiscriminatory
5 in its application. Any program established must be completed not
6 later than ninety days before the date of a primary or general election
7 for federal office. The county may fulfill its obligations under this
8 section in one of the following ways:

9 (1) The county auditor may enter into one or more contracts with
10 the United States postal service, or its licensee, which permit the
11 auditor to use postal service change-of-address information. If the
12 auditor ~~((finds that information received under such a contract gives~~
13 ~~the appearance))~~ receives change of address information from the United
14 States postal service that indicates that a voter has changed his or
15 her residence address((, the auditor shall notify the voter concerning
16 the requirements of state and federal laws governing voter registration
17 and residence)) within the county, the auditor shall transfer the
18 registration of that voter and send an acknowledgement notice of the
19 transfer to the new address. If the auditor receives postal change of
20 address information indicating that the voter has moved out of the
21 county, the auditor shall send a confirmation notice to the voter, send
22 the voter a registration-by-mail form at the voter's new address, and
23 advise the voter of the need to reregister in the new county. The
24 auditor shall place the voter's registration on inactive status;

25 ~~((Whenever any vote by mail ballot, notification to voters~~
26 ~~following reprecincting of the county, notification to voters of~~
27 ~~selection to serve on jury duty, notification under subsection (1) of~~
28 ~~this section, or voter identification card other than a voter~~
29 ~~identification card issued under RCW 29.08.060 is returned by the~~
30 ~~postal service as undeliverable, the county auditor shall, in every~~
31 ~~instance, inquire into the validity of the registration of that voter.~~

32 ~~(3) The county auditor shall initiate his or her inquiry by~~
33 ~~sending, by first class mail, a written notice to the challenged voter~~
34 ~~at the address indicated on the voter's permanent registration record~~
35 ~~and to any other address at which the county auditor could reasonably~~
36 ~~expect mail to be received by the voter. The county auditor shall not~~
37 ~~request any restriction on the forwarding of such notice by the postal~~
38 ~~service. The notice shall contain the nature of the inquiry and~~
39 ~~provide a suitable form for reply. The notice shall also contain a~~

1 warning that the county auditor must receive a response within ninety
2 days from the date of mailing the notice of inquiry in a case resulting
3 from a returned vote by mail ballot or forty five days from the date of
4 mailing in all other cases or the individual's voter registration will
5 be canceled.

6 (4) The voter, in person or in writing, may state that the
7 information on the permanent voter registration record is correct or
8 may request a change in the address information on the permanent
9 registration record no later than the ninetieth day or forty fifth day,
10 as appropriate, after the date of mailing the inquiry.

11 (5) Upon the timely receipt of a response signed by the voter, the
12 county auditor shall consider the inquiry satisfied and will make any
13 address corrections requested by the voter on the permanent
14 registration record. The county auditor shall cancel the registration
15 of a voter who fails to respond to the notice of inquiry within ninety
16 days after the date of mailing the notice in a case resulting from a
17 returned vote by mail ballot, or, in all other cases, within forty five
18 days after the date of mailing.

19 (6) The county auditor shall notify any voter whose registration
20 has been canceled by sending, by first class mail, a written notice to
21 the address indicated on the voter's permanent registration record and
22 to any other address to which the original inquiry was sent. Upon
23 receipt of a satisfactory voter response, the auditor shall reinstate
24 the voter.

25 (7) A voter whose registration has been canceled under this section
26 and who offers to vote at the next ensuing election shall be issued a
27 questioned ballot. Upon receipt of such a questioned ballot the
28 auditor shall investigate the circumstances surrounding the original
29 cancellation. If he or she determines that the cancellation was in
30 error, the voter's registration shall be immediately reinstated, and
31 the voter's questioned ballot shall be counted. If the original
32 cancellation was not in error, the voter shall be afforded the
33 opportunity to reregister at his or her correct address, and the
34 voter's questioned ballot shall not be counted.)) A direct,
35 nonforwardable, first-class, return if undeliverable, address
36 correction requested, mailing to every registered voter within the
37 county. If address correction information for a voter is received by
38 the county auditor after this mailing, the auditor shall place that

1 voter on inactive status and shall send to the voter a confirmation
2 notice;

3 (3) Any other method approved by the secretary of state.

4 NEW SECTION. Sec. 45. A new section is added to chapter 29.10 RCW
5 to read as follows:

6 Confirmation notices must be on a form prescribed by, or approved
7 by, the secretary of state and must request that the voter confirm that
8 he or she continues to reside at the address of record and desires to
9 continue to use that address for voting purposes. The notice must
10 inform the voter that if the voter does not respond to the notice and
11 does not vote in either of the next two federal elections, his or her
12 voter registration will be canceled.

13 NEW SECTION. Sec. 46. A new section is added to chapter 29.10 RCW
14 to read as follows:

15 If the response to the confirmation notice provides the county
16 auditor with the information indicating that the voter has moved within
17 the county, the auditor shall transfer the voter's registration. If
18 the response indicates that the voter has left the county, the auditor
19 shall cancel the voter's registration.

20 NEW SECTION. Sec. 47. A new section is added to chapter 29.10 RCW
21 to read as follows:

22 (1) A voter whose registration has been made inactive under this
23 chapter and who offers to vote at an ensuing election before two
24 federal elections have been held shall be allowed to vote a regular
25 ballot and the voter's registration restored to active status.

26 (2) A voter whose registration has been properly canceled under
27 this chapter shall vote a special ballot. The voter shall mark the
28 special ballot in secrecy, the ballot shall be placed in a security
29 envelope, the security envelope placed in a special ballot envelope,
30 and the reasons for the use of the special ballot noted.

31 (3) Upon receipt of such a voted special ballot the auditor shall
32 investigate the circumstances surrounding the original cancellation.
33 If he or she determines that the cancellation was in error, the voter's
34 registration shall be immediately reinstated, and the voter's special
35 ballot shall be counted. If the original cancellation was not in
36 error, the voter shall be afforded the opportunity to reregister at his

1 or her correct address, and the voter's special ballot shall not be
2 counted.

3 **Sec. 48.** RCW 29.36.120 and 1993 c 417 s 1 are each amended to read
4 as follows:

5 At any primary or election, general or special, the county auditor
6 may, in any precinct having fewer than two hundred active registered
7 voters at the time of closing of voter registration as provided in RCW
8 29.07.160, conduct the voting in that precinct by mail ballot. For any
9 precinct having fewer than two hundred active registered voters where
10 voting at a primary or a general election is conducted by mail ballot,
11 the county auditor shall, not less than fifteen days prior to the date
12 of that primary or general election, mail or deliver to each active and
13 inactive registered voter within that precinct a notice that the voting
14 in that precinct will be by mail ballot, an application form for a mail
15 ballot, and a postage prepaid envelope, preaddressed to the issuing
16 officer. A mail ballot shall be issued to each voter who returns a
17 properly executed application to the county auditor no later than the
18 day of that primary or general election. (~~Such application is valid~~)
19 For all subsequent mail ballot elections in that precinct the
20 application is valid so long as the voter remains active and qualified
21 to vote. In determining the number of registered voters in a precinct
22 for the purposes of this section, persons who are ongoing absentee
23 voters under RCW 29.36.013 shall not be counted. Nothing in this
24 section may be construed as altering the vote tallying requirements of
25 RCW 29.62.090.

26 At any nonpartisan special election not being held in conjunction
27 with a state primary or general election, the county, city, town, or
28 district requesting the election pursuant to RCW 29.13.010 or 29.13.020
29 may also request that the election be conducted by mail ballot. The
30 county auditor may honor the request or may determine that the election
31 is not to be conducted by mail ballot. The decision of the county
32 auditor in this regard is final.

33 In no instance shall any special election be conducted by mail
34 ballot in any precinct with two hundred or more active registered
35 voters if candidates for partisan office are to be voted upon.

36 For all special elections not being held in conjunction with a
37 state primary or state general election where voting is conducted by
38 mail ballot, the county auditor shall, not less than fifteen days prior

1 to the date of such election, mail or deliver to each active registered
2 voter a mail ballot and an envelope, preaddressed to the issuing
3 officer. The auditor shall send each inactive voter either a ballot or
4 an application to receive a ballot. The auditor shall determine which
5 of the two is to be sent. If the inactive voter returns a voted
6 ballot, the ballot shall be counted and the voter's status restored to
7 active. If the inactive voter completes and returns an application, a
8 ballot shall be sent and the voter's status restored to active.

9 **Sec. 49.** RCW 29.36.121 and 1993 c 417 s 2 are each amended to read
10 as follows:

11 (1) At any nonpartisan special election not being held in
12 conjunction with a state primary or general election, the county, city,
13 town, or district requesting the election pursuant to RCW 29.13.010 or
14 29.13.020 may also request that the election be conducted by mail
15 ballot. The county auditor may honor the request or may determine that
16 the election is not to be conducted by mail ballot. The decision of
17 the county auditor in this regard is final.

18 (2) In an odd-numbered year, the county auditor may conduct by mail
19 ballot a primary or a special election concurrently with the primary:

20 (a) For any office or ballot measure of a special purpose district
21 which is entirely within the county;

22 (b) For any office or ballot measure of a special purpose district
23 which lies in the county and one or more other counties if the auditor
24 first secures the concurrence of the county auditors of those other
25 counties to conduct the primary in this manner district-wide; and

26 (c) For any ballot measure or nonpartisan office of a county, city,
27 or town if the auditor first secures the concurrence of the legislative
28 authority of the county, city, or town involved.

29 A primary in an odd-numbered year may not be conducted by mail
30 ballot in any precinct with two hundred or more active registered
31 voters if a partisan office or state office or state ballot measure is
32 to be voted upon at that primary in the precinct.

33 (3) For all special elections not being held in conjunction with a
34 state primary or state general election where voting is conducted by
35 mail ballot, the county auditor shall, not less than fifteen days
36 before the date of such election, mail or deliver to each registered
37 voter a mail ballot and an envelope, preaddressed to the issuing
38 officer. The county auditor shall notify an election jurisdiction for

1 which a primary is to be held that the primary will be conducted by
2 mail ballot.

3 (4) To the extent they are not inconsistent with subsections (1)
4 through (3) of this section, the laws governing the conduct of mail
5 ballot special elections apply to nonpartisan primaries conducted by
6 mail ballot.

7 **Sec. 50.** RCW 29.36.122 and 1993 c 417 s 3 are each amended to read
8 as follows:

9 For any special election conducted by mail, the county auditor
10 shall send a mail ballot with a return identification envelope to each
11 active registered voter of the district in which the special election
12 is being conducted not sooner than the twenty-fifth day before the date
13 of the election and not later than the fifteenth day before the date of
14 the election. The envelope in which the ballot is mailed must clearly
15 indicate that the ballot is not to be forwarded and is to be returned
16 to the sender with return postage guaranteed. The auditor shall send
17 an application to receive a ballot to all inactive voters of the
18 district. Upon receipt of a completed application the auditor shall
19 send a ballot and restore the voter's status to active.

20 **Sec. 51.** RCW 29.48.010 and 1990 c 59 s 35 are each amended to read
21 as follows:

22 The county auditor shall provide in each polling place a sufficient
23 number of voting booths or voting devices along with any supplies
24 necessary to enable the voter to mark or register his or her choices on
25 the ballot and within which the voters may cast their votes in secrecy.
26 Where paper ballots are used for voting, the number of voting booths
27 shall be at least one for every fifty active registered voters in the
28 precinct.

29 **Sec. 52.** RCW 46.20.205 and 1989 c 337 s 6 are each amended to read
30 as follows:

31 Whenever any person after applying for or receiving a driver's
32 license or identicard moves from the address named in the application
33 or in the license or identicard issued to him or her or when the name
34 of a licensee or holder of an identicard is changed by marriage or
35 otherwise, the person shall within ten days thereafter notify the
36 department in writing on a form provided by the department of his or

1 her old and new addresses or of such former and new names and of the
2 number of any license then held by him or her. The written
3 notification is the exclusive means by which the address of record
4 maintained by the department concerning the licensee or identicard
5 holder may be changed. The form must contain a place for the person to
6 indicate that the address change is not for voting purposes. The
7 department of licensing shall notify the secretary of state by the
8 means described in RCW 29.07.270(3) of all change of address
9 information received by means of this form except information on
10 persons indicating that the change is not for voting purposes. Any
11 notice regarding the cancellation, suspension, revocation, probation,
12 or nonrenewal of the driver's license, driving privilege, or identicard
13 mailed to the address of record of the licensee or identicard holder is
14 effective notwithstanding the licensee's or identicard holder's failure
15 to receive the notice.

16 NEW SECTION. **Sec. 53.** The following acts or parts of acts are
17 each repealed:

- 18 (1) RCW 29.07.015 and 1985 c 205 s 15;
- 19 (2) RCW 29.07.020 and 1971 ex.s. c 202 s 5 & 1965 c 9 s 29.07.020;
- 20 (3) RCW 29.07.050 and 1971 ex.s. c 202 s 7 & 1965 c 9 s 29.07.050;
- 21 (4) RCW 29.07.060 and 1973 1st ex.s. c 21 s 1, 1971 ex.s. c 202 s
22 8, & 1965 c 9 s 29.07.060;
- 23 (5) RCW 29.07.065 and 1986 c 167 s 4 & 1973 1st ex.s. c 21 s 2;
- 24 (6) RCW 29.07.095 and 1973 1st ex.s. c 21 s 6, 1971 ex.s. c 202 s
25 12, & 1965 c 9 s 29.07.095;
- 26 (7) RCW 29.07.105 and 1971 ex.s. c 202 s 14 & 1965 c 9 s 29.07.105;
27 and
- 28 (8) RCW 29.10.095 and 1971 ex.s. c 202 s 30 & 1965 c 9 s 29.10.095.

29 NEW SECTION. **Sec. 54.** RCW 29.10.080 and 1977 ex.s. c 361 s 27,
30 1971 ex.s. c 202 s 28, 1967 ex.s. c 109 s 3, & 1965 c 9 s 29.10.080 are
31 each repealed.

32 NEW SECTION. **Sec. 55.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the
34 remainder of the act or the application of the provision to other
35 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 56.** Sections 1 through 3, 7, 10 through 12, 21,
2 22, 25, 27, 28, 31 through 34, 37 through 40, 42, 44 through 52, and 54
3 of this act take effect January 1, 1995."

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