

SENATE BILL REPORT

SHB 1739

As Reported By Senate Committee On:
State & Local Government, March 26, 2001

Title: An act relating to protecting the integrity of elections.

Brief Description: Protecting the integrity of elections.

Sponsors: By House Committee on State Government (originally sponsored by Representatives Bush, D. Schmidt, Romero, Miloscia, Anderson, Campbell, Talcott, Esser and Casada; by request of Secretary of State).

Brief History:

Committee Activity: State & Local Government: 3/26/01 [DP].

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Gardner, Hale, Horn, McCaslin, T. Sheldon and Swecker.

Staff: Aaron Jennings (786-7445)

Background: Registration Procedure: A person may register to vote, transfer a voter registration, or change his or her name for registration purposes when the person applies for or renews a driver's license or identification card. An agency that offers voter registration must offer the same level of service to persons registering to vote as the agency would offer a person filling out the agency's forms or documents. The Secretary of State shall furnish registration forms. When a person registers to vote, the county auditor will acknowledge the registration by sending the voter a card identifying the voter's precinct.

Violating Voting Laws: A registered voter and precinct election official may challenge a voter's registration. The county auditors are to participate with the Secretary of State to maintain a program to detect voters voting in more than one county. It is a felony for a person to vote in an election when not legally qualified to vote. Any violation of election laws shall be prosecuted by the prosecuting attorney.

Training Election Officials: The secretary shall provide training programs for election officials and personnel.

Summary of Bill: Registration Procedures: The Secretary of State must provide voter registration information in the foreign languages required of state agencies by July 1, 2002. Persons registering to vote must be given information about the age and citizenship requirements for voter registration. Voter registration forms must contain conspicuous language reminding registrants that they must be citizens to vote.

The Department of Licensing must post signs at driver licensing facilities informing the public of voter registration services and the qualifications necessary to register. A person registering to vote at a driver licensing facility, must be: 1) asked if they want to register to vote, and 2) reminded that they must be 18 years of age and a citizen to register.

Changing Voter Registration: A person re-registering in a new county must provide all information necessary to cancel his or her previous voter registration. The county auditor must forward this information to the county in which the voter was previously registered. If the person was previously registered in another state, notification must be sent to the state's elections office. A county auditor receiving this information must immediately cancel the voter's registration.

List Maintenance: The annual list maintenance program is expanded to include the detection of persons voting more than once in an election. If a person is suspected of voting in more than one county in a single election, the county auditors in the two counties must cooperate as to determine the voter's true residence.

Challenges to Voter Registration: Only a precinct judge or inspector may challenge a person's right to vote at the polls. In addition, county prosecuting attorneys may initiate challenges in the same manner as registered voters.

Violating Voting Laws: Persons who intentionally disenfranchise eligible citizens or discriminate against people eligible to vote by denying voter registration are guilty of a misdemeanor. A person who attempts to register to vote knowing that he or she is unqualified is guilty of a misdemeanor.

Voter Assistance: The Secretary of State must provide a "voter guide" detailing what constitutes voter fraud and discrimination under state election laws. The Secretary of State must also provide a toll-free media and web page designed to facilitate voter communications. The Secretary of State's training and certification program for state and county election administration is expanded to include training on election law violations and discrimination.

Prosecuting Violations: A county auditor who suspects a person of fraudulent voter registration, vote tampering, or irregularities in voting must transmit the suspicions to the canvassing board. The county auditor must also attempt to contact the person in question without delay. If the auditor is unable to contact the person, or if the auditor still suspects the person after making contact, the auditor must refer the matter to the county prosecutor who must file charges where warranted.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will standardize the registration process, advance confidence in our electoral system, protect the integrity of elections, and encourage forward movement. This bill takes care of the concerns raised with the original Senate bill.

Testimony Against: None.

Testified: Representative Bush, prime sponsor; Sam Reed, Secretary of State.