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HOUSE BILL 1753

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State of Washington

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By Representatives Green, Nixon, Shabro, McDermott, Haigh, Hunt, Upthegrove, Moeller, Simpson, Sells and Linville; by request of Secretary of State

Read first time 02/03/2005. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to voter registration procedures; amending RCW  
2 29A.08.010, 29A.08.030, 29A.08.107, 29A.08.110, 29A.08.115, 29A.08.145,  
3 29A.08.520, 29A.08.651, and 29A.08.775; repealing RCW 29A.08.155; and  
4 providing an effective date.

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

6 **Sec. 1.** RCW 29A.08.010 and 2004 c 267 s 102 are each amended to  
7 read as follows:

8 As used in this chapter: "Information required for voter  
9 registration" means the minimum information provided on a voter  
10 registration application that is required by the county auditor in  
11 order to place a voter registration applicant on the voter registration  
12 rolls. This information includes (~~the applicant's~~):

13 (1) Name(~~, complete residence~~);

14 (2) Residential address(~~)~~;

15 (3) Date of birth(~~)~~;

16 (4) Washington state driver's license number, Washington state  
17 identification card, or the last four digits of the applicant's Social  
18 Security number(~~)~~;

1       (5) A signature attesting to the truth of the information provided  
2 on the application((τ)); and

3       (6) A check or indication in the box confirming the individual is  
4 a United States citizen.

5       If the individual does not have a driver's license, state  
6 identification card, or Social Security number, the registrant must be  
7 issued a unique voter registration number ((and)) in order to be placed  
8 on the voter registration rolls. All other information supplied is  
9 ancillary and not to be used as grounds for not registering an  
10 applicant to vote. Modification of the language of the official  
11 Washington state voter registration form by the voter will not be  
12 accepted and will cause the rejection of the registrant's application.

13       **Sec. 2.** RCW 29A.08.030 and 2004 c 267 s 104 are each amended to  
14 read as follows:

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

17       (1) "Verification notice" means a notice sent by the county auditor  
18 or secretary of state to a voter registration applicant and is used to  
19 verify or collect information about the applicant in order to complete  
20 the registration.

21       (2) "Acknowledgement notice" means a notice sent by nonforwardable  
22 mail by the county auditor or secretary of state to a registered voter  
23 to acknowledge a voter registration transaction, which can include  
24 initial registration, transfer, or reactivation of an inactive  
25 registration. An acknowledgement notice may be a voter registration  
26 card.

27       (3) "Confirmation notice" means a notice sent to a registered voter  
28 by first class forwardable mail at the address indicated on the voter's  
29 permanent registration record and to any other address at which the  
30 county auditor or secretary of state could reasonably expect mail to be  
31 received by the voter in order to confirm the voter's residence  
32 address. The confirmation notice must be designed ((~~so that the voter~~  
33 ~~may update his or her current residence address~~)) to include a postage  
34 prepaid, preaddressed return form by which the registrant may verify  
35 the address information.

1           **Sec. 3.** RCW 29A.08.107 and 2004 c 267 s 106 are each amended to  
2 read as follows:

3           (1) The secretary of state must review the information provided by  
4 each voter registration applicant to ensure that either the driver's  
5 license number or the last four digits of the social security number  
6 match the information maintained by the Washington department of  
7 licensing or the social security administration. If a match cannot be  
8 made the secretary of state or county auditor must correspond with the  
9 applicant to resolve the discrepancy.

10           (2) If the applicant fails to respond to any correspondence  
11 required in this section to confirm information provided on a voter  
12 registration application((7)) within ((thirty)) forty-five days, the  
13 ((secretary of state shall forward the application to the appropriate  
14 county auditor for document storage)) applicant will not be registered  
15 to vote.

16           (3) Only after the secretary of state has confirmed that an  
17 applicant's driver's license number or the last four digits of the  
18 applicant's social security number match existing records with the  
19 Washington department of licensing or the social security  
20 administration or determined that the applicant does not have either a  
21 driver's license number or social security number may the applicant be  
22 placed on the official list of registered voters.

23           **Sec. 4.** RCW 29A.08.110 and 2004 c 267 s 107 are each amended to  
24 read as follows:

25           (1) On receipt of an application for voter registration, the county  
26 auditor shall review the application to determine whether the  
27 information supplied is complete. An application is considered  
28 complete only if it contains the applicant's name, complete valid  
29 residence address, date of birth, and signature attesting to the truth  
30 of the information provided and an indication the license information  
31 or social security number has been confirmed by the secretary of state.  
32 If it is not complete, the auditor shall promptly mail a verification  
33 notice of the deficiency to the applicant. This verification notice  
34 shall require the applicant to provide the missing information. If the  
35 verification notice is not returned by the applicant or is returned as  
36 undeliverable the auditor shall not place the name of the applicant on

1 the county voter list. If the applicant provides the required verified  
2 information, the applicant shall be registered to vote as of the date  
3 of mailing of the original voter registration application.

4 (2) In order to prevent duplicate registration records, all  
5 complete voter registration applications must be screened against  
6 existing voter registration records in the official statewide voter  
7 registration list. If a match of an existing record is found in the  
8 official list the record must be updated with the new information  
9 provided on the application. If the new information indicates that the  
10 voter has changed his or her county of residence, the application must  
11 be forwarded to the voter's new county of residence for processing. If  
12 the new information indicates that the voter remains in the same county  
13 of residence or if the applicant is a new voter the application must be  
14 processed by the county of residence.

15 (3) If the information required in subsection (1) of this section  
16 is complete, the applicant is considered to be registered to vote as of  
17 the date of mailing or date of delivery, whichever is applicable. The  
18 auditor shall record the appropriate precinct identification, taxing  
19 district identification, and date of registration on the voter's record  
20 in the state voter registration list. Within forty-five days after the  
21 receipt of an application but no later than seven days before the next  
22 primary, special election, or general election, the auditor shall send  
23 to the applicant, by first class mail, an acknowledgement notice  
24 identifying the registrant's precinct and containing such other  
25 information as may be required by the secretary of state. The postal  
26 service shall be instructed not to forward a voter registration card to  
27 any other address and to return to the auditor any card which is not  
28 deliverable. If the registrant has indicated on the form that he or  
29 she is registered to vote within the county but has provided a new  
30 address within the county that is for voter registration purposes, the  
31 auditor shall transfer the voter's registration.

32 (4) If an acknowledgement notice card is properly mailed as  
33 required by this section to the address listed by the voter as being  
34 the voter's mailing address and the notice is subsequently returned to  
35 the auditor by the postal service as being undeliverable to the voter  
36 at that address, the auditor shall promptly send the voter a  
37 confirmation notice. The auditor shall place the voter's registration

1 on inactive status pending a response from the voter to the  
2 confirmation notice.

3 **Sec. 5.** RCW 29A.08.115 and 2004 c 267 s 108 are each amended to  
4 read as follows:

5 A person or organization collecting voter registration application  
6 forms must transmit the forms to the secretary of state or a  
7 ((designee)) county auditor at least once weekly. The registration  
8 date on such forms will be the date they are received by the secretary  
9 of state or county auditor.

10 **Sec. 6.** RCW 29A.08.145 and 2004 c 267 s 113 are each amended to  
11 read as follows:

12 This section establishes a special procedure which an elector may  
13 use to register to vote or transfer a voter registration by changing  
14 his or her address during the period beginning after the closing of  
15 registration for voting at the polls under RCW 29A.08.140 and ending on  
16 the fifteenth day before a primary, special election, or general  
17 election. A qualified elector in the state may register to vote or  
18 change his or her registration address in person in the office of the  
19 county auditor of the county in which the applicant resides, or at a  
20 voter registration location specifically designated for this purpose by  
21 the ((~~county auditor of the county in which the applicant resides~~))  
22 secretary of state, and apply for an absentee ballot for that primary  
23 or election. The auditor or registration assistant shall register that  
24 individual in the manner provided in this chapter. The application for  
25 an absentee ballot executed by the newly registered or transferred  
26 voter for the primary or election that follows the execution of the  
27 registration shall be promptly transmitted to the auditor with the  
28 completed voter registration form.

29 **Sec. 7.** RCW 29A.08.520 and 2004 c 267 s 126 are each amended to  
30 read as follows:

31 Upon receiving official notice of a person's conviction of a felony  
32 in either state or federal court, if the convicted person is a  
33 registered voter in the county, the county auditor shall cancel the  
34 defendant's voter registration. Additionally, the secretary of state  
35 in conjunction with the department of corrections and other appropriate

1 state agencies shall arrange for a periodic comparison of a list of  
2 known felons with the statewide voter registration list. If a person  
3 is found on the (~~department of corrections~~) felon list and the  
4 statewide voter registration list, the secretary of state or county  
5 auditor shall confirm the match through a date of birth comparison and  
6 cancel the voter registration from the official state voter  
7 registration list. The canceling authority shall send notice of the  
8 proposed cancellation to the person at his or her last known voter  
9 registration address.

10 **Sec. 8.** RCW 29A.08.651 and 2004 c 267 s 101 are each amended to  
11 read as follows:

12 (1) The office of the secretary of state shall create and maintain  
13 a statewide voter registration data base. This data base must be a  
14 single, uniform, official, centralized, interactive computerized  
15 statewide voter registration list defined, maintained, and administered  
16 at the state level that contains the name and registration information  
17 of every legally registered voter in the state and assigns a unique  
18 identifier to each legally registered voter in the state.

19 (2) The computerized list must serve as the single system for  
20 storing and maintaining the official list of registered voters  
21 throughout the state.

22 (3) The computerized list must contain the name and registration  
23 information of every legally registered voter in the state.

24 (4) Under the computerized list, a unique identifier is assigned to  
25 each legally registered voter in the state.

26 (5) The computerized list must be coordinated with other agency  
27 data bases within the state, including but not limited to the  
28 department of corrections, the department of licensing, and the  
29 department of health.

30 (6) Any election officer in the state, including any local election  
31 officer, may obtain immediate electronic access to the information  
32 contained in the computerized list.

33 (7) All voter registration information obtained by any local  
34 election officer in the state must be electronically entered into the  
35 computerized list on an expedited basis at the time the information is  
36 provided to the local officer.

1 (8) The chief state election officer shall provide support, as may  
2 be required, so that local election officers are able to enter  
3 information as described in subsection (3) of this section.

4 (9) The computerized list serves as the official voter registration  
5 list for the conduct of all elections.

6 (10) The secretary of state has data authority on all voter  
7 registration data.

8 (11) The voter registration data base must be designed to  
9 accomplish at a minimum, the following:

10 (a) Comply with the Help America Vote Act of 2002 (P.L. 107-252);

11 (b) Identify duplicate voter registrations;

12 (c) Identify suspected duplicate voters;

13 (d) Screen against the department of corrections and other  
14 appropriate state agency data bases to aid in the cancellation of voter  
15 registration of felons;

16 (e) Provide up-to-date signatures of voters for the purposes of  
17 initiative signature checking;

18 (f) Provide for a comparison between the voter registration data  
19 base and the department of licensing change of address data base;

20 (g) Provide online access for county auditors with the goal of real  
21 time duplicate checking and update capabilities; and

22 (h) Provide for the cancellation of voter registration for persons  
23 who have moved to other states and surrendered their Washington state  
24 drivers' licenses.

25 **Sec. 9.** RCW 29A.08.775 and 2004 c 267 s 136 are each amended to  
26 read as follows:

27 Only voters who appear on the official statewide voter registration  
28 list are eligible to participate in elections. Each county shall  
29 maintain a copy of that county's portion of the state list. The county  
30 must ensure that data used for the production of poll lists and other  
31 lists and mailings done in the administration of each election are  
32 (~~drawn from~~) the same as the official statewide voter registration  
33 list.

34 NEW SECTION. **Sec. 10.** RCW 29A.08.155 (Payment for maintenance of  
35 electronic records) and 2004 c 267 s 114 & 2003 c 111 s 215 are each

1 repealed.

2 NEW SECTION. **Sec. 11.** This act takes effect January 1, 2006.

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