
HOUSE BILL 3297

State of Washington 59th Legislature 2006 Regular Session

By Representatives Anderson, Nixon, Ahern, Roach and Bailey

Read first time 02/03/2006. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to requiring all voters to provide proof of
2 citizenship and valid photo identification; amending RCW 29A.44.205,
3 29A.08.110, and 46.20.117; adding new sections to chapter 29A.08 RCW;
4 and adding new sections to chapter 29A.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.08 RCW
7 to read as follows:

8 (1) In addition to the requirements of RCW 29A.08.010, the form of
9 registration provided by the secretary of state or county auditor must
10 include a statement that the applicant must submit a legible copy of a
11 document proving United States citizenship and a copy of a valid photo
12 identification card with the application and that the county auditor or
13 secretary of state must reject the application if the applicant fails
14 to provide either.

15 (2) After a person has submitted satisfactory proof of citizenship
16 and valid photo identification, the county auditor or secretary of
17 state shall indicate this information in the person's permanent voter
18 file. After two years, the county auditor or secretary of state may
19 destroy all documents that were submitted as proof of citizenship.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.08 RCW
2 to read as follows:

3 Proof of citizenship may be demonstrated by any of the following
4 documents:

5 (1) A birth certificate that verifies citizenship to the
6 satisfaction of the county auditor or secretary of state;

7 (2) A United States passport identifying the applicant and the
8 applicant's passport number;

9 (3) A United States naturalization document or the number of the
10 certificate of naturalization. If only the number of the certificate
11 of naturalization is provided, the applicant may not be included in the
12 registration rolls until the number of the certificate of
13 naturalization is verified with the United States bureau of citizenship
14 and immigration services by the county auditor or secretary of state;

15 (4) The applicant's bureau of Indian affairs card number, tribal
16 treaty card number, or tribal enrollment number; or

17 (5) Other documents or methods of proof that are established under
18 the federal immigration reform and control act of 1986.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.04 RCW
20 to read as follows:

21 "Valid photo identification" means any one of the following:

22 (1) A valid driver's license;

23 (2) A valid state identification card;

24 (3) A valid United States passport;

25 (4) A valid tribal identification card; or

26 (5) A valid United States military identification card.

27 **Sec. 4.** RCW 29A.44.205 and 2005 c 243 s 7 are each amended to read
28 as follows:

29 (1) Any person desiring to vote at any primary or election is
30 required to provide valid photo identification to the election officer
31 before signing the poll book. ~~((The identification required in this
32 section can be satisfied by providing a valid photo identification,
33 such as a driver's license or state identification card, student
34 identification card, or tribal identification card, a voter's voter
35 identification issued by a county elections officer, or a copy of a~~

1 ~~current utility bill, bank statement, paycheck, or government check or~~
2 ~~other government document.))~~

3 (2) Any individual who desires to vote in person but cannot provide
4 identification as required by this section shall be issued a
5 provisional ballot.

6 (3) The secretary of state (~~may~~) shall adopt rules to carry out
7 this section.

8 **Sec. 5.** RCW 29A.08.110 and 2005 c 246 s 5 are each amended to read
9 as follows:

10 (1) An application is considered complete only if it contains the
11 applicant's name, complete valid residence address, mailing address if
12 different than residential address, date of birth, signature attesting
13 to the truth of the information provided, a mark in the check-off box
14 confirming United States citizenship, (~~and~~) an indication that the
15 provided driver's license number, state identification card number, or
16 Social Security number has been confirmed by the secretary of state,
17 and is accompanied by a document proving citizenship and a copy of a
18 valid photo identification. The county auditor must also review the
19 residential address provided on the registration form and verify, by
20 checking county property records or other similar records, that the
21 address provided contains an actual residential unit or is a
22 nontraditional address under RCW 29A.08.112. If the auditor is unable
23 to verify that the address on the registration form contains an actual
24 residence, or is not a nontraditional address, the application shall
25 not be considered complete. If it is not complete, the auditor shall
26 promptly mail a verification notice of the deficiency to the applicant.
27 This verification notice shall require the applicant to provide the
28 missing information. If the verification notice is not returned by the
29 applicant within forty-five days or is returned as undeliverable, the
30 name of the applicant shall not be placed on the official list of
31 registered voters. If the applicant provides the required verified
32 information, the applicant shall be registered to vote as of the
33 original date of mailing or date of delivery, whichever is applicable.

34 (2) If the information required in subsection (1) of this section
35 is complete, the applicant is considered to be registered to vote as of
36 the original date of mailing or date of delivery, whichever is
37 applicable. The auditor shall record the appropriate precinct

1 identification, taxing district identification, and date of
2 registration on the voter's record in the state voter registration
3 list. Within forty-five days after the receipt of an application but
4 no later than seven days before the next primary, special election, or
5 general election, the auditor shall send to the applicant, by first
6 class mail, an acknowledgement notice identifying the registrant's
7 precinct and containing such other information as may be required by
8 the secretary of state. The postal service shall be instructed not to
9 forward a voter registration card to any other address and to return to
10 the auditor any card which is not deliverable.

11 (3) If an acknowledgement notice card is properly mailed as
12 required by this section to the address listed by the voter as being
13 the voter's mailing address and the notice is subsequently returned to
14 the auditor by the postal service as being undeliverable to the voter
15 at that address, the auditor shall promptly send the voter a
16 confirmation notice. The auditor shall place the voter's registration
17 on inactive status pending a response from the voter to the
18 confirmation notice.

19 **Sec. 6.** RCW 46.20.117 and 2005 c 314 s 305 are each amended to
20 read as follows:

21 (1) **Issuance.** (a) The department shall issue an identicard,
22 containing a picture, if the applicant:

23 ~~((a))~~ (i) Does not hold a valid Washington driver's license;

24 ~~((b))~~ (ii) Proves his or her identity as required by RCW
25 46.20.035; and

26 ~~((c))~~ (iii) Pays the required fee. The fee is twenty dollars
27 unless an applicant is a recipient of continuing public assistance
28 grants under Title 74 RCW, who is referred in writing by the secretary
29 of social and health services. For those persons the fee must be the
30 actual cost of production of the identicard.

31 (b) The department may not collect a fee for an identification card
32 from a person who swears under oath that he or she is indigent and
33 cannot pay the fee for an identification card, that he or she desires
34 an identification card in order to vote in a primary or election in
35 Washington, and that he or she does not have any other form of valid
36 photo identification as defined in section 3 of this act in order to
37 vote.

1 (2) **Design and term.** The identicard must:

2 (a) Be distinctly designed so that it will not be confused with the
3 official driver's license; and

4 (b) Expire on the fifth anniversary of the applicant's birthdate
5 after issuance.

6 (3) **Renewal.** An application for identicard renewal may be
7 submitted by means of:

8 (a) Personal appearance before the department; or

9 (b) Mail or electronic commerce, if permitted by rule of the
10 department and if the applicant did not renew his or her identicard by
11 mail or by electronic commerce when it last expired. However, the
12 department may accept an application for renewal of an identicard
13 submitted by means of mail or electronic commerce only if specific
14 authority and funding is provided for this purpose by June 30, 2004, in
15 the omnibus transportation appropriations act.

16 An identicard may not be renewed by mail or by electronic commerce
17 unless the renewal issued by the department includes a photograph of
18 the identicard holder.

19 (4) **Cancellation.** The department may cancel an identicard if the
20 holder of the identicard used the card or allowed others to use the
21 card in violation of RCW 46.20.0921.

22 NEW SECTION. **Sec. 7.** A new section is added to chapter 29A.04 RCW
23 to read as follows:

24 (1) County auditors must provide information on the valid photo
25 identification and proof of citizenship requirements of chapter 29A.08
26 RCW and RCW 29A.44.205 to residents in their counties. To assist
27 county auditors, the state will provide matching funds to a county
28 auditor who has created a voter outreach program that provides this
29 information.

30 (2) The secretary of state must include in his or her biennial
31 budget requests sufficient funds to carry out this section. The
32 provision of matching funds for voter outreach must be from
33 appropriations specifically provided by law for that purpose.

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