
SENATE BILL 5399

State of Washington 59th Legislature 2005 Regular Session

By Senators Roach, Swecker, Schoesler, Carrell, Mulliken and Benton

Read first time 01/24/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to voter registration verification; amending RCW
2 29A.08.125, 29A.08.125, 29A.08.605, 29A.08.605, and 29A.08.651;
3 providing an effective date; and providing an expiration date.

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

5 **Sec. 1.** RCW 29A.08.125 and 2003 c 111 s 209 are each amended to
6 read as follows:

7 (1) Each county auditor shall maintain a computer file containing
8 the records of all registered voters within the county. The auditor
9 may provide for the establishment and maintenance of such files by
10 private contract or through interlocal agreement as provided by chapter
11 39.34 RCW. The computer file must include, but not be limited to, each
12 voter's last name, first name, middle initial, date of birth, residence
13 address, gender, date of registration, applicable taxing district and
14 precinct codes, and the last date on which the individual voted.

15 (2) County election officials shall randomly investigate the record
16 of all registered voters within the county contained on the official
17 statewide voter registration list for that county, to make corrections
18 in the record regarding persons who are deceased or whose residence
19 differs from that on the official statewide voter registration list.

1 (3) The county auditor shall subsequently record each consecutive
2 date upon which the individual has voted and retain at least the last
3 five such consecutive dates. If the voter has not voted at least five
4 times since establishing his or her current registration record, only
5 the available dates will be included.

6 **Sec. 2.** RCW 29A.08.125 and 2004 c 267 s 110 are each amended to
7 read as follows:

8 (1) Each county auditor shall maintain a computer file containing
9 a copy of each record of all registered voters within the county
10 contained on the official statewide voter registration list for that
11 county.

12 (2) County election officials shall randomly investigate the record
13 of all registered voters within the county contained on the official
14 statewide voter registration list for that county, to make corrections
15 in the record regarding persons who are deceased or whose residence
16 differs from that on the official statewide voter registration list.

17 (3) The computer file must include, but not be limited to, each
18 voter's last name, first name, middle initial, date of birth, residence
19 address, gender, date of registration, applicable taxing district and
20 precinct codes, and the last date on which the individual voted.

21 (4) The county auditor shall subsequently record each consecutive
22 date upon which the individual has voted and retain all such
23 consecutive dates.

24 **Sec. 3.** RCW 29A.08.605 and 2003 c 111 s 236 are each amended to
25 read as follows:

26 In addition to the case-by-case maintenance required under RCW
27 29A.08.620 and 29A.08.630 (~~and~~), the canceling of registrations under
28 RCW 29A.08.510, and the random investigation required under RCW
29 29A.08.125, the county auditor shall establish a general program of
30 voter registration list maintenance. This program must be a thorough
31 review that is applied uniformly throughout the county and must be
32 nondiscriminatory in its application. Any program established must be
33 completed at least once every two years and not later than ninety days
34 before the date of a primary or general election for federal office.
35 The county may fulfill its obligations under this section in one of the
36 following ways:

1 (1) The county auditor may enter into one or more contracts with
2 the United States postal service, or its licensee, which permit the
3 auditor to use postal service change-of-address information. If the
4 auditor receives change of address information from the United States
5 postal service that indicates that a voter has changed his or her
6 residence address within the county, the auditor shall transfer the
7 registration of that voter and send a confirmation notice informing the
8 voter of the transfer to the new address. If the auditor receives
9 postal change of address information indicating that the voter has
10 moved out of the county, the auditor shall send a confirmation notice
11 to the voter and advise the voter of the need to reregister in the new
12 county. The auditor shall place the voter's registration on inactive
13 status;

14 (2) A direct, nonforwardable, nonprofit or first-class mailing to
15 every registered voter within the county bearing the postal endorsement
16 "Return Service Requested." If address correction information for a
17 voter is received by the county auditor after this mailing, the auditor
18 shall place that voter on inactive status and shall send to the voter
19 a confirmation notice;

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

21 **Sec. 4.** RCW 29A.08.605 and 2004 c 267 s 128 are each amended to
22 read as follows:

23 In addition to the case-by-case maintenance required under RCW
24 29A.08.620 and 29A.08.630 (~~and~~), the canceling of registrations under
25 RCW 29A.08.510, and the random investigation required under RCW
26 29A.08.125, the secretary of state and the county auditor shall
27 cooperatively establish a general program of voter registration list
28 maintenance. This program must be a thorough review that is applied
29 uniformly throughout the county and must be nondiscriminatory in its
30 application. Any program established must be completed at least once
31 every two years and not later than ninety days before the date of a
32 primary or general election for federal office. This obligation may be
33 fulfilled in one of the following ways:

34 (1) The secretary of state may enter into one or more contracts
35 with the United States postal service, or its licensee, which permit
36 the use of postal service change-of-address information. If the change
37 of address information is received from the United States postal

1 service that indicates that a voter has changed his or her residence
2 address within the state, the auditor shall transfer the registration
3 of that voter and send a confirmation notice informing the voter of the
4 transfer to the new address;

5 (2) A direct, nonforwardable, nonprofit or first-class mailing to
6 every registered voter bearing the postal endorsement "Return Service
7 Requested." If address correction information for a voter is received
8 by the county auditor after this mailing, the auditor shall place that
9 voter on inactive status and shall send to the voter a confirmation
10 notice;

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

12 **Sec. 5.** RCW 29A.08.651 and 2004 c 267 s 101 are each amended to
13 read as follows:

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

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

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

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

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

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

35 (7) All voter registration information obtained by any local
36 election officer in the state must be electronically entered into the

1 computerized list on an expedited basis at the time the information is
2 provided to the local officer.

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

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

8 (10) The secretary of state has data authority on all voter
9 registration data.

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

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

13 (b) Identify duplicate voter registrations;

14 (c) Identify suspected duplicate voters;

15 (d) Screen against the department of corrections data base to aid
16 in the cancellation of voter registration of felons;

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

19 (f) Provide current and accurate voter registration information
20 using information obtained under RCW 29A.08.125;

21 (g) Provide for a comparison between the voter registration data
22 base and the department of licensing change of address data base;

23 (~~(g)~~) (h) Provide online access for county auditors with the goal
24 of real time duplicate checking and update capabilities; and

25 (~~(h)~~) (i) Provide for the cancellation of voter registration for
26 persons who have moved to other states and surrendered their Washington
27 state drivers' licenses.

28 NEW SECTION. **Sec. 6.** Sections 1 and 3 of this act expire January
29 1, 2006.

30 NEW SECTION. **Sec. 7.** Sections 2, 4, and 5 of this act take effect
31 January 1, 2006.

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