
SENATE BILL 6499

State of Washington 59th Legislature 2006 Regular Session

By Senators Roach, Stevens, Schoesler, Benton, Honeyford and Mulliken

Read first time 01/13/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to requiring all voters be put on inactive status
2 until they provide proof of citizenship and valid photo identification;
3 amending RCW 29A.44.205, 46.20.117, 29A.08.010, and 29A.08.110; adding
4 new sections to chapter 29A.08 RCW; and adding a new section to chapter
5 29A.04 RCW.

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

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

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

16 (2) After a person has submitted satisfactory proof of citizenship
17 and valid photo identification, the county auditor or secretary of
18 state shall indicate this information in the person's permanent voter

1 file. After two years, the county auditor or secretary of state may
2 destroy all documents that were submitted as proof of citizenship.

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

5 Proof of citizenship may be demonstrated by any of the following
6 documents:

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

9 (2) A United States passport identifying the applicant and the
10 applicant's passport number;

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

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

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

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.08 RCW
22 to read as follows:

23 (1) The county auditor shall assign all voters who registered to
24 vote before the effective date of this act to inactive status and shall
25 send the voter an update notice.

26 (2) Update notices must be on a form prescribed by, or approved by,
27 the secretary of state and must request that the voter provide proof of
28 United States citizenship and valid photo identification to the county
29 auditor, either in person or by mail, in order to have his or her
30 active status restored. The notice must inform the voter that if the
31 voter does not respond to the notice and does not vote in either of the
32 next two federal elections, his or her voter registration will be
33 canceled. The notice must also include a list of acceptable documents
34 for proving citizenship and acceptable types of photo identification.

35 (3) The county auditor shall return a voter who has been placed on
36 inactive status under this section to active voter status if, during

1 the period beginning on the date the voter was assigned to inactive
2 status and ending on the day of the second general election for federal
3 office that occurs after the date that the voter was sent an update
4 notice, the voter provides proof of citizenship and valid photo
5 identification by: Appearing in person at the auditor's office and
6 presenting valid photo identification and proof of citizenship;
7 responding to the update notice by mail and including a photocopy of
8 valid photo identification and proof of citizenship; including
9 photocopies of valid photo identification and proof of citizenship with
10 an absentee or mail ballot; or voting at the poll after providing valid
11 photo identification and proof of citizenship to the poll worker.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.04 RCW
13 to read as follows:

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

- 15 (1) A valid driver's license;
- 16 (2) A valid state identification card;
- 17 (3) A valid United States passport;
- 18 (4) A valid tribal identification card; or
- 19 (5) A valid United States military identification card.

20 **Sec. 5.** RCW 29A.44.205 and 2005 c 243 s 7 are each amended to read
21 as follows:

22 (1) Any person desiring to vote at any primary or election is
23 required to provide valid photo identification to the election officer
24 before signing the poll book. ~~((The identification required in this
25 section can be satisfied by providing a valid photo identification,
26 such as a driver's license or state identification card, student
27 identification card, or tribal identification card, a voter's voter
28 identification issued by a county elections officer, or a copy of a
29 current utility bill, bank statement, paycheck, or government check or
30 other government document.))~~

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

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

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

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

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

6 ~~((b))~~ (ii) Proves his or her identity as required by RCW
7 46.20.035; and

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

13 (b) The department may not collect a fee for an identification card
14 from a person who swears under oath that he or she is indigent and
15 cannot pay the fee for an identification card, that he or she desires
16 an identification card in order to vote in a primary or election in
17 Washington, and that he or she does not have any other form of valid
18 photo identification as defined in section 4 of this act in order to
19 vote.

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

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

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

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

27 (a) Personal appearance before the department; or

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

35 An identicard may not be renewed by mail or by electronic commerce
36 unless the renewal issued by the department includes a photograph of
37 the identicard holder.

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

4 **Sec. 7.** RCW 29A.08.010 and 2005 c 246 s 2 are each amended to read
5 as follows:

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

- 11 (1) Full legal name;
- 12 (2) Residential address;
- 13 (3) Mailing address if different than residential address;
- 14 (4) Date of birth;
- 15 ~~((4))~~ (5) Washington state driver's license number or Washington
16 state identification card number, or the last four digits of the
17 applicant's Social Security number if the applicant does not have a
18 Washington state driver's license or Washington state identification
19 card;
- 20 ~~((5))~~ (6) A signature attesting to the truth of the information
21 provided on the application; and
- 22 ~~((6))~~ (7) A check or indication in the box confirming the
23 individual is a United States citizen.

24 If the individual does not have a driver's license, state
25 identification card, or Social Security number, the registrant must be
26 issued a unique voter registration number in order to be placed on the
27 voter registration rolls. All other information supplied is ancillary
28 and not to be used as grounds for not registering an applicant to vote.
29 Modification of the language of the official Washington state voter
30 registration form by the voter will not be accepted and will cause the
31 rejection of the registrant's application.

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 29A.08 RCW
33 to read as follows:

34 As used in this chapter, "full legal name" means the voter's full
35 name at birth, including first, middle, and last name, or full name as
36 legally changed by a court of law or by marriage.

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

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

28 (2) If the information required in subsection (1) of this section
29 is complete, the applicant is considered to be registered to vote as of
30 the original date of mailing or date of delivery, whichever is
31 applicable. The auditor shall record the appropriate precinct
32 identification, taxing district identification, and date of
33 registration on the voter's record in the state voter registration
34 list. Within forty-five days after the receipt of an application but
35 no later than seven days before the next primary, special election, or
36 general election, the auditor shall send to the applicant, by first
37 class mail, an acknowledgement notice identifying the registrant's
38 precinct and containing such other information as may be required by

1 the secretary of state. The postal service shall be instructed not to
2 forward a voter registration card to any other address and to return to
3 the auditor any card which is not deliverable.

4 (3) If an acknowledgement notice card is properly mailed as
5 required by this section to the address listed by the voter as being
6 the voter's mailing address and the notice is subsequently returned to
7 the auditor by the postal service as being undeliverable to the voter
8 at that address, the auditor shall promptly send the voter a
9 confirmation notice. The auditor shall place the voter's registration
10 on inactive status pending a response from the voter to the
11 confirmation notice.

--- END ---