

HOUSE BILL REPORT

HB 3159

As Reported by House Committee On:

State Government & Tribal Affairs
Appropriations Subcommittee on General Government & Audit Review

Title: An act relating to voter registration integrity.

Brief Description: Improving voter registration integrity.

Sponsors: Representatives Chandler, Roach, Dunn, Bailey and McCune.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 2/4/08, 2/5/08 [DPS];

Appropriations Subcommittee on General Government & Audit Review: 2/7/08[DP2S(w/o sub SGTA)].

Brief Summary of Second Substitute Bill

- Requires a person registering to vote to provide his or her full legal name, if different than the name used for voting purposes, on the application.
- Requires voter registration applications contain a check box that allows the applicant to indicate whether he or she has ever been convicted of a felony.
- Requires a summoning court to notify the county auditor and the Secretary of State (Secretary) if a potential juror is not 18 years of age, is not a U. S. citizen, does not live in the county, or has been convicted of a felony.
- Requires the Secretary to audit county registration records to ensure cancellations are made for voters convicted of a felony, voters who have died, and for voters determined to be ineligible for jury duty based on age, citizenship, felony conviction, or county residence.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Kretz, Lias, Miloscia and Ormsby.

Staff: Marsha Reilly (786-7135).

Background:

Certain information is required to be included on an application for voter registration. The applicant must provide his or her name, residential address, date of birth, and a driver's license or identification card number, or the last four digits of a Social Security number if he or she does not have a driver's license or identification card. In addition, the applicant must indicate by checking a box that he or she is a citizen of the United States and must sign the application attesting to the truth of the information provided.

The Secretary of State (Secretary) is required to make regular updates of the statewide voter registration database based on information received regarding felony convictions and deceased individuals.

Summary of Substitute Bill:

A person registering to vote must provide his or her full legal name on the application if it is different than the name used for voting purposes. The application must include a check box that allows the applicant to indicate whether he or she has ever been convicted of a felony. If the applicant indicates that he or she has been convicted of a felony, the applicant must provide proof that his or her voting rights have been restored in order to be registered to vote.

Upon learning that a potential juror is not a United States citizen, is not 18 years of age, does not live in the county where summoned to serve, or has been convicted of a felony, the summoning court must notify the county auditor and the Secretary. The county auditor must verify the reason for ineligibility and take the appropriate action to cancel or transfer the registration.

Once each year, the Secretary shall conduct an audit by making a comparison of information the Secretary receives regarding felony convictions, deceased voters, and ineligible jurors and checking it against county registration records to ensure that the proper cancellations have been made.

Substitute Bill Compared to Original Bill:

Under the substitute bill, provisions relating to voter registration drives, counting ballots for voters who have failed to provide identification for first time voting, requirements for purging the voter registration database of persons convicted of felonies, and curing a missing or mismatched signature on ballot envelopes are removed. A person registering to vote must

provide his or her full legal name only if it is different than the name used for voting purposes.

The Secretary must conduct a yearly audit of county registration records to ensure proper cancellations and transfers have been made based on information received from the courts on ineligible jurors.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed, except sections 2, 3, 4, and 5, regarding information required on a voter registration application, which takes effect January 1, 2009.

Staff Summary of Public Testimony:

(In support) The integrity of elections are still of concern to the citizens of the state. A lot has been accomplished over the past couple of years, but improvements still need to be made.

The bill seems to have many common sense provisions. A full legal name should be used and will allow for more accurate data. Information sharing is important; not sharing can have catastrophic results. In King County, there were more than 1,000 individuals that were found not to be U. S. citizens but the information could not be shared. This is a common sense way to make government work better, improve the security of our voting process and improve the efficiency of elections.

(With concerns) There is opportunity to improve the system. The courts give potential jurors a questionnaire to fill out that includes information on four qualifying requirements that directly relate to the eligibility to vote. The bill will provide an incentive for citizens to more accurately complete those questionnaires. However, a statement should be required on the questionnaire that informs citizens that the information they provide may be used for voter eligibility purposes.

A lot has been done to improve the integrity of the voter registration database, mainly through the maintenance requirements. The bill borrows six sections from two bills that are currently in the Rules committee. The requirement of an audit of cancellations of confirmed felon and deceased voters from the county registration records is one that is supported by the Secretary. Jury summons notifications should provide notification that the information may be used for voter registration eligibility purposes. Requiring the full legal name will affect on line voter registration as applicants are required to give their name as it appears on their drivers' license.

(Opposed) None.

Persons Testifying: (In support) Representative Chandler, prime sponsor; and Trent England, Evergreen Freedom Foundation.

(With concerns) Greg Kimsey, Clark County Auditor; and Shane Hamlin, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT & AUDIT REVIEW

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on State Government & Tribal Affairs. Signed by 14 members: Representatives Linville, Chair; Ericks, Vice Chair; Armstrong, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Alexander, Blake, Chandler, Kretz, Lantz, Liias, Miloscia, Morris, Nelson and Van De Wege.

Staff: Wendy Polzin (786-7137).

Summary of Recommendation of Committee On Appropriations Subcommittee on General Government & Audit Review Compared to Recommendation of Committee On State Government & Tribal Affairs:

A null and void clause was added, making the bill null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Requested on February 7, 2008.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed, except sections 2, 3, 4, and 5, regarding information required on a voter registration application, which takes effect January 1, 2009. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) Primary costs in the fiscal note are for redesigning and reprinting existing forms. The FTE's in the fiscal note are associated with audit requirements in the bill to check voter's death and felon status against county records. The fiscal note assumes the cost of sending an employee to each county. The Office of the Secretary of State (OSOS) now is considering whether it is the best use of employee time. The OSOS is considering developing a new feature on an existing IT system to perform audit requirements. This would cost more initially, but over time the maintenance would be less. This idea is still in the early stages of consideration.

(Opposed) None.

Persons Testifying: Shane Hamlin, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.