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HOUSE BILL 1742

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Appleton, Roach, Haigh, Rolfes and Hurst

Read first time 01/26/2007.                      Referred to Committee on State Government & Tribal Affairs.

1            AN ACT Relating to providing for privacy protection for certain  
2 voter registration information; and amending RCW 29A.08.710 and  
3 29A.40.091.

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

5            **Sec. 1.** RCW 29A.08.710 and 2005 c 246 s 17 are each amended to  
6 read as follows:

7            (1) The county auditor shall have custody of the original voter  
8 registration records for each county. The original voter registration  
9 form must be filed without regard to precinct and is considered  
10 confidential and unavailable for public inspection and copying. An  
11 automated file of all registered voters must be maintained pursuant to  
12 RCW 29A.08.125. An auditor may maintain the automated file in lieu of  
13 filing or maintaining the original voter registration forms if the  
14 automated file includes all of the information from the original voter  
15 registration forms including, but not limited to, a retrievable  
16 facsimile of each voter's signature.

17            (2) The following information contained in voter registration  
18 records or files regarding a voter or a group of voters is available  
19 for public inspection and copying, except as provided in RCW 40.24.060:

1 The voter's name, address, political jurisdiction, gender, (~~date of~~  
2 ~~birth,~~) voting record, date of registration, and registration number.  
3 No other information from voter registration records or files is  
4 available for public inspection or copying.

5 **Sec. 2.** RCW 29A.40.091 and 2005 c 246 s 21 are each amended to  
6 read as follows:

7 The county auditor shall send each absentee voter a ballot, a  
8 security envelope in which to seal the ballot after voting, a larger  
9 envelope in which to return the security envelope, and instructions on  
10 how to mark the ballot and how to return it to the county auditor. The  
11 instructions that accompany an absentee ballot for a partisan primary  
12 must include instructions for voting the applicable ballot style, as  
13 provided in chapter 29A.36 RCW. The absentee voter's name and address  
14 must be printed on the larger return envelope, which must also contain  
15 a declaration by the absentee voter reciting his or her qualifications  
16 and stating that he or she has not voted in any other jurisdiction at  
17 this election, together with a summary of the penalties for any  
18 violation of any of the provisions of this chapter. The declaration  
19 must clearly inform the voter that it is illegal to vote if he or she  
20 is not a United States citizen; it is illegal to vote if he or she has  
21 been convicted of a felony and has not had his or her voting rights  
22 restored; and, except as otherwise provided by law, it is illegal to  
23 cast a ballot or sign an absentee envelope on behalf of another voter.  
24 The return envelope must provide space for the voter to indicate the  
25 date on which the ballot was voted and for the voter to sign the oath.  
26 It must also contain a space so that the voter may include a telephone  
27 number. A summary of the applicable penalty provisions of this chapter  
28 must be printed on the return envelope immediately adjacent to the  
29 space for the voter's signature. The signature of the voter on the  
30 return envelope must affirm and attest to the statements regarding the  
31 qualifications of that voter and to the validity of the ballot. The  
32 return envelope must also have a secrecy flap that the voter may seal  
33 that will cover the voter's signature and optional telephone number.  
34 The signature and phone number provided on the return envelope by the  
35 voter is not available for copying but is available for public  
36 inspection in the county auditor's office. For out-of-state voters,  
37 overseas voters, and service voters, the signed declaration on the

1 return envelope constitutes the equivalent of a voter registration for  
2 the election or primary for which the ballot has been issued. The  
3 voter must be instructed to either return the ballot to the county  
4 auditor by whom it was issued or attach sufficient first class postage,  
5 if applicable, and mail the ballot to the appropriate county auditor no  
6 later than the day of the election or primary for which the ballot was  
7 issued.

8 If the county auditor chooses to forward absentee ballots, he or  
9 she must include with the ballot a clear explanation of the  
10 qualifications necessary to vote in that election and must also advise  
11 a voter with questions about his or her eligibility to contact the  
12 county auditor. This explanation may be provided on the ballot  
13 envelope, on an enclosed insert, or printed directly on the ballot  
14 itself. If the information is not included, the envelope must clearly  
15 indicate that the ballot is not to be forwarded and that return postage  
16 is guaranteed.

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