

SSB 5270 - H COMM AMD

By Committee on General Government Appropriations

NOT ADOPTED 04/14/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.04.079 and 2003 c 111 s 114 are each amended to
4 read as follows:

5 An "infamous crime" is a crime punishable by death in the state
6 penitentiary or imprisonment in a state correctional facility. Neither
7 an adjudication in juvenile court pursuant to chapter 13.40 RCW, nor a
8 conviction for a misdemeanor or gross misdemeanor, is an "infamous
9 crime."

10 Sec. 2. RCW 29A.04.109 and 2003 c 111 s 119 are each amended to
11 read as follows:

12 "Overseas voter" means any elector of the state of Washington
13 outside the territorial limits of the United States (~~or the District~~
14 ~~of Columbia~~)).

15 Sec. 3. RCW 29A.04.163 and 2003 c 111 s 127 are each amended to
16 read as follows:

17 "Service voter" means any elector of the state of Washington who is
18 a member of the armed forces under 42 U.S.C. Sec. 1973 ff-6 while in
19 active service, is a member of a reserve component of the armed forces,
20 is a student or member of the faculty at a United States military
21 academy, is a member of the merchant marine of the United States, (~~is~~
22 ~~a program participant as defined in RCW 40.24.020,~~) or is a member of
23 a religious group or welfare agency officially attached to and serving
24 with the armed forces of the United States.

25 Sec. 4. RCW 29A.04.210 and 2003 c 111 s 133 are each amended to
26 read as follows:

1 Except for service and overseas voters, only ((a)) persons
2 registered (~~(voter)~~) to vote shall be permitted to vote:

3 (1) At any election held for the purpose of electing persons to
4 public office;

5 (2) At any recall election of a public officer;

6 (3) At any election held for the submission of a measure to any
7 voting constituency;

8 (4) At any primary election.

9 This section does not apply to elections where being registered to
10 vote is not a prerequisite to voting.

11 **Sec. 5.** RCW 29A.04.611 and 2006 c 207 s 1 and 2006 c 206 s 2 are
12 each reenacted and amended to read as follows:

13 The secretary of state as chief election officer shall make
14 reasonable rules in accordance with chapter 34.05 RCW not inconsistent
15 with the federal and state election laws to effectuate any provision of
16 this title and to facilitate the execution of its provisions in an
17 orderly, timely, and uniform manner relating to any federal, state,
18 county, city, town, and district elections. To that end the secretary
19 shall assist local election officers by devising uniform forms and
20 procedures.

21 In addition to the rule-making authority granted otherwise by this
22 section, the secretary of state shall make rules governing the
23 following provisions:

24 (1) The maintenance of voter registration records;

25 (2) The preparation, maintenance, distribution, review, and filing
26 of precinct maps;

27 (3) Standards for the design, layout, and production of ballots;

28 (4) The examination and testing of voting systems for
29 certification;

30 (5) The source and scope of independent evaluations of voting
31 systems that may be relied upon in certifying voting systems for use in
32 this state;

33 (6) Standards and procedures for the acceptance testing of voting
34 systems by counties;

35 (7) Standards and procedures for testing the programming of vote
36 tallying software for specific primaries and elections;

- 1 (8) Standards and procedures for the preparation and use of each
2 type of certified voting system including procedures for the operation
3 of counting centers where vote tallying systems are used;
- 4 (9) Standards and procedures to ensure the accurate tabulation and
5 canvassing of ballots;
- 6 (10) Consistency among the counties of the state in the preparation
7 of ballots, the operation of vote tallying systems, and the canvassing
8 of primaries and elections;
- 9 (11) Procedures to ensure the secrecy of a voter's ballot when a
10 small number of ballots are counted at the polls or at a counting
11 center;
- 12 (12) The use of substitute devices or means of voting when a voting
13 device at the polling place is found to be defective, the counting of
14 votes cast on the defective device, the counting of votes cast on the
15 substitute device, and the documentation that must be submitted to the
16 county auditor regarding such circumstances;
- 17 (13) Procedures for the transportation of sealed containers of
18 voted ballots or sealed voting devices;
- 19 (14) The acceptance and filing of documents via electronic
20 facsimile;
- 21 (15) Voter registration applications and records;
- 22 (16) The use of voter registration information in the conduct of
23 elections;
- 24 (17) The coordination, delivery, and processing of voter
25 registration records accepted by driver licensing agents or the
26 department of licensing;
- 27 (18) The coordination, delivery, and processing of voter
28 registration records accepted by agencies designated by the governor to
29 provide voter registration services;
- 30 (19) Procedures to receive and distribute voter registration
31 applications by mail;
- 32 (20) Procedures for a voter to change his or her voter registration
33 address within a county by telephone;
- 34 (21) Procedures for a voter to change the name under which he or
35 she is registered to vote;
- 36 (22) Procedures for canceling dual voter registration records and
37 for maintaining records of persons whose voter registrations have been
38 canceled;

- 1 (23) Procedures for the electronic transfer of voter registration
2 records between county auditors and the office of the secretary of
3 state;
- 4 (24) Procedures and forms for declarations of candidacy;
- 5 (25) Procedures and requirements for the acceptance and filing of
6 declarations of candidacy by electronic means;
- 7 (26) Procedures for the circumstance in which two or more
8 candidates have a name similar in sound or spelling so as to cause
9 confusion for the voter;
- 10 (27) Filing for office;
- 11 (28) The order of positions and offices on a ballot;
- 12 (29) Sample ballots;
- 13 (30) Independent evaluations of voting systems;
- 14 (31) The testing, approval, and certification of voting systems;
- 15 (32) The testing of vote tallying software programming;
- 16 (33) Standards and procedures to prevent fraud and to facilitate
17 the accurate processing and canvassing of absentee ballots and mail
18 ballots, including standards for the approval and implementation of
19 hardware and software for automated signature verification systems;
- 20 (34) Standards and procedures to guarantee the secrecy of absentee
21 ballots and mail ballots;
- 22 (35) Uniformity among the counties of the state in the conduct of
23 absentee voting and mail ballot elections;
- 24 (36) Standards and procedures to accommodate (~~out-of-state~~
25 ~~voters,~~) overseas voters(~~(,)~~) and service voters;
- 26 (37) The tabulation of paper ballots before the close of the polls;
- 27 (38) The accessibility of polling places and registration
28 facilities that are accessible to elderly and disabled persons;
- 29 (39) The aggregation of precinct results if reporting the results
30 of a single precinct could jeopardize the secrecy of a person's ballot;
- 31 (40) Procedures for conducting a statutory recount;
- 32 (41) Procedures for filling vacancies in congressional offices if
33 the general statutory time requirements for availability of absentee
34 ballots, certification, canvassing, and related procedures cannot be
35 met;
- 36 (42) Procedures for the statistical sampling of signatures for
37 purposes of verifying and canvassing signatures on initiative,
38 referendum, and recall election petitions;

1 (43) Standards and deadlines for submitting material to the office
2 of the secretary of state for the voters' pamphlet;

3 (44) Deadlines for the filing of ballot titles for referendum bills
4 and constitutional amendments if none have been provided by the
5 legislature;

6 (45) Procedures for the publication of a state voters' pamphlet;

7 (46) Procedures for conducting special elections regarding nuclear
8 waste sites if the general statutory time requirements for availability
9 of absentee ballots, certification, canvassing, and related procedures
10 cannot be met;

11 (47) Procedures for conducting partisan primary elections;

12 (48) Standards and procedures for the proper conduct of voting
13 during the early voting period to provide accessibility for the blind
14 or visually impaired;

15 (49) Standards for voting technology and systems used by the state
16 or any political subdivision to be accessible for individuals with
17 disabilities, including nonvisual accessibility for the blind and
18 visually impaired, in a manner that provides the same opportunity for
19 access and participation, including privacy and independence, as other
20 voters;

21 (50) All data formats for transferring voter registration data on
22 electronic or machine-readable media for the purpose of administering
23 the statewide voter registration list required by the Help America Vote
24 Act (P.L. 107-252);

25 (51) Defining the interaction of electronic voter registration
26 election management systems employed by each county auditor to maintain
27 a local copy of each county's portion of the official state list of
28 registered voters;

29 (52) Provisions and procedures to implement the state-based
30 administrative complaint procedure as required by the Help America Vote
31 Act (P.L. 107-252);

32 (53) Facilitating the payment of local government grants to local
33 government election officers or vendors; and

34 (54) Standards for the verification of signatures on absentee,
35 mail, and provisional ballot envelopes.

36 **Sec. 6.** RCW 29A.08.010 and 2006 c 320 s 2 are each amended to read
37 as follows:

1 (~~As used in this chapter: "Information required for voter~~
2 ~~registration" means~~) (1) The minimum information provided on a voter
3 registration application that is required (~~by the county auditor~~) in
4 order to place a voter registration applicant on the voter registration
5 rolls(~~. This information~~) includes:

6 ~~((1))~~ (a) Name;

7 ~~((2))~~ (b) Residential address;

8 ~~((3))~~ (c) Date of birth;

9 ~~((4) Washington state driver's license number or Washington state~~
10 ~~identification card number, or the last four digits of the applicant's~~
11 ~~Social Security number if the applicant does not have a Washington~~
12 ~~state driver's license or Washington state identification card;~~

13 ~~(5))~~ (d) A signature attesting to the truth of the information
14 provided on the application; and

15 ~~((6))~~ (e) A check or indication in the box confirming the
16 individual is a United States citizen.

17 (2) The residential address provided must identify the actual
18 physical residence of the voter in Washington, as defined in RCW
19 29A.04.151, with detail sufficient to allow the voter to be assigned to
20 the proper precinct and to locate the voter to confirm his or her
21 residence for purposes of verifying qualification to vote under Article
22 VI, section 1 of the state Constitution. A residential address may be
23 either a traditional address or a nontraditional address. A
24 traditional address consists of a street number and name, optional
25 apartment number or unit number, and city or town, as assigned by a
26 local government, which serves to identify the parcel or building of
27 residence and the unit if a multiunit residence. A nontraditional
28 address consists of a narrative description of the location of the
29 voter's residence, and may be used when a traditional address has not
30 been assigned to the voter's residence. (~~If the postal service does~~
31 ~~not deliver mail to the voter's residential address, or the voter~~
32 ~~prefers to receive mail at a different address, the voter may~~
33 ~~separately provide the mailing address at which they receive mail. Any~~
34 ~~mailing address provided shall be used only for mail delivery purposes~~
35 ~~and not for precinct assignment or confirmation of residence for voter~~
36 ~~qualification purposes.~~

37 ~~If the individual does not have a driver's license, state~~

1 ~~identification card, or Social Security number, the registrant must be~~
2 ~~issued a unique voter registration number in order to be placed on the~~
3 ~~voter registration rolls.))~~

4 (3) All other information supplied is ancillary and not to be used
5 as grounds for not registering an applicant to vote.

6 (4) Modification of the language of the official Washington state
7 voter registration form by the voter will not be accepted and will
8 cause the rejection of the registrant's application.

9 **Sec. 7.** RCW 29A.08.030 and 2005 c 246 s 3 are each amended to read
10 as follows:

11 The definitions set forth in this section apply throughout this
12 chapter, unless the context clearly requires otherwise.

13 (1) "Verification notice" means a notice sent by the county auditor
14 or secretary of state to a voter registration applicant and is used to
15 verify or collect information about the applicant in order to complete
16 the registration. The verification notice must be designed to include
17 a postage prepaid, preaddressed return form by which the applicant may
18 verify or send information.

19 (2) "Acknowledgement notice" means a notice sent by nonforwardable
20 mail by the county auditor or secretary of state to a registered voter
21 to acknowledge a voter registration transaction, which can include
22 initial registration, transfer, or reactivation of an inactive
23 registration. An acknowledgement notice may be a voter registration
24 card.

25 (3) "Identification notice" means a notice sent to a provisionally
26 registered voter to confirm the applicant's identity.

27 (4) "Confirmation notice" means a notice sent to a registered voter
28 by first-class forwardable mail at the address indicated on the voter's
29 permanent registration record and to any other address at which the
30 county auditor or secretary of state could reasonably expect mail to be
31 received by the voter in order to confirm the voter's residence
32 address. The confirmation notice must be designed to include a postage
33 prepaid, preaddressed return form by which the registrant may verify
34 the address information.

35 **Sec. 8.** RCW 29A.08.105 and 2004 c 267 s 105 are each amended to
36 read as follows:

1 (1) In compliance with the Help America Vote Act (P.L. 107-252),
2 the centralized statewide voter registration list maintained by the
3 secretary of state is the official list of eligible voters for all
4 elections.

5 (2) In all counties, the county auditor shall be the chief
6 registrar of voters for every precinct within the county. ((The
7 auditor may appoint registration assistants to assist in registering
8 persons residing in the county. Each registration assistant holds
9 office at the pleasure of the county auditor and must be a registered
10 voter.

11 ~~(3) The county auditor shall ensure that mail-in voter registration~~
12 ~~application forms are readily available to the public at locations to~~
13 ~~include but not limited to the elections office, and all common~~
14 ~~schools, fire stations, and public libraries.))~~

15 **Sec. 9.** RCW 29A.08.107 and 2005 c 246 s 4 are each amended to read
16 as follows:

17 (1) ((The secretary of state must review the information provided
18 by each voter registration applicant to ensure that)) If the
19 ((provided)) driver's license number, state identification card number,
20 or last four digits of the Social Security number provided by the
21 applicant match the information maintained by the Washington department
22 of licensing or the Social Security administration, and the applicant
23 provided all information required by RCW 29A.08.010, the applicant must
24 be registered to vote. ((If a match cannot be made, the secretary of
25 state or county auditor must correspond with the applicant to resolve
26 the discrepancy.

27 (2) ~~If the applicant fails to respond to any correspondence~~
28 ~~required in this section to confirm information provided on a voter~~
29 ~~registration application within forty five days, the applicant will not~~
30 ~~be registered to vote. The secretary of state shall forward the~~
31 ~~application to the appropriate county auditor for document storage.~~

32 (3) ~~Only after the secretary of state has confirmed that the~~
33 ~~provided driver's license number, state identification card number, or~~
34 ~~last four digits of the applicant's Social Security number match~~
35 ~~existing records with the Washington department of licensing or the~~
36 ~~Social Security administration, or determined that the applicant does~~

1 ~~not have a driver's license number, state identification card number,~~
2 ~~or Social Security number may the applicant be placed on the official~~
3 ~~list of registered voters.~~

4 ~~(4) In order to prevent duplicate registration records, all~~
5 ~~complete voter registration applications must be screened against~~
6 ~~existing voter registration records in the official statewide voter~~
7 ~~registration list. If a match of an existing record is found in the~~
8 ~~official list, the record must be updated with the new information~~
9 ~~provided on the application. If the new information indicates that the~~
10 ~~voter has changed his or her county of residence, the application must~~
11 ~~be forwarded to the voter's new county of residence for processing.))~~

12 (2) If the driver's license number, state identification card
13 number, or last four digits of the Social Security number provided by
14 the applicant do not match the information maintained by the Washington
15 department of licensing or the Social Security administration, or if
16 the applicant does not provide a Washington driver's license, a
17 Washington state identification card, or a Social Security number, the
18 applicant must be provisionally registered to vote. An identification
19 notice must be sent to the voter to obtain the correct driver's license
20 number, state identification card number, last four digits of the
21 Social Security number, or one of the following forms of alternate
22 identification:

23 (a) Valid photo identification;

24 (b) A valid enrollment card of a federally recognized Indian tribe
25 in Washington state;

26 (c) A copy of a current utility bill;

27 (d) A current bank statement;

28 (e) A copy of a current government check;

29 (f) A copy of a current paycheck; or

30 (g) A government document, other than a voter registration card,
31 that shows both the name and address of the voter.

32 (3) The ballot of a provisionally registered voter may not be
33 counted until the voter provides a driver's license number, a state
34 identification card number, or the last four digits of a Social
35 Security number that matches the information maintained by the
36 Washington department of licensing or the Social Security
37 administration, or until the voter provides alternate identification.
38 The identification must be provided no later than the day before

1 certification of the primary or election. If the voter provides one of
2 the forms of identification in subsection (2) of this section, the
3 voter's registration status must be changed from provisionally
4 registered to registered.

5 (4) A provisional registration must remain on the official list of
6 registered voters through at least two general elections for federal
7 office. If, after two general elections for federal office, the voter
8 still has not verified his or her identity, the provisional
9 registration may be canceled.

10 (5) The requirements of this section do not apply to an overseas or
11 service voter who registers to vote by signing the return envelope of
12 an absentee ballot, or to a registered voter transferring his or her
13 registration.

14 **Sec. 10.** RCW 29A.08.110 and 2005 c 246 s 5 are each amended to
15 read as follows:

16 (1) An application is considered complete only if it contains the
17 ~~((applicant's name, complete valid residence address, date of birth,~~
18 ~~signature attesting to the truth of the information provided, a mark in~~
19 ~~the check-off box confirming United States citizenship, and an~~
20 ~~indication that the provided driver's license number, state~~
21 ~~identification card number, or Social Security number has been~~
22 ~~confirmed by the secretary of state. If it is not complete, the~~
23 ~~auditor shall promptly mail a verification notice of the deficiency to~~
24 ~~the applicant. This verification notice shall require the applicant to~~
25 ~~provide the missing information. If the verification notice is not~~
26 ~~returned by the applicant within forty five days or is returned as~~
27 ~~undeliverable, the name of the applicant shall not be placed on the~~
28 ~~official list of registered voters. If the applicant provides the~~
29 ~~required verified information, the applicant shall be registered to~~
30 ~~vote as of the original date of mailing or date of delivery, whichever~~
31 ~~is applicable.~~

32 (2) ~~If the information required in subsection (1) of this section~~
33 ~~is complete,)) information required by RCW 29A.08.010. The applicant~~
34 is considered to be registered to vote as of the original date of
35 mailing or date of delivery, whichever is applicable. The auditor
36 shall record the appropriate precinct identification, taxing district
37 identification, and date of registration on the voter's record in the

1 state voter registration list. Any mailing address provided shall be
2 used only for mail delivery purposes, and not for precinct assignment
3 or residency purposes. Within ~~((forty-five))~~ sixty days after the
4 receipt of an application ~~((but no later than seven days before the~~
5 ~~next primary, special election, or general election))~~ or transfer, the
6 auditor shall send to the applicant, by first-class nonforwardable
7 mail, an acknowledgement notice identifying the registrant's precinct
8 and containing such other information as may be required by the
9 secretary of state. The postal service shall be instructed not to
10 forward a voter registration card to any other address and to return to
11 the auditor any card which is not deliverable.

12 ~~((+3))~~ (2) If an ~~((acknowledgement notice card is properly mailed~~
13 ~~as required by this section to the address listed by the voter as being~~
14 ~~the voter's mailing address and the notice is subsequently returned to~~
15 ~~the auditor by the postal service as being undeliverable to the voter~~
16 ~~at that address, the auditor shall promptly send the voter a~~
17 ~~confirmation notice. The auditor shall place the voter's registration~~
18 ~~on inactive status pending a response from the voter to the~~
19 ~~confirmation notice))~~ application is not complete, the auditor shall
20 promptly mail a verification notice to the applicant. The verification
21 notice shall require the applicant to provide the missing information.
22 If the applicant provides the required information within forty-five
23 days, the applicant shall be registered to vote as of the original date
24 of application. The applicant shall not be placed on the official list
25 of registered voters until the application is complete.

26 **Sec. 11.** RCW 29A.08.115 and 2005 c 246 s 8 are each amended to
27 read as follows:

28 A person or organization collecting voter registration application
29 forms must transmit the forms to the secretary of state or a county
30 auditor ~~((at least once weekly))~~ within five business days. The
31 registration date on such forms will be the date they are received by
32 the secretary of state or county auditor.

33 **Sec. 12.** RCW 29A.08.125 and 2005 c 246 s 9 are each amended to
34 read as follows:

35 (1) The office of the secretary of state shall maintain a statewide
36 voter registration database. This database must be a centralized,

1 uniform, interactive computerized statewide voter registration list
2 that contains the name and registration information of every registered
3 voter in the state.

4 (2) The statewide list is the official list of registered voters
5 for the conduct of all elections.

6 (3) The statewide list must include, but is not limited to, the
7 name, date of birth, residence address, signature, gender, and date of
8 registration of every legally registered voter in the state.

9 (4) A unique identifier must be assigned to each registered voter
10 in the state.

11 (5) The database must be coordinated with other government
12 databases within the state including, but not limited to, the
13 department of corrections, the department of licensing, the department
14 of health, the administrative office of the courts, and county
15 auditors. The database may also be coordinated with the databases of
16 election officials in other states.

17 (6) Authorized employees of the secretary of state and each county
18 auditor must have immediate electronic access to the information
19 maintained in the database.

20 (7) Voter registration information received by each county auditor
21 must be electronically entered into the database. The office of the
22 secretary of state must provide support, as needed, to enable each
23 county auditor to enter and maintain voter registration information in
24 the state database.

25 (8) The secretary of state has data authority over all voter
26 registration data.

27 (9) The voter registration database must be designed to accomplish
28 at a minimum, the following:

29 (a) Comply with the help America vote act of 2002 (P.L. 107-252);

30 (b) Identify duplicate voter registrations;

31 (c) Identify suspected duplicate voters;

32 (d) Screen against any available databases maintained by other
33 government agencies to identify voters who are ineligible to vote due
34 to a felony conviction, lack of citizenship, or mental incompetence;

35 (e) Provide images of voters' signatures for the purpose of
36 checking signatures on initiative and referendum petitions;

37 (f) Provide for a comparison between the voter registration
38 database and the department of licensing change of address database;

1 (g) Provide access for county auditors that includes the
2 capability to update registrations and search for duplicate
3 registrations; and

4 (h) Provide for the cancellation of registrations of voters who
5 have moved out of state.

6 (10) The secretary of state may, upon agreement with other
7 appropriate jurisdictions, screen against any available databases
8 maintained by election officials in other states and databases
9 maintained by federal agencies including, but not limited to, the
10 federal bureau of investigation, the federal court system, the federal
11 bureau of prisons, and the bureau of citizenship and immigration
12 services.

13 (11) The database shall retain information regarding previous
14 successful appeals of proposed cancellations of registrations in order
15 to avoid repeated cancellations for the same reason.

16 (12) Each county auditor shall maintain a ((computer file
17 containing a copy of each record)) list of all registered voters within
18 the county that are contained on the official statewide voter
19 registration list ((for that county)).

20 ~~((2) The secretary of state shall at least quarterly review and~~
21 ~~update the records of all registered voters on the official statewide~~
22 ~~voter registration database to make additions and corrections.~~

23 ~~(3) The computer file must include, but not be limited to, each~~
24 ~~voter's last name, first name, middle initial, date of birth, residence~~
25 ~~address, gender, date of registration,)) In addition to the information~~
26 maintained in the statewide database, the county database must also
27 maintain the applicable taxing district and precinct codes for each
28 voter in the county, and ((the last date on)) a list of elections in
29 which the individual voted.

30 ~~((4) The county auditor shall subsequently record each consecutive~~
31 ~~date upon which the individual has voted and retain all such~~
32 ~~consecutive dates.))~~

33 (13) Each county auditor shall allow electronic access and
34 information transfer between the county's voter registration system and
35 the official statewide voter registration list.

36 **Sec. 13.** RCW 29A.08.130 and 2003 c 111 s 210 are each amended to
37 read as follows:

1 ~~((1) Except as otherwise specified by this title, registered~~
2 ~~voters include those assigned to active and inactive status by the~~
3 ~~county auditor.~~

4 (2)) Election officials shall not include inactive voters in the
5 count of registered voters for the purpose of dividing precincts,
6 creating vote-by-mail precincts, determining voter turnout, or other
7 purposes in law for which the determining factor is the number of
8 registered voters. Election officials shall not include persons who
9 are ongoing absentee voters under RCW 29A.40.040 in determining the
10 maximum permissible size of vote-by-mail precincts or in determining
11 the maximum permissible size of precincts. Nothing in this
12 ~~((subsection))~~ section may be construed as altering the vote tallying
13 requirements of RCW 29A.60.230.

14 **Sec. 14.** RCW 29A.08.135 and 2004 c 267 s 111 are each amended to
15 read as follows:

16 ~~((The county auditor shall acknowledge each new voter registration~~
17 ~~or transfer by providing or sending the voter a card identifying his or~~
18 ~~her current precinct and containing such other information as may be~~
19 ~~prescribed by the secretary of state.)) (1) When a person who has~~
20 ~~previously registered to vote in another state applies for voter~~
21 ~~registration in Washington, the person shall provide on the~~
22 ~~registration form((7)) all information needed to cancel any previous~~
23 ~~registration. Notification must be made to the state elections office~~
24 ~~of the applicant's previous state of registration.~~

25 (2) A county auditor receiving official information that a voter
26 has registered to vote in another state shall immediately cancel that
27 voter's registration on the official state voter registration list.

28 **Sec. 15.** RCW 29A.08.140 and 2006 c 97 s 1 are each amended to read
29 as follows:

30 ~~((The registration files of all precincts shall be closed against~~
31 ~~transfers for thirty days immediately preceding every primary, special~~
32 ~~election, and general election to be held in such precincts.))~~

33 (1) In order to vote in any primary, special election, or general
34 election, a person who is not registered to vote in Washington must:

35 (a) Submit a registration application no later than twenty-nine

1 days before the day of the primary, special election, or general
2 election; or

3 (b) Register in person at the county auditor's office in his or her
4 county of residence no later than eight days before the day of the
5 primary, special election, or general election. A person registering
6 under this subsection will be issued an absentee ballot.

7 (2) A person who is already registered to vote in Washington may
8 update his or her registration no later than twenty-nine days before
9 the day of the primary, special election, or general election to be in
10 effect for that primary, special election, or general election. A
11 registered voter who fails to transfer his or her residential address
12 by this deadline may vote according to his or her previous registration
13 address.

14 (3) Prior to each primary and general election, the county auditor
15 shall give notice of the ((closing of the precinct files for transfer
16 and notice of the special registration and voting procedure provided by
17 RCW 29A.08.145)) registration deadlines by one publication in a
18 newspaper of general circulation in the county at least thirty-five
19 days before the ((closing of the precinct files.

20 ~~No person may vote at any primary, special election, or general~~
21 ~~election in a precinct polling place unless he or she has registered to~~
22 ~~vote at least thirty days before that primary or election and appears~~
23 ~~on the official statewide voter registration list. If a person,~~
24 ~~otherwise qualified to vote in the state, county, and precinct in which~~
25 ~~he or she applies for registration, does not register at least thirty~~
26 ~~days before any primary, special election, or general election, he or~~
27 ~~she may register and vote by absentee ballot for that primary or~~
28 ~~election under RCW 29A.08.145)) primary or general election.~~

29 **Sec. 16.** RCW 29A.08.210 and 2005 c 246 s 11 are each amended to
30 read as follows:

31 An applicant for voter registration shall complete an application
32 providing the following information concerning his or her
33 qualifications as a voter in this state:

- 34 (1) The former address of the ((~~last former registration of the~~))
35 applicant ((~~as a voter in the state~~)) if previously registered to vote;
- 36 (2) The applicant's full name;
- 37 (3) The applicant's date of birth;

- 1 (4) The address of the applicant's residence for voting purposes;
- 2 (5) The mailing address of the applicant if that address is not the
3 same as the address in subsection (4) of this section;
- 4 (6) The sex of the applicant;
- 5 (7) The applicant's Washington state driver's license number
6 (~~(8)~~), Washington state identification card number, or the last four
7 digits of the applicant's Social Security number if he or she does not
8 have a Washington state driver's license or Washington state
9 identification card;
- 10 (~~(8)~~) (~~(A check box for the applicant to indicate that he or she does~~
11 ~~not have a Washington state driver's license, Washington state~~
12 ~~identification card, or Social Security number;~~
- 13 ~~(9)~~) A check box allowing the applicant to indicate that he or she
14 is a member of the armed forces, national guard, or reserves, or that
15 he or she is an overseas voter;
- 16 ~~((10))~~ (9) A check box allowing the applicant to confirm that he
17 or she is at least eighteen years of age or will be eighteen years of
18 age by the next election;
- 19 ~~((11))~~ (10) Clear and conspicuous language, designed to draw the
20 applicant's attention, stating that the applicant must be a United
21 States citizen in order to register to vote;
- 22 ~~((12))~~ (11) A check box and declaration confirming that the
23 applicant is a citizen of the United States;
- 24 ~~((13))~~ (12) The following warning:
25 "If you knowingly provide false information on this voter
26 registration form or knowingly make a false declaration about your
27 qualifications for voter registration you will have committed a class
28 C felony that is punishable by imprisonment for up to five years, a
29 fine of up to ten thousand dollars, or both."
- 30 ~~((14) The following affirmation by the applicant:~~
31 ~~"By signing this document, I hereby assert, under penalty of~~
32 ~~perjury, that I am legally eligible to vote. If I am found to have~~
33 ~~voted illegally, I may be prosecuted and/or fined for this illegal act.~~
34 ~~In addition, I hereby acknowledge that my name and last known address~~
35 ~~will be forwarded to the appropriate state and/or federal authorities~~
36 ~~if I am found to have voted illegally."~~
- 37 ~~(15))~~ (13) The oath required by RCW 29A.08.230 and a space for the
38 applicant's signature; and

1 (~~(16)~~) (14) Any other information that the secretary of state
2 determines is necessary to establish the identity of the applicant and
3 prevent duplicate or fraudulent voter registrations.

4 This information shall be recorded on a single registration form to
5 be prescribed by the secretary of state.

6 (~~(If the applicant fails to provide the information required for
7 voter registration, the auditor shall send the applicant a verification
8 notice. The applicant may not be registered until the required
9 information is provided. If a verification notice is returned as
10 undeliverable or the applicant fails to respond to the notice within
11 forty five days, the applicant shall not be registered to vote.)~~)

12 **Sec. 17.** RCW 29A.08.230 and 2003 c 111 s 218 are each amended to
13 read as follows:

14 For all voter registrations, the registrant shall sign the
15 following oath:

16 "I declare that the facts on this voter registration form are true.
17 I am a citizen of the United States, I am not presently denied (~~my
18 civil rights~~) the right to vote as a result of being convicted of a
19 felony, I will have lived in Washington at this address for thirty days
20 immediately before the next election at which I vote, and I will be at
21 least eighteen years old when I vote."

22 **Sec. 18.** RCW 29A.08.260 and 2004 c 267 s 118 are each amended to
23 read as follows:

24 The county auditor shall distribute forms by which a person may
25 register to vote by mail and transfer any previous registration in this
26 state. The county auditor shall keep a supply of voter registration
27 forms in his or her office at all times for political parties and
28 others interested in assisting in voter registration, and shall make
29 every effort to make these forms generally available to the public.
30 The county auditor shall provide voter registration forms to city and
31 town clerks, state offices, schools, fire stations, public libraries,
32 and any other locations considered appropriate by the auditor or
33 secretary of state for extending registration opportunities to all
34 areas of the county. After the initial distribution of voter
35 registration forms to a given location, a representative designated by

1 the official in charge of that location shall notify the county auditor
2 of the need for additional voter registration supplies.

3 **Sec. 19.** RCW 29A.08.310 and 2003 c 111 s 222 are each amended to
4 read as follows:

5 (1) The governor, in consultation with the secretary of state,
6 shall designate agencies to provide voter registration services in
7 compliance with federal statutes.

8 (2) Each state agency designated shall provide voter registration
9 services for employees and the public within each office of that
10 agency.

11 (3) The secretary of state shall design and provide a standard
12 notice informing the public of the availability of voter registration,
13 which notice shall be posted in each state agency where such services
14 are available.

15 (4) (~~The secretary of state shall design and provide standard
16 voter registration forms for use by these state agencies.~~

17 +5)) Each institution of higher education shall put in place an
18 active prompt on its course registration web site, or similar web site
19 that students actively and regularly use, that, if selected, will link
20 the student to the secretary of state's voter registration web site.
21 The prompt must ask the student if he or she wishes to register to
22 vote.

23 **Sec. 20.** RCW 29A.08.330 and 2005 c 246 s 14 are each amended to
24 read as follows:

25 (1) The secretary of state shall prescribe the method of voter
26 registration for each designated agency. The agency shall use either
27 the state voter registration by mail form with a separate declination
28 form for the applicant to indicate that he or she declines to register
29 at this time, or the agency may use a separate form approved for use by
30 the secretary of state.

31 (2) The person providing service at the agency shall offer voter
32 registration services to every client whenever he or she applies for
33 service or assistance and with each renewal, recertification, or change
34 of address. The person providing service shall give the applicant the
35 same level of assistance with the voter registration application as is

1 offered to fill out the agency's forms and documents, including
2 information about age and citizenship requirements for voter
3 registration.

4 (3) The person providing service at the agency shall determine if
5 the prospective applicant wants to register to vote or transfer his or
6 her voter registration by asking the following question:

7 "Do you want to register to vote or transfer your voter
8 registration?"

9 If the applicant chooses to register or transfer a registration,
10 the service agent shall ask the following:

11 (a) "Are you a United States citizen?"

12 (b) "Are you or will you be eighteen years of age on or before the
13 next election?"

14 If the applicant answers in the affirmative to both questions, the
15 agent shall then provide the applicant with a voter registration form
16 and instructions and shall record that the applicant has requested to
17 register to vote or transfer a voter registration. If the applicant
18 answers in the negative to either question, the agent shall not provide
19 the applicant with a voter registration form.

20 (4) If an agency uses a computerized application process, it may,
21 in consultation with the secretary of state, develop methods to capture
22 simultaneously the information required for voter registration during
23 a person's computerized application process.

24 (5) Each designated agency shall ~~((provide for the voter
25 registration application forms to be collected from each agency office
26 at least once each week. The agency shall then forward the application
27 forms to the secretary of state each week. The secretary of state
28 shall forward the forms to the county in which the applicant has
29 registered to vote no later than ten days after the date on which the
30 forms were received by the secretary of state))~~ transmit the
31 applications to the secretary of state or appropriate county auditor
32 within three business days.

33 **Sec. 21.** RCW 29A.08.350 and 2004 c 267 s 120 are each amended to
34 read as follows:

35 ~~((1) The secretary of state shall provide for the voter~~

1 registration forms submitted under RCW 29A.08.340 to be collected from
2 each driver's licensing facility within five days of their completion.

3 (2)) The department of licensing shall produce and transmit to the
4 secretary of state ((a machine-readable file containing)) the following
5 information from the records of each individual who requested a voter
6 registration or transfer at a driver's license facility ((during each
7 period for which forms are transmitted under subsection (1) of this
8 section)): The name, address, date of birth, gender of the applicant,
9 the driver's license number, and the date on which the application for
10 voter registration or transfer was submitted((, and the location of the
11 office at which the application was submitted)). The secretary of
12 state shall process the registrations and transfers as an electronic
13 application.

14 ((3) The voter registration forms from the driver's licensing
15 facilities must be forwarded to the county in which the applicant has
16 registered to vote no later than ten days after the date on which the
17 forms were to be collected.

18 (4) For a voter registration application where the address for
19 voting purposes is different from the address in the machine-readable
20 file received from the department of licensing, the secretary of state
21 shall amend the record of that application in the machine-readable file
22 to reflect the county in which the applicant has registered to vote.

23 (5) The secretary of state shall sort the records in the machine-
24 readable file according to the county in which the applicant registered
25 to vote and produce a file of voter registration transactions for each
26 county. The records of each county may be transmitted on or through
27 whatever medium the county auditor determines will best facilitate the
28 incorporation of these records into the existing voter registration
29 files of that county.

30 (6) The secretary of state shall produce a list of voter
31 registration transactions for each county and transmit a copy of this
32 list to that county with each file of voter registration transactions
33 no later than ten days after the date on which that information was to
34 be transmitted under subsection (1) of this section.)

35 **Sec. 22.** RCW 29A.08.410 and 2003 c 111 s 228 are each amended to
36 read as follows:

37 ((To maintain a valid voter registration,)) A registered voter who

1 changes his or her residence from one address to another within the
2 same county (~~shall~~) may transfer his or her registration to the new
3 address in one of the following ways:

4 (1) Sending (~~to~~) the county auditor a (~~signed~~) request stating
5 both the voter's present address and the address from which the voter
6 was last registered;

7 (2) Appearing in person before the county auditor and (~~signing~~)
8 making such a request;

9 (3) (~~transferring the registration in the manner provided by RCW~~
10 ~~29A.08.430; or~~

11 ~~(4)) Telephoning or e-mailing the county auditor to transfer the~~
12 ~~registration(.~~ ~~The telephone call transferring a registration by~~
13 ~~telephone must be received by the auditor before the precinct~~
14 ~~registration files are closed to new registrations for the next primary~~
15 ~~or special or general election in which the voter participates)); or~~

16 (4) Submitting a voter registration application.

17 **Sec. 23.** RCW 29A.08.420 and 2004 c 267 s 122 are each amended to
18 read as follows:

19 A registered voter who changes his or her residence from one county
20 to another county must do so (~~in writing using a prescribed~~) by
21 submitting a voter registration form. The county auditor of the
22 voter's new county shall transfer the voter's registration from the
23 county of the previous registration.

24 **Sec. 24.** RCW 29A.08.430 and 2004 c 267 s 123 are each amended to
25 read as follows:

26 (1) A (~~person who is~~) registered (~~to vote in this state~~) voter
27 may submit a transfer of his or her voter registration on the day of a
28 primary, special election, or general election (~~or primary under the~~
29 ~~following procedures:~~

30 ~~(a) The voter may complete, at the polling place,)) by completing~~
31 ~~a voter registration form ((designed by the secretary of state and~~
32 ~~supplied by the county auditor; or~~

33 ~~(b) For a change within the county, the voter may write in his or~~
34 ~~her new residential address in the precinct list of registered voters.~~

35 ~~The county auditor shall determine which of these two procedures~~

1 are to be used in the county or may determine that both procedures are
2 to be available to voters for use in the county)).

3 (2) A voter who requests to transfer((s)) his or her registration
4 ((in the manner authorized by this section)) after the deadlines
5 established in RCW 29A.08.140 shall vote in the precinct in which he or
6 she was previously registered.

7 ((3) The auditor shall, within sixty days, mail to each voter who
8 has transferred a registration under this section, an acknowledgement
9 notice detailing his or her current precinct and polling place.))

10 **Sec. 25.** RCW 29A.08.440 and 2003 c 111 s 231 are each amended to
11 read as follows:

12 ((To maintain a valid voter registration, a person)) A registered
13 voter who changes his or her name shall notify the county auditor
14 regarding the name change ((in one of the following ways: (1) By
15 ~~sending the auditor~~)) by submitting a notice clearly identifying the
16 name under which he or she is registered to vote, the voter's new name,
17 and the voter's residence((. Such a notice must be signed by the voter
18 using both this former name and the voter's new name; (2) by appearing
19 in person before the auditor or a registration assistant and signing
20 such a change of name notice; (3) by signing such a change of name
21 notice at the voter's precinct polling place on the day of a primary or
22 special or general election; (4) by properly executing a name change on
23 a mail-in)), and providing a signature of the new name, or by
24 submitting a voter registration application ((or a prescribed state
25 agency application)).

26 A properly registered voter who files a change-of-name notice at
27 the voter's precinct polling place during a primary or election and who
28 desires to vote at that primary or election shall sign the poll book
29 using the voter's former and new names ((in the same manner as is
30 required for the change of name notice)).

31 **Sec. 26.** RCW 29A.08.510 and 2004 c 267 s 124 are each amended to
32 read as follows:

33 ((In addition to case by case maintenance under RCW 29A.08.620 and
34 29A.08.630 and the general program of maintenance of voter registration
35 lists under RCW 29A.08.605,)) The registrations of deceased voters
36 ((will)) may be canceled from voter registration lists as follows:

1 (1) Periodically, the registrar of vital statistics of the state
2 shall prepare a list of persons who resided in each county, for whom a
3 death certificate was transmitted to the registrar and was not included
4 on a previous list, and shall supply the list to the secretary of
5 state.

6 The secretary of state shall compare this list with the
7 registration records and cancel the registrations of deceased voters
8 (~~within at least forty five days before the next primary or~~
9 ~~election~~)).

10 (2) In addition, each county auditor may also use government
11 agencies and newspaper obituary articles as a source of information
12 (~~in order to cancel a voter's registration from the official state~~
13 ~~voter registration list~~) for identifying deceased voters and canceling
14 a registration. The auditor must verify the identity of the voter by
15 matching the voter's date of birth or an address. The auditor shall
16 record the date and source of the (~~obituary~~) information in the
17 cancellation records.

18 (3) In addition, any registered voter may sign a statement, subject
19 to the penalties of perjury, to the effect that to his or her personal
20 knowledge or belief another registered voter is deceased. This
21 statement may be filed with the county auditor or the secretary of
22 state. Upon the receipt of such signed statement, the county auditor
23 or the secretary of state shall cancel the registration (~~records~~
24 ~~concerned~~) from the official state voter registration list.

25 **Sec. 27.** RCW 29A.08.520 and 2005 c 246 s 15 are each amended to
26 read as follows:

27 (1) Upon receiving official notice of a person's conviction of a
28 felony in either state or federal court, if the convicted person is a
29 registered voter in the county, the county auditor shall cancel the
30 defendant's voter registration. (~~Additionally,~~)

31 (2) The secretary of state in conjunction with the department of
32 corrections, (~~the Washington state patrol,~~) the office of the
33 administrator for the courts, and other appropriate state agencies
34 shall arrange for a quarterly comparison of a list of known felons with
35 the statewide voter registration list. If a (~~person~~) registered
36 voter is found on a (~~felon~~) reliable list (~~and the statewide voter~~
37 ~~registration list~~) of felons who are ineligible to vote, the secretary

1 of state or county auditor shall confirm the match through a name and
2 date of birth comparison and suspend the voter registration from the
3 official state voter registration list. The ~~((canceling authority))~~
4 secretary of state shall send to the person at his or her last known
5 voter registration address a notice of the proposed cancellation and an
6 explanation of the requirements for restoring the right to vote once
7 all terms of sentencing have been completed. If the person does not
8 respond within thirty days, the registration must be canceled.

9 ~~((+2))~~ (3) The right to vote may be restored by, for each felony
10 conviction, one of the following:

11 (a) A certificate of discharge issued by the sentencing court, as
12 provided in RCW 9.94A.637;

13 (b) A court order restoring the right, as provided in RCW 9.92.066;

14 (c) A final order of discharge issued by the indeterminate sentence
15 review board, as provided in RCW 9.96.050; or

16 (d) A certificate of restoration issued by the governor, as
17 provided in RCW 9.96.020.

18 **Sec. 28.** RCW 29A.08.610 and 2004 c 267 s 129 are each amended to
19 read as follows:

20 ~~((In addition to the case by case cancellation procedure required~~
21 ~~in RCW 29A.08.420,))~~ The secretary of state~~((7))~~ shall conduct an
22 ongoing list maintenance program designed to detect persons registered
23 in more than one county or voting in more than one county in an
24 election. This program must be applied uniformly throughout the state
25 and must be nondiscriminatory in its application. ~~((The program must~~
26 ~~be completed not later than thirty days before the date of a primary or~~
27 ~~general election.))~~

28 The office of the secretary of state shall search the statewide
29 voter registration list to find registered voters with the same date of
30 birth and similar names. Once the potential duplicate registrations
31 are identified, the secretary of state shall refer the potential
32 duplicate registrations to the appropriate county auditors, who shall
33 compare the signatures on each voter registration record and, after
34 confirming that a duplicate registration exists properly resolve the
35 duplication.

36 If a voter is suspected of voting in two or more counties in an
37 election, the county auditors in each county shall cooperate without

1 delay to determine the voter's county of residence. The county auditor
2 of the county of residence of the voter suspected of voting in two or
3 more counties shall take action under RCW 29A.84.010 without delay.

4 **Sec. 29.** RCW 29A.08.620 and 2004 c 267 s 130 and 2004 c 266 s 8
5 are each reenacted and amended to read as follows:

6 (1) ((A)) Each county auditor must request change of address
7 information from the postal service for all absentee and mail ballots.
8 A voter who votes at the polls must be mailed an election-related
9 document, with change of address information requested, at least once
10 every two years and at least ninety days prior to the date of a primary
11 or general election for federal office.

12 (2) ~~The county auditor shall ((assign a registered voter to~~
13 ~~inactive status and shall send the voter a confirmation notice if any~~
14 ~~of the following documents are returned by the postal service as~~
15 ~~undeliverable:~~

16 ~~(a) An acknowledgement of registration;~~

17 ~~(b) An acknowledgement of transfer to a new address;~~

18 ~~(c) A vote by mail ballot, absentee ballot, or application for a~~
19 ~~ballot;~~

20 ~~(d) Notification to a voter after precinct reassignment;~~

21 ~~(e) Notification to serve on jury duty; or~~

22 ~~(f) Any other document other than a confirmation notice, required~~
23 ~~by statute, to be mailed by the county auditor to the voter.~~

24 (2) ~~A county auditor shall also assign a registered voter to~~
25 ~~inactive status and shall send the voter a confirmation notice:~~

26 (a) ~~Whenever change of address information received from the~~
27 ~~department of licensing under RCW 29A.08.350, or by any other agency~~
28 ~~designated to provide voter registration services under RCW 29A.08.310,~~
29 ~~indicates that the voter has moved to an address outside the state; or~~

30 (b) ~~If the auditor receives postal change of address information~~
31 ~~under RCW 29A.08.605, indicating)) transfer the registration of a voter~~
32 ~~and send an acknowledgement notice to the new address informing the~~
33 ~~voter of the transfer if change of address information received by the~~
34 ~~county auditor from the postal service, the department of licensing, or~~
35 ~~another agency designated to provide voter registration services~~
36 ~~indicates that the voter has moved within the county.~~

1 (3) The county auditor shall place a voter on inactive status and
2 send to all known addresses a confirmation notice and a voter
3 registration application if change of address information received by
4 the county auditor from the postal service, the department of
5 licensing, or another agency designated to provide voter registration
6 services indicates that the voter has moved from one county to another.

7 (4) The county auditor shall place a voter on inactive status and
8 send to all known addresses a confirmation notice if any of the
9 following occur:

10 (a) Any document mailed by the county auditor to a voter is
11 returned by the postal service as undeliverable without address
12 correction information; or

13 (b) Change of address information received from the postal service,
14 the department of licensing, or another state agency designated to
15 provide voter registration services indicates that the voter has moved
16 out of the state.

17 **Sec. 30.** RCW 29A.08.625 and 2003 c 111 s 240 are each amended to
18 read as follows:

19 (1) A voter whose registration has been made inactive under this
20 chapter and who (~~offers~~) requests to vote at an ensuing election
21 before two federal general elections have been held must be allowed to
22 vote a regular ballot applicable to the registration address, and the
23 voter's registration restored to active status.

24 (2) A voter whose registration has been properly canceled under
25 this chapter shall vote a provisional ballot. The voter shall mark the
26 provisional ballot in secrecy, the ballot placed in a security
27 envelope, the security envelope placed in a provisional ballot
28 envelope, and the reasons for the use of the provisional ballot noted.

29 (3) Upon receipt of such a voted provisional ballot the auditor
30 shall investigate the circumstances surrounding the original
31 cancellation. If he or she determines that the cancellation was in
32 error, the voter's registration must be immediately reinstated, and the
33 voter's provisional ballot must be counted. If the original
34 cancellation was not in error, the voter must be afforded the
35 opportunity to reregister at his or her correct address, and the
36 voter's provisional ballot must not be counted.

1 **Sec. 31.** RCW 29A.08.630 and 2004 c 267 s 131 are each amended to
2 read as follows:

3 The county auditor shall return an inactive voter to active voter
4 status if, (~~during the period beginning on the date the voter was~~
5 ~~assigned to inactive status and ending on the day of the second~~) prior
6 to the passage of two federal general elections (~~for federal office~~
7 ~~that occurs after the date that the voter was sent a confirmation~~
8 notice)), the voter:

9 (1) Notifies the auditor of a change of address (~~within the~~
10 county));

11 (2) Responds to a confirmation notice with information that (~~the~~
12 voter) he or she continues to reside at the registration address; or

13 (3) Votes or attempts to vote in a primary (~~or a~~), special
14 election, or general election (~~and resides within the county; or signs~~
15 ~~any petition authorized by statute for which the signatures are~~
16 ~~required by law to be verified by the county auditor or secretary of~~
17 state)). If the inactive voter fails to provide such a notice or take
18 such an action within that period, the auditor shall cancel the
19 person's voter registration.

20 **Sec. 32.** RCW 29A.08.635 and 2003 c 111 s 242 are each amended to
21 read as follows:

22 Confirmation notices must be on a form prescribed by, or approved
23 by, the secretary of state and must request that the voter confirm that
24 he or she continues to reside at the address of record and desires to
25 continue to use that address for voting purposes. The notice must
26 inform the voter that if the voter does not respond to the notice and
27 does not vote in either of the next two federal general elections, his
28 or her voter registration will be canceled.

29 **Sec. 33.** RCW 29A.08.640 and 2004 c 267 s 132 are each amended to
30 read as follows:

31 (1) If the response to the confirmation notice (~~provides the~~
32 county auditor with the information indicating) from the voter
33 indicates that the voter has moved within the county, the auditor shall
34 transfer the voter's registration and send the voter an acknowledgement
35 notice.

1 (2) If the response from the voter indicates ((a move out of a))
2 that the voter moved out of the county, but within the state, the
3 auditor shall ((place the registration in inactive status for transfer
4 pending acceptance by the county indicated by the new address. The
5 auditor shall immediately notify the auditor of the county with the new
6 address)) cancel the voter's registration and notify the county auditor
7 of the voter's new county of residence.

8 (3) If the response from the voter indicates that the voter has
9 left the state, the auditor shall cancel the voter's registration on
10 the official state voter registration list.

11 **Sec. 34.** RCW 29A.08.720 and 2005 c 246 s 18 are each amended to
12 read as follows:

13 (1) In the case of voter registration records received through the
14 department of licensing or an agency designated under RCW 29A.08.310,
15 the identity of the office or agency at which any particular individual
16 registered to vote is not available for public inspection and shall not
17 be disclosed to the public. ~~((In the case of voter registration~~
18 ~~records received through an agency designated under RCW 29A.08.310, the~~
19 ~~identity of the agency at which any particular individual registered to~~
20 ~~vote is not available for public inspection and shall not be disclosed~~
21 ~~to the public.)) Any record of a particular individual's choice not to~~
22 register to vote at an office of the department of licensing or a state
23 agency designated under RCW 29A.08.310 is not available for public
24 inspection and any information regarding such a choice by a particular
25 individual shall not be disclosed to the public.

26 (2) Subject to the restrictions of RCW 29A.08.710 and 40.24.060,
27 poll books, precinct lists, and current lists of registered voters are
28 public records and must be made available for public inspection and
29 copying under such reasonable rules and regulations as the county
30 auditor or secretary of state may prescribe. The county auditor or
31 secretary of state shall promptly furnish current lists of registered
32 voters in his or her possession, at actual reproduction cost, to any
33 person requesting such information. The lists shall not be used for
34 the purpose of mailing or delivering any advertisement or offer for any
35 property, establishment, organization, product, or service or for the
36 purpose of mailing or delivering any solicitation for money, services,
37 or anything of value. However, the lists and labels may be used for

1 any political purpose. The county auditor or secretary of state must
2 provide a copy of RCW 29A.08.740 to the person requesting the material
3 that is released under this section.

4 (3) For the purposes of this section, "political purpose" means a
5 purpose concerned with the support of or opposition to any candidate
6 for any partisan or nonpartisan office or concerned with the support of
7 or opposition to any ballot proposition or issue. "Political purpose"
8 includes, but is not limited to, such activities as the advertising for
9 or against any candidate or ballot measure or the solicitation of
10 financial support.

11 **Sec. 35.** RCW 29A.08.760 and 2004 c 267 s 134 are each amended to
12 read as follows:

13 The secretary of state shall provide a duplicate copy of the master
14 statewide computer file or electronic data file of registered voters to
15 the department of information services for purposes of creating the
16 jury source list without cost. Restrictions as to the commercial use
17 of the information on the statewide computer tape or data file of
18 registered voters, and penalties for its misuse, shall be the same as
19 provided in RCW (~~(29A.08.730)~~) 29A.08.720 and 29A.08.740.

20 **Sec. 36.** RCW 29A.40.010 and 2003 c 111 s 1001 are each amended to
21 read as follows:

22 Any registered voter of the state or any (~~(out-of-state voter)~~)
23 overseas voter(~~(7)~~) or service voter may vote by absentee ballot in any
24 general election, special election, or primary in the manner provided
25 in this chapter. (~~(Out-of-state voters)~~) Overseas voters(7) and
26 service voters are authorized to cast the same ballots, including those
27 for special elections, as a registered voter of the state would receive
28 under this chapter.

29 **Sec. 37.** RCW 29A.40.020 and 2003 c 111 s 1002 are each amended to
30 read as follows:

31 (1) Except as otherwise provided by law, a registered voter (~~(or~~
32 ~~out-of-state voter~~)), overseas voter, or service voter desiring to cast
33 an absentee ballot at a single election or primary must request the
34 absentee ballot from his or her county auditor no earlier than ninety
35 days nor later than the day before the election or primary at which the

1 person seeks to vote. Except as otherwise provided by law, the request
2 may be made orally in person, by telephone, electronically, or in
3 writing. An application or request for an absentee ballot made under
4 the authority of a federal statute or regulation will be considered and
5 given the same effect as a request for an absentee ballot under this
6 chapter.

7 (2) A voter requesting an absentee ballot for a primary may also
8 request an absentee ballot for the following general election. A
9 request by an (~~out-of-state voter~~) overseas voter((7)) or service
10 voter for an absentee ballot for a primary election will be considered
11 as a request for an absentee ballot for the following general election.

12 (3) In requesting an absentee ballot, the voter shall state the
13 address to which the absentee ballot should be sent. A request for an
14 absentee ballot from an (~~out-of-state voter~~) overseas voter((7)) or
15 service voter must include the address of the last residence in the
16 state of Washington and either a written application or the oath on the
17 return envelope must include a declaration of the other qualifications
18 of the applicant as an elector of this state. A request for an
19 absentee ballot from any other voter must state the address at which
20 that voter is currently registered to vote in the state of Washington
21 or the county auditor shall verify that information from the voter
22 registration records of the county.

23 (4) A request for an absentee ballot from a registered voter who is
24 within this state must be made directly to the auditor of the county in
25 which the voter is registered. An absentee ballot request from a
26 registered voter who is temporarily outside this state or from an
27 (~~out-of-state voter~~) overseas voter((7)) or service voter may be
28 made either to the appropriate county auditor or to the secretary of
29 state, who shall promptly forward the request to the appropriate county
30 auditor.

31 (5) No person, organization, or association may distribute absentee
32 ballot applications within this state that contain a return address
33 other than that of the appropriate county auditor.

34 **Sec. 38.** RCW 29A.40.061 and 2004 c 271 s 134 are each amended to
35 read as follows:

36 (1) The county auditor shall issue an absentee ballot for the
37 primary or election for which it was requested, or for the next

1 occurring primary or election when ongoing absentee status has been
2 requested if the information contained in a request for an absentee
3 ballot or ongoing absentee status received by the county auditor is
4 complete and correct and the applicant is qualified to vote under
5 federal or state law. Otherwise, the county auditor shall notify the
6 applicant of the reason or reasons why the request cannot be accepted.
7 Whenever two or more candidates have filed for the position of precinct
8 committee officer for the same party in the same precinct, the contest
9 for that position must be presented to absentee voters from that
10 precinct by either including the contest on the regular absentee ballot
11 or a separate absentee ballot. The ballot must provide space
12 designated for writing in the name of additional candidates.

13 (2) A registered voter may obtain a replacement ballot if the
14 ballot is destroyed, spoiled, lost, or not received by the voter. The
15 voter may obtain the ballot by telephone request, by mail,
16 electronically, or in person. The county auditor shall keep a record
17 of each replacement ballot provided under this subsection.

18 (3) A copy of the state voters' pamphlet must be sent to
19 (~~registered voters temporarily outside the state, out of state~~
20 ~~voters,~~) overseas voters(~~(7)~~) and service voters along with the
21 absentee ballot if such a pamphlet has been prepared for the primary or
22 election and is available to the county auditor at the time of mailing.
23 The county auditor shall mail all absentee ballots and related material
24 to overseas and service voters (~~(outside the territorial limits of the~~
25 ~~United States and the District of Columbia)~~) under 39 U.S.C. 3406.

26 **Sec. 39.** RCW 29A.40.091 and 2005 c 246 s 21 are each amended to
27 read as follows:

28 The county auditor shall send each absentee voter a ballot, a
29 security envelope in which to seal the ballot after voting, a larger
30 envelope in which to return the security envelope, and instructions on
31 how to mark the ballot and how to return it to the county auditor. The
32 instructions that accompany an absentee ballot for a partisan primary
33 must include instructions for voting the applicable ballot style, as
34 provided in chapter 29A.36 RCW. The absentee voter's name and address
35 must be printed on the larger return envelope, which must also contain
36 a declaration by the absentee voter reciting his or her qualifications
37 and stating that he or she has not voted in any other jurisdiction at

1 this election, together with a summary of the penalties for any
2 violation of any of the provisions of this chapter. The declaration
3 must clearly inform the voter that it is illegal to vote if he or she
4 is not a United States citizen; it is illegal to vote if he or she has
5 been convicted of a felony and has not had his or her voting rights
6 restored; and, except as otherwise provided by law, it is illegal to
7 cast a ballot or sign an absentee envelope on behalf of another voter.
8 The return envelope must provide space for the voter to indicate the
9 date on which the ballot was voted and for the voter to sign the oath.
10 It must also contain a space so that the voter may include a telephone
11 number. A summary of the applicable penalty provisions of this chapter
12 must be printed on the return envelope immediately adjacent to the
13 space for the voter's signature. The signature of the voter on the
14 return envelope must affirm and attest to the statements regarding the
15 qualifications of that voter and to the validity of the ballot. The
16 return envelope must also have a secrecy flap that the voter may seal
17 that will cover the voter's signature and optional telephone number.
18 For (~~out-of-state voters,~~) overseas voters(~~(,)~~) and service voters,
19 the signed declaration on the return envelope constitutes the
20 equivalent of a voter registration for the election or primary for
21 which the ballot has been issued. The voter must be instructed to
22 either return the ballot to the county auditor by whom it was issued or
23 attach sufficient first-class postage, if applicable, and mail the
24 ballot to the appropriate county auditor no later than the day of the
25 election or primary for which the ballot was issued.

26 If the county auditor chooses to forward absentee ballots, he or
27 she must include with the ballot a clear explanation of the
28 qualifications necessary to vote in that election and must also advise
29 a voter with questions about his or her eligibility to contact the
30 county auditor. This explanation may be provided on the ballot
31 envelope, on an enclosed insert, or printed directly on the ballot
32 itself. If the information is not included, the envelope must clearly
33 indicate that the ballot is not to be forwarded and that return postage
34 is guaranteed.

35 **Sec. 40.** RCW 29A.40.110 and 2006 c 207 s 4 and 2006 c 206 s 6 are
36 each reenacted and amended to read as follows:

37 (1) The opening and subsequent processing of return envelopes for

1 any primary or election may begin upon receipt. The tabulation of
2 absentee ballots must not commence until after 8:00 p.m. on the day of
3 the primary or election.

4 (2) All received absentee return envelopes must be placed in secure
5 locations from the time of delivery to the county auditor until their
6 subsequent opening. After opening the return envelopes, the county
7 canvassing board shall place all of the ballots in secure storage until
8 after 8:00 p.m. of the day of the primary or election. Absentee
9 ballots that are to be tabulated on an electronic vote tallying system
10 may be taken from the inner envelopes and all the normal procedural
11 steps may be performed to prepare these ballots for tabulation.

12 (3) Before opening a returned absentee ballot, the canvassing
13 board, or its designated representatives, shall examine the postmark,
14 statement, and signature on the return envelope that contains the
15 security envelope and absentee ballot. All personnel assigned to
16 verify signatures must receive training on statewide standards for
17 signature verification. Personnel shall verify that the voter's
18 signature on the return envelope is the same as the signature of that
19 voter in the registration files of the county. Verification may be
20 conducted by an automated verification system approved by the secretary
21 of state. For any absentee ballot, a variation between the signature
22 of the voter on the return envelope and the signature of that voter in
23 the registration files due to the substitution of initials or the use
24 of common nicknames is permitted so long as the surname and handwriting
25 are clearly the same.

26 (4) For registered voters casting absentee ballots, the date on the
27 return envelope to which the voter has attested determines the
28 validity, as to the time of voting for that absentee ballot if the
29 postmark is missing or is illegible. For (~~out-of-state voters,~~)
30 overseas voters(~~(7)~~) and service voters (~~(stationed in the United~~
31 ~~States)~~), the date on the return envelope to which the voter has
32 attested determines the validity as to the time of voting for that
33 absentee ballot.

34 **Sec. 41.** RCW 29A.60.235 and 2005 c 243 s 11 are each amended to
35 read as follows:

36 (1) The county auditor shall prepare, make publicly available at

1 the auditor's office or on the auditor's web site, and submit at the
2 time of certification an election reconciliation report that discloses
3 the following information:

- 4 (a) The number of registered voters;
- 5 (b) The number of ballots counted;
- 6 (c) The number of provisional ballots issued;
- 7 (d) The number of provisional ballots counted;
- 8 (e) The number of provisional ballots rejected;
- 9 (f) The number of absentee ballots issued;
- 10 (g) The number of absentee ballots counted;
- 11 (h) The number of absentee ballots rejected;
- 12 (i) The number of federal write-in ballots counted;
- 13 (j) The number of (~~out-of-state~~) overseas((~~7~~)) and service
14 ballots issued;
- 15 (k) The number of (~~out-of-state~~) overseas((~~7~~)) and service
16 ballots counted; and
- 17 (l) The number of (~~out-of-state~~) overseas((~~7~~)) and service
18 ballots rejected.

19 (2) The county auditor shall prepare and make publicly available at
20 the auditor's office or on the auditor's web site within thirty days of
21 certification a final election reconciliation report that discloses the
22 following information:

- 23 (a) The number of registered voters;
- 24 (b) The total number of voters credited with voting;
- 25 (c) The number of poll voters credited with voting;
- 26 (d) The number of provisional voters credited with voting;
- 27 (e) The number of absentee voters credited with voting;
- 28 (f) The number of federal write-in voters credited with voting;
- 29 (g) The number of (~~out-of-state~~) overseas((~~7~~)) and service
30 voters credited with voting;
- 31 (h) The total number of voters credited with voting even though
32 their ballots were postmarked after election day and were not counted;
33 and
- 34 (i) Any other information the auditor deems necessary to reconcile
35 the number of ballots counted with the number of voters credited with
36 voting.

37 (3) The county auditor may also prepare such reports for
38 jurisdictions located, in whole or in part, in the county.

1 **Sec. 42.** RCW 46.20.155 and 2005 c 246 s 24 are each amended to
2 read as follows:

3 (1) Before issuing an original license or identicard or renewing a
4 license or identicard under this chapter, the licensing agent shall
5 determine if the applicant wants to register to vote or transfer his or
6 her voter registration by asking the following question:

7 "Do you want to register to vote or transfer your voter
8 registration?"

9 If the applicant chooses to register or transfer a registration,
10 the agent shall ask the following:

11 (1) "Are you a United States citizen?"

12 (2) "Are you or will you be eighteen years of age on or before the
13 next election?"

14 If the applicant answers in the affirmative to both questions, the
15 agent shall then (~~provide the applicant with a voter registration form~~
16 ~~and instructions and shall record that the applicant has requested to~~
17 ~~register to vote or transfer a voter~~) submit the registration or
18 transfer. If the applicant answers in the negative to either question,
19 the agent shall not (~~provide the applicant with~~) submit a voter
20 registration (~~form~~) application.

21 (2) The department shall establish a procedure that substantially
22 meets the requirements of subsection (1) of this section when
23 permitting an applicant to renew a license or identicard by mail or by
24 electronic commerce.

25 NEW SECTION. **Sec. 43.** The following acts or parts of acts are
26 each repealed:

27 (1) RCW 29A.04.103 (Out-of-state voter) and 2003 c 111 s 118;

28 (2) RCW 29A.08.040 ("Person," "political purpose.") and 2003 c 111
29 s 202 & 1973 1st ex.s. c 111 s 1;

30 (3) RCW 29A.08.113 (Alternative forms of identification--Voting
31 procedure) and 2005 c 246 s 7;

32 (4) RCW 29A.08.145 (Late registration--Special procedure) and 2006
33 c 97 s 2, 2005 c 246 s 10, 2004 c 267 s 113, 2003 c 111 s 213, & 1993
34 c 383 s 1;

35 (5) RCW 29A.08.360 (Address changes at department of licensing) and
36 2004 c 267 s 121 & 2003 c 111 s 227;

1 (6) RCW 29A.08.605 (Registration list maintenance) and 2004 c 267
2 s 128 & 2003 c 111 s 236;

3 (7) RCW 29A.08.651 (Voter registration database) and 2005 c 246 s
4 16 & 2004 c 267 s 101; and

5 (8) RCW 29A.08.780 (State and county list interchange) and 2004 c
6 267 s 137.

7 NEW SECTION. **Sec. 44.** No state general funds may be used for
8 development and implementation of this act during the 2009-2011
9 biennium."

10 Correct the title.

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