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SENATE BILL 6472

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State of Washington                      61st Legislature                      2010 Regular Session

By Senators Stevens, Carrell, Hewitt, Holmquist, Swecker, Roach, Becker, Honeyford, Parlette, Schoesler, and King

Read first time 01/14/10.      Referred to Committee on Government Operations & Elections.

1            AN ACT Relating to citizenship; amending RCW 29A.08.210; adding a  
2 new section to chapter 74.04 RCW; creating new sections; and  
3 prescribing penalties.

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

5            NEW SECTION.      **Sec. 1.**      The legislature finds that illegal  
6 immigration is causing economic hardship to this state and that illegal  
7 immigration is encouraged by state agencies providing public benefits  
8 without verifying immigration status. The legislature further finds  
9 that illegal immigrants have been given a safe haven in this state with  
10 the aid of identification cards that are issued without verifying  
11 immigration status, and that this conduct contradicts federal  
12 immigration policy, undermines the security of our borders, and demeans  
13 the value of citizenship. Therefore, the legislature declares that it  
14 is in the public's best interest to require all state agencies to  
15 cooperate with federal immigration authorities in order to discourage  
16 illegal immigration.

17            **Sec. 2.**      RCW 29A.08.210 and 2009 c 369 s 16 are each amended to  
18 read as follows:

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

4 (1) The former address of the applicant if previously registered to  
5 vote;

6 (2) The applicant's full name;

7 (3) The applicant's date of birth;

8 (4) The applicant's state and country of birth;

9 (5) The address of the applicant's residence for voting purposes;

10 ~~((+5))~~ (6) The mailing address of the applicant if that address is  
11 not the same as the address in subsection ~~((+4))~~ (5) of this section;

12 ~~((+6))~~ (7) The residential telephone number of the applicant,  
13 unless unlisted;

14 (8) The applicant's father's name or the applicant's mother's  
15 maiden name;

16 (9) The applicant's occupation;

17 (10) The applicant's party preference;

18 (11) The sex of the applicant;

19 ~~((+7))~~ (12) The applicant's Washington state driver's license  
20 number, Washington state identification card number, or the last four  
21 digits of the applicant's Social Security number if he or she does not  
22 have a Washington state driver's license or Washington state  
23 identification card;

24 ~~((+8))~~ (13) A check box allowing the applicant to indicate that he  
25 or she is a member of the armed forces, national guard, or reserves, or  
26 that he or she is an overseas voter;

27 ~~((+9))~~ (14) A check box allowing the applicant to confirm that he  
28 or she is at least eighteen years of age or will be eighteen years of  
29 age by the next election;

30 ~~((+10))~~ (15) Clear and conspicuous language, designed to draw the  
31 applicant's attention, stating that the applicant must be a United  
32 States citizen in order to register to vote;

33 ~~((+11))~~ (16) A check box and declaration confirming that the  
34 applicant is a citizen of the United States;

35 ~~((+12))~~ (17) The following warning:

36 "If you knowingly provide false information on this voter  
37 registration form or knowingly make a false declaration about your

1 qualifications for voter registration you will have committed a class  
2 C felony that is punishable by imprisonment for up to five years, a  
3 fine of up to ten thousand dollars, or both."

4 ~~((+13))~~ (18) The oath required by RCW 29A.08.230 and a space for  
5 the applicant's signature;

6 (19) A statement that the applicant shall submit evidence of United  
7 States citizenship with the application and that the secretary of state  
8 shall reject the application if no evidence of citizenship is attached.  
9 Satisfactory evidence of citizenship shall include any of the  
10 following:

11 (a) The number of the applicant's driver's license or  
12 identification card issued after October 1, 1996, by the department of  
13 licensing or the equivalent governmental agency of another state within  
14 the United States, if the agency indicates on the applicant's driver's  
15 license or identification card that the person has provided  
16 satisfactory proof of United States citizenship;

17 (b) A legible photocopy of the applicant's birth certificate;

18 (c) A legible photocopy of the applicant's United States passport  
19 identifying the applicant and the applicant's passport number or the  
20 applicant's United States passport;

21 (d) The applicant's United States naturalization documents;

22 (e) Other documents or methods of proof that are established  
23 pursuant to the immigration reform and control act of 1986;

24 (f) The applicant's bureau of Indian affairs card number, tribal  
25 treaty card number, or tribal enrollment number. After two years, the  
26 secretary of state may destroy all documents that were submitted as  
27 evidence of citizenship; and

28 ~~((+14))~~ (20) Any other information that the secretary of state  
29 determines is necessary to establish the identity of the applicant and  
30 prevent duplicate or fraudulent voter registrations.

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

33 NEW SECTION. Sec. 3. A new section is added to chapter 74.04 RCW  
34 to read as follows:

35 (1) An agency of this state and all of its political subdivisions,  
36 including local governments, that are responsible for the

1 administration of state and local public benefits that are not  
2 federally mandated shall do all of the following:

3 (a) Verify the identity of each applicant for those benefits and  
4 verify that the applicant is eligible for benefits as prescribed by  
5 this section;

6 (b) Provide any other employee of this state or any of its  
7 political subdivisions with information to verify the immigration  
8 status of any applicant for those benefits and assist the employee in  
9 obtaining that information from federal immigration authorities;

10 (c) Refuse to accept any identification card issued by the state or  
11 any political subdivision of this state, including a driver's license,  
12 to establish identity or determine eligibility for those benefits,  
13 unless the issuing authority has verified the immigration status of the  
14 applicant; and

15 (d) Require all employees of the state and its political  
16 subdivisions to make a written report to federal immigration  
17 authorities for any violation of federal immigration law by any  
18 applicant for benefits and that is discovered by the employee.

19 (2) A failure to report discovered violations of federal  
20 immigration law by an employee is a gross misdemeanor.

21 (3) This section shall be enforced without regard to race,  
22 religion, gender, ethnicity, or national origin. Any person who is a  
23 resident of this state shall have standing in any court of record to  
24 bring suit against any agency of this state or its political  
25 subdivisions to remedy any violation of any provision of this section,  
26 including an action for mandamus. Courts shall give preference to  
27 actions brought under this section over other civil actions or  
28 proceeding pending in the court.

29 NEW SECTION. **Sec. 4.** If any provision of this act or its  
30 application to any person or circumstance is held invalid, the  
31 remainder of the act or the application of the provision to other  
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 5.** This act may be known and cited as the  
34 Washington taxpayer and citizen protection act.

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