

SENATE BILL REPORT

SJR 8205

As Passed Senate, February 22, 2011

Brief Description: Repealing a conflicting residency requirement for voting in a presidential election.

Sponsors: Senator Carrell.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/20/11, 1/31/11 [DP].

Passed Senate: 2/22/11, 46-0.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Chase, Nelson and Roach.

Staff: Sharon Swanson (786-7447)

Background: Article VI, Section 1 of the Washington State Constitution entitles all persons who are 18 years or older, citizens of the United States, and have lived in the state, county, and precinct 30 days immediately preceding the election to vote in all elections.

Article VI, Section 1A of the Washington State Constitution provides that all citizens of the United States who become residents of Washington during the year of a presidential election with the intention of making it their permanent residence may vote for presidential electors or for the office of President and Vice-President of the United States if they resided in the state at least 60 days immediately preceding the election.

At the time Section 1A was added to the Washington State Constitution in 1966, Section 1 required voters to live in the state for one year, in the county for 90 days, and in the city, town, ward, or precinct for 30 days immediately preceding the election. The original purpose behind Section 1A was to allow citizens who met all of the qualifications for voting, except the residence requirement to vote for the office of President. (Section 1 was amended in 1974 to read as it does today.)

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

Summary of Bill: At the next general election, an amendment to Article VI Washington Constitution will be submitted to the voters to repeal Section 1A of Article VI, in its entirety.

The Secretary of State is required to publish notice of the amendment at least four times during the four weeks preceding the election in every newspaper in the state.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The act takes effect upon approval by the voters at the next general election.

Staff Summary of Public Testimony: PRO: This bill is necessary to resolve a conflict in the Washington State Constitution. In the past, it made sense to require additional time for people to get information about their residency resolved. Present day technology does not require the additional time. The conflict exists and could potentially create a challenge in a close election. This situation has been ignored for 34 years and needs to be remedied.

Persons Testifying: PRO: Senator Carrell, prime sponsor; Katie Blinn, Office of the Secretary of State.