
SENATE BILL 5380

State of Washington 63rd Legislature 2013 Regular Session

By Senators Benton, Carrell, and Rivers

Read first time 01/28/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to verifying voter registration qualifications;
2 amending RCW 29A.08.125; and adding a new section to chapter 46.20 RCW.

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

4 **Sec. 1.** RCW 29A.08.125 and 2009 c 369 s 12 are each amended to
5 read as follows:

6 (1) The office of the secretary of state shall maintain a statewide
7 voter registration database. This database must be a centralized,
8 uniform, interactive computerized statewide voter registration list
9 that contains the name and registration information of every registered
10 voter in the state.

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

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

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

18 (5) The database must be coordinated with other government
19 databases within the state including, but not limited to, the

1 department of corrections, the department of licensing, the department
2 of health, the administrative office of the courts, and county
3 auditors. The database may also be coordinated with the databases of
4 election officials in other states.

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

8 (7) Voter registration information received by each county auditor
9 must be electronically entered into the database. The office of the
10 secretary of state must provide support, as needed, to enable each
11 county auditor to enter and maintain voter registration information in
12 the state database.

13 (8) The secretary of state has data authority over all voter
14 registration data.

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

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

18 (b) Identify duplicate voter registrations;

19 (c) Identify suspected duplicate voters;

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

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

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

27 (g) Provide access for county auditors that includes the capability
28 to update registrations and search for duplicate registrations; and

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

31 (10) The secretary of state may, upon agreement with other
32 appropriate jurisdictions, screen against any available databases
33 maintained by election officials in other states and databases
34 maintained by federal agencies including, but not limited to, the
35 federal bureau of investigation, the federal court system, the federal
36 bureau of prisons, and the bureau of citizenship and immigration
37 services.

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

4 (12) Each county auditor shall maintain a list of all registered
5 voters within the county that are contained on the official statewide
6 voter registration list. In addition to the information maintained in
7 the statewide database, the county database must also maintain the
8 applicable taxing district and precinct codes for each voter in the
9 county, and a list of elections in which the individual voted.

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

13 (14)(a) The director of the department of licensing shall, on or
14 before the tenth day of each month, prepare and transmit to the
15 secretary of state, in a format as prescribed by the secretary of
16 state, a complete list of all persons, including addresses, ages, and
17 other identifying information as prescribed by the secretary of state,
18 who hold a valid driver's license, driver's instruction permit,
19 identocard, intermediate license, or commercial driver's license.

20 (b) The secretary of state shall compare the official state voter
21 registration list maintained under subsection (1) of this section to
22 the list prepared under (a) of this subsection. Upon identifying any
23 registered voters that are not listed through a name and date of birth
24 comparison, the secretary of state shall suspend the voter registration
25 from the official state voter registration list. The secretary of
26 state shall send to the person at his or her last known voter
27 registration address a notice of the proposed cancellation and an
28 explanation of the requirements for provisionally and permanently
29 restoring the right to vote and reregistering. If the person does not
30 respond within thirty days, the voter registration must be canceled.

31 (c) The secretary of state shall, by March 1st of every year,
32 compose a report of the previous calendar year's voter registration
33 cancellations due to non-United States citizenship. The report must
34 identify the name of the voter and itemize all ballot measures and
35 races voted on by the voter as recorded by the secretary of state. All
36 reports must be made available on the secretary of state's web site.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.20 RCW
2 to read as follows:

3 (1) Beginning August 1, 2013, any person obtaining or renewing his
4 or her driver's license, driver's instruction permit, agricultural
5 driving permit, identicard, intermediate license, or commercial
6 driver's license shall show proof of his or her United States
7 citizenship or his or her lawful presence within the United States. An
8 original or renewal application must not be granted to any person who
9 does not provide verified proof of his or her United States citizenship
10 or his or her lawful presence within the United States. A person who
11 is a citizen or national of the United States, or who is a legal
12 permanent resident alien, must not be required to provide proof under
13 this subsection as long as the department has a record of the person's
14 status in compliance with subsection (4) of this section.

15 (2) A person may prove his or her citizenship by providing a valid,
16 unexpired United States passport or passport card, a certified copy of
17 a birth certificate, a consular report of birth abroad issued by the
18 United States department of state, a certificate of naturalization
19 issued by the department of homeland security, or a certificate of
20 citizenship.

21 (3) A person may prove his or her lawful presence within the United
22 States by providing documentation that he or she is an alien:

23 (a) Lawfully admitted for permanent or temporary residence in the
24 United States;

25 (b) With conditional permanent resident status in the United
26 States;

27 (c) Who has an approved application for asylum in the United States
28 or has entered into the United States in refugee status;

29 (d) Who has a valid nonimmigrant status in the United States;

30 (e) Who has a pending application for asylum in the United States;

31 (f) Who has a pending or approved application for temporary
32 protected status in the United States;

33 (g) Who has approved deferred action status; or

34 (h) Who has a pending application for lawful permanent residence or
35 conditional permanent resident status.

36 (4) The department shall maintain records of an applicant's status
37 as a United States citizen or as a noncitizen, including the type of
38 document provided and the expiration of the applicant's authorization

1 to lawfully be within the United States. The department shall make
2 such records available to the secretary of state and state and local
3 criminal justice agencies.

4 (5) The department shall verify the status of an applicant through
5 either the systematic alien verification for entitlements program or
6 through verification of the applicant's social security number with the
7 United States social security administration.

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