

# SENATE BILL REPORT

## SB 5201

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As of February 16, 2015

**Title:** An act relating to verifying voter registration qualifications.

**Brief Description:** Concerning the verification of voter registration qualifications.

**Sponsors:** Senators Benton and Angel.

**Brief History:**

**Committee Activity:** Government Operations & Security: 2/17/15.

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

**Staff:** Samuel Brown (786-7470)

**Background:** Voter Registration List. The Secretary of State (Secretary) maintains the statewide voter registration list, a database which contains the name, date of birth, residential address, signature, gender, and date of registration of every legally registered voter in the state. Voter registration received by each county auditor is entered into the list. The list must be designed to comply with federal law, identify duplicate voters and registrations, screen for ineligible voters, and provide for comparison of signatures.

The Secretary must coordinate the list with other databases maintained by state agencies, including the Department of Corrections, the Department of Licensing (DOL), the Department of Health, the Administrative Office of the Courts, and county auditors. Upon mutual agreement, the Secretary may screen the voter registration list against databases maintained by other states' election officials and federal agencies including the Federal Bureau of Investigation, the federal court system, the Federal Bureau of Prisons, and the bureau of Citizenship and Immigration Services.

Application for Licenses. DOL issues driver's licenses, endorsements, and identicards that are valid for up to five years. An identicard is a non-driving Washington identification card issued by DOL. DOL may not issue an identicard or driver's license that will be valid for identification purposes unless the application provides proof of identity by means of any of the following:

- a valid or recently expired driver's license or instruction permit that includes the applicant's date of birth;
- a valid identicard issued by any state;

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- a government agency or military identification card;
- a United States passport;
- an Immigration and Naturalization Service form;
- if the applicant is a minor, the affidavit of a parent or guardian; or
- other available documentation to establish identity.

**Summary of Bill:** Voter Registration List Maintenance. By the tenth of each month, the director of DOL must transmit a list to the Secretary of all persons who hold a valid driver's license, instruction permit, identicard, intermediate license, or commercial driver's license. The Secretary must suspend the voter registration of any person who does not appear on the list provided by the DOL director. The Secretary must send notice to any person whose voter registration was suspended for failure to appear on the list provided by the DOL director of the suspension with an explanation of procedures for provisionally and permanently restoring their registration. If no response is given by the person within 30 days, the person's voter registration is cancelled.

The Secretary must prepare an annual report, to be available on the Secretary's website, of all persons whose voter registration was cancelled during the previous year for lack of United States citizenship, identifying the name of the voter and listing all ballot measure and public office races for which the voter cast a vote.

Procedures for Original or Renewal License Applications. Any person applying for or seeking the renewal of a driver's license, instruction permit, agricultural driving permit, identicard, intermediate license, or commercial driver's license must show proof of United States citizenship or lawful presence within the United States. An original or renewal application may not be granted to any person failing to provide proof of citizenship or lawful alien status.

Proof of citizenship may be demonstrated by providing a valid, unexpired United States passport or passport card, certified copy of a birth certificate, consular report of birth abroad, or certificate of naturalization or citizenship. Proof of lawful alien status in the United States may be demonstrated providing documentation that the person:

- has been lawfully admitted or has a pending application for permanent residence or conditional permanent resident status in the United States;
- has been lawfully admitted for temporary residence in the United States;
- has an approved application for refugee status;
- has a valid nonimmigrant status in the United States;
- has a pending or approved application for asylum or temporary protected status; or
- has approved deferred action status.

DOL must maintain records of any applicant's status as a United States citizen or non-citizen, including the type of documentation provided and its expiration date, and make such records available to the Secretary and state and local criminal justice agencies. DOL must verify applicant status either through the systematic alien verification for entitlements program, or verification of the applicant's social security number.

**Appropriation:** None.

**Fiscal Note:** Requested on February 13, 2015.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.