
HOUSE BILL 1513

State of Washington**65th Legislature****2017 Regular Session**

By Representatives Bergquist, Stambaugh, Frame, Hudgins, Sawyer, Slatter, Macri, Gregerson, Peterson, McBride, Doglio, Appleton, Fitzgibbon, Goodman, Tharinger, Farrell, Pollet, Ormsby, Dolan, and Riccelli

Read first time 01/23/17. Referred to Committee on State Government.

1 AN ACT Relating to collecting youth voter registration sign up
2 information; amending RCW 46.20.155, 29A.08.330, 29A.08.210,
3 28A.230.150, 29A.08.710, and 29A.08.810; reenacting and amending RCW
4 42.56.230; adding a new section to chapter 29A.08 RCW; creating a new
5 section; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature is committed to granting
8 equal access to voter registration for all voters. The legislature
9 recognizes the importance of fostering lifelong civic participation.
10 Currently, many young people are denied access to the most popular
11 form of voter registration, motor voter. If a young person obtains a
12 driver's license at the age of sixteen or seventeen, they may not
13 register to vote. Denial of motor voter to so many young voters has
14 contributed to lower voter registration levels in the youngest voter
15 age groups. In Washington, according to 2016 United States census
16 bureau statistics, only twenty-one percent of eligible citizens
17 between the ages of eighteen and twenty-four are registered to vote.
18 Studies show that young adults who vote are likely to continue to do
19 so throughout adulthood. The legislature recognizes that these
20 representational disparities in registration rates and voting rates
21 within the youth electorate will improve by enacting election

1 policies that engage all young citizens. Therefore, the legislature
2 declares that this act, allowing eligible youth at least sixteen
3 years of age to preregister to vote, is intended to increase voter
4 turnout in young adults.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.08
6 RCW to read as follows:

7 (1) A person may sign up to vote at the department of licensing
8 if he or she is sixteen or seventeen years of age.

9 (2) A person may sign up to vote at all other locations and
10 through electronic means if he or she is seventeen years of age.

11 (3) A person who signs up to vote may not vote until he or she is
12 eighteen years of age, and his or her name may not be added to the
13 statewide voter registration database until such time as he or she
14 will be eighteen years of age before the next election.

15 (4) For the purposes of this section and RCW 28A.230.150,
16 29A.08.330, 29A.08.710, 42.56.230, and 46.20.155, "sign up" means the
17 act of providing information relevant to eventual official voter
18 registration at age eighteen, prior to official registration at age
19 eighteen.

20 **Sec. 3.** RCW 46.20.155 and 2013 c 11 s 90 are each amended to
21 read as follows:

22 (1) Before issuing an original license or identicard or renewing
23 a license or identicard under this chapter, the licensing agent shall
24 determine if the applicant wants to register to vote or update his or
25 her voter registration by asking the following question:

26 "Do you want to sign up or register to vote or update your voter
27 registration?"

28 If the applicant chooses to sign up to vote, register to vote, or
29 update a voter registration, the agent shall ask the following:

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

31 (2) "Are you (~~or will you be eighteen~~) at least sixteen years
32 of age (~~on or before the next election~~)?"

33 If the applicant answers in the affirmative to both questions,
34 the agent shall then submit the sign up, registration, or information
35 update. If the applicant answers in the negative to either question,
36 the agent shall not submit (~~a voter registration~~) an application.

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

5 (3) Information provided for voter sign up under this section is
6 exempt from public inspection and copying pursuant to RCW 42.56.230.

7 (4) For the purposes of this section, "sign up" has the
8 definition given in section 2 of this act.

9 **Sec. 4.** RCW 29A.08.330 and 2013 c 11 s 16 are each amended to
10 read as follows:

11 (1) The secretary of state shall prescribe the method of voter
12 registration for each designated agency. The agency shall use either
13 the state voter registration by mail form with a separate declination
14 form for the applicant to indicate that he or she declines to
15 register at this time, or the agency may use a separate form approved
16 for use by the secretary of state.

17 (2) The person providing service at the agency shall offer voter
18 sign up or registration services to every client whenever he or she
19 applies for service or assistance and with each renewal,
20 recertification, or change of address. The person providing service
21 shall give the applicant the same level of assistance with the voter
22 registration application as is offered to fill out the agency's forms
23 and documents, including information about age and citizenship
24 requirements for voter registration.

25 (3) The person providing service at the agency shall determine if
26 the prospective applicant wants to register to vote or update his or
27 her voter registration by asking the following question:

28 "Do you want to sign up to vote, register to vote, or update your
29 voter registration?"

30 If the applicant chooses to sign up to vote, register to vote, or
31 update a voter registration, the service agent shall ask the
32 following:

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

34 (b) "Are you (~~or will you be eighteen~~) at least seventeen years
35 of age (~~on or before the next election~~)?"

36 If the applicant answers in the affirmative to both questions,
37 the agent shall then provide the applicant with a voter registration

1 form and instructions and shall record that the applicant has
2 requested to sign up, register, or update a voter registration. If
3 the applicant answers in the negative to either question, the agent
4 shall not provide the applicant with a voter registration form.

5 (4) If an agency uses a computerized application process, it may,
6 in consultation with the secretary of state, develop methods to
7 capture simultaneously the information required for voter sign up or
8 registration during a person's computerized application process.

9 (5) Each designated agency shall transmit the applications to the
10 secretary of state or appropriate county auditor within three
11 business days.

12 (6) Information provided for voter sign up under this section is
13 exempt from public inspection and copying pursuant to RCW 42.56.230.

14 (7) For the purposes of this section, "sign up" has the
15 definition given in section 2 of this act.

16 **Sec. 5.** RCW 29A.08.210 and 2009 c 369 s 16 are each amended to
17 read as follows:

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

21 (1) The former address of the applicant if previously registered
22 to vote;

23 (2) The applicant's full name;

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

25 (4) The address of the applicant's residence for voting purposes;

26 (5) The mailing address of the applicant if that address is not
27 the same as the address in subsection (4) of this section;

28 (6) The sex of the applicant;

29 (7) The applicant's Washington state driver's license number,
30 Washington state identification card number, or the last four digits
31 of the applicant's social security number if he or she does not have
32 a Washington state driver's license or Washington state
33 identification card;

34 (8) A check box allowing the applicant to indicate that he or she
35 is a member of the armed forces, national guard, or reserves, or that
36 he or she is an overseas voter;

37 (9) A check box allowing the applicant to ~~((confirm))~~ acknowledge
38 that he or she ~~((is at least))~~ must be eighteen years of age ~~((or~~
39 ~~will be eighteen years of age by the next election))~~ to vote;

1 (10) Clear and conspicuous language, designed to draw the
2 applicant's attention, stating that the applicant must be a United
3 States citizen in order to register to vote;

4 (11) A check box and declaration confirming that the applicant is
5 a citizen of the United States;

6 (12) The following warning:

7 "If you knowingly provide false information on this voter
8 registration form or knowingly make a false declaration about your
9 qualifications for voter registration you will have committed a class
10 C felony that is punishable by imprisonment for up to five years, a
11 fine of up to ten thousand dollars, or both."

12 (13) The oath required by RCW 29A.08.230 and a space for the
13 applicant's signature; and

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

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

19 **Sec. 6.** RCW 28A.230.150 and 1969 ex.s. c 223 s 28A.02.090 are
20 each amended to read as follows:

21 (1) On January 16th of each year or the preceding Friday when
22 January 16th falls on a nonschool day, there shall be observed within
23 each public school "Temperance and Good Citizenship Day". Annually
24 the state superintendent of public instruction shall duly prepare and
25 publish for circulation among the teachers of the state a program for
26 use on such day embodying topics pertinent thereto and may from year
27 to year designate particular laws for special observance.

28 (2) Each year on "Temperance and Good Citizenship Day," social
29 studies teachers must, as resources allow, coordinate a voter
30 registration event in each history or social studies class attended
31 by high school seniors. Teachers must make voter sign up and
32 registration available to all students.

33 (3) County auditors may, as resources allow, help coordinate and
34 participate in voter registration events for students on "Temperance
35 and Good Citizenship Day."

36 (4) Each temperance and good citizenship day event must encourage
37 students who will be eighteen years of age or older by the time of
38 the next general election to register to vote online from the
39 classroom. Students who do not possess a state identicard or driver's

1 license must be provided a paper registration form. The event must
2 include adequate time for students to complete the registration
3 process in class.

4 (5) The superintendent of public instruction, in consultation
5 with the secretary of state, must update and distribute youth voter
6 registration materials annually, by December 1st, for eligible
7 students to register to vote at school. Electronic notification of
8 the availability of the materials must be distributed to high school
9 principals and secondary social studies and history teachers.

10 (6) The superintendent of public instruction must consult with
11 the secretary of state to provide registration methods that enable
12 the electronic collection of information on the number of students
13 who registered to vote on "Temperance and Good Citizenship Day," with
14 the goal of achieving at least fifty thousand new voter registrations
15 for seventeen and eighteen year olds annually, beginning in January
16 2018.

17 (7) Beginning March 1, 2019, and annually thereafter, the
18 superintendent of public instruction must report on yearly progress
19 toward the goal established in subsection (5) of this section,
20 including the number of seventeen and eighteen year olds registered
21 to vote by county and recommendations for increasing youth voter
22 registration, to the governor and the appropriate standing committees
23 of the legislature in accordance with RCW 43.01.036.

24 (8) For the purposes of this section, "sign up" has the
25 definition given in section 2 of this act.

26 **Sec. 7.** RCW 42.56.230 and 2015 c 224 s 2 and 2015 c 47 s 1 are
27 each reenacted and amended to read as follows:

28 The following personal information is exempt from public
29 inspection and copying under this chapter:

30 (1) Personal information in any files maintained for students in
31 public schools, patients or clients of public institutions or public
32 health agencies, or welfare recipients;

33 (2)(a) Personal information:

34 (i) For a child enrolled in licensed child care in any files
35 maintained by the department of early learning;

36 (ii) For a child enrolled in a public or nonprofit program
37 serving or pertaining to children, adolescents, or students,
38 including but not limited to early learning or child care services,

1 parks and recreation programs, youth development programs, and after-
2 school programs; or

3 (iii) For the family members or guardians of a child who is
4 subject to the exemption under this subsection (2) if the family
5 member or guardian has the same last name (~~(of [as])~~) as the child or
6 if the family member or guardian resides at the same address (~~(of~~
7 ~~[as])~~) as the child and disclosure of the family member's or
8 guardian's information would result in disclosure of the personal
9 information exempted under (a)(i) and (ii) of this subsection.

10 (b) Emergency contact information under this subsection (2) may
11 be provided to appropriate authorities and medical personnel for the
12 purpose of treating the individual during an emergency situation;

13 (3) Personal information in files maintained for employees,
14 appointees, or elected officials of any public agency to the extent
15 that disclosure would violate their right to privacy;

16 (4) Information required of any taxpayer in connection with the
17 assessment or collection of any tax if the disclosure of the
18 information to other persons would: (a) Be prohibited to such persons
19 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance
20 authorized under RCW 35.102.145; or (b) violate the taxpayer's right
21 to privacy or result in unfair competitive disadvantage to the
22 taxpayer;

23 (5) Credit card numbers, debit card numbers, electronic check
24 numbers, card expiration dates, or bank or other financial
25 information as defined in RCW 9.35.005 including social security
26 numbers, except when disclosure is expressly required by or governed
27 by other law;

28 (6) Personal and financial information related to a small loan or
29 any system of authorizing a small loan in RCW 31.45.093;

30 (7)(a) Any record used to prove identity, age, residential
31 address, social security number, or other personal information
32 required to apply for a driver's license or identicard.

33 (b) Information provided under RCW 46.20.111 that indicates that
34 an applicant declined to register with the selective service system.

35 (c) Any record pertaining to a vehicle license plate, driver's
36 license, or identicard issued under RCW 46.08.066 that, alone or in
37 combination with any other records, may reveal the identity of an
38 individual, or reveal that an individual is or was, performing an
39 undercover or covert law enforcement, confidential public health
40 work, public assistance fraud, or child support investigative

1 activity. This exemption does not prevent the release of the total
2 number of vehicle license plates, drivers' licenses, or identicards
3 that, under RCW 46.08.066, an agency or department has applied for,
4 been issued, denied, returned, destroyed, lost, and reported for
5 misuse.

6 (d) Any record pertaining to a vessel registration issued under
7 RCW 88.02.330 that, alone or in combination with any other records,
8 may reveal the identity of an individual, or reveal that an
9 individual is or was, performing an undercover or covert law
10 enforcement activity. This exemption does not prevent the release of
11 the total number of vessel registrations that, under RCW 88.02.330,
12 an agency or department has applied for, been issued, denied,
13 returned, destroyed, lost, and reported for misuse; (~~and~~)

14 (8) All information related to individual claims resolution
15 structured settlement agreements submitted to the board of industrial
16 insurance appeals under RCW 51.04.063, other than final orders from
17 the board of industrial insurance appeals.

18 Upon request by the legislature, the department of licensing
19 shall provide a report to the legislature containing all of the
20 information in subsection (7)(c) and (d) of this section that is
21 subject to public disclosure(~~(-)~~);

22 (9) Voluntarily submitted information contained in a database
23 that is part of or associated with enhanced 911 emergency
24 communications systems, or information contained or used in emergency
25 notification systems as provided under RCW 38.52.575 and 38.52.577;
26 and

27 (10) Information contained in voter sign up records under Title
28 29A RCW and RCW 46.20.155. For the purposes of this subsection, "sign
29 up" has the definition given in section 2 of this act.

30 **Sec. 8.** RCW 29A.08.710 and 2005 c 246 s 17 are each amended to
31 read as follows:

32 (1) The county auditor shall have custody of the original voter
33 sign up and registration records for each county. The original voter
34 registration form must be filed without regard to precinct and is
35 considered confidential and unavailable for public inspection and
36 copying. An automated file of all registered voters must be
37 maintained pursuant to RCW 29A.08.125. An auditor may maintain the
38 automated file in lieu of filing or maintaining the original voter
39 registration forms if the automated file includes all of the

1 information from the original voter registration forms including, but
2 not limited to, a retrievable facsimile of each voter's signature.

3 (2) The following information contained in voter registration
4 records or files regarding a voter or a group of voters is available
5 for public inspection and copying, except as provided in RCW
6 40.24.060: The voter's name, address, political jurisdiction, gender,
7 date of birth, voting record, date of registration, and registration
8 number. No other information from voter registration records or files
9 is available for public inspection or copying.

10 (3) The information contained in voter sign up records is exempt
11 from public inspection and copying.

12 (4) For the purposes of this section, "sign up" has the
13 definition given in section 2 of this act.

14 **Sec. 9.** RCW 29A.08.810 and 2011 c 10 s 20 are each amended to
15 read as follows:

16 (1) Registration of a person as a voter is presumptive evidence
17 of his or her right to vote. A challenge to the person's right to
18 vote must be based on personal knowledge of one of the following:

19 (a) The challenged voter has been convicted of a felony and the
20 voter's civil rights have not been restored;

21 (b) The challenged voter has been judicially declared ineligible
22 to vote due to mental incompetency;

23 (c) The challenged voter does not live at the residential address
24 provided, in which case the challenger must either:

25 (i) Provide the challenged voter's actual residence on the
26 challenge form; or

27 (ii) Submit evidence that he or she exercised due diligence to
28 verify that the challenged voter does not reside at the address
29 provided and to attempt to contact the challenged voter to learn the
30 challenged voter's actual residence, including that the challenger
31 personally:

32 (A) Sent a letter with return service requested to the challenged
33 voter's residential address provided, and to the challenged voter's
34 mailing address, if provided;

35 (B) Visited the residential address provided and contacted
36 persons at the address to determine whether the voter resides at the
37 address and, if not, obtained and submitted with the challenge form a
38 signed affidavit subject to the penalties of perjury from a person
39 who owns or manages property, resides, or is employed at the address

1 provided, that to his or her personal knowledge the challenged voter
2 does not reside at the address as provided on the voter registration;

3 (C) Searched local telephone directories, including online
4 directories, to determine whether the voter maintains a telephone
5 listing at any address in the county;

6 (D) Searched county auditor property records to determine whether
7 the challenged voter owns any property in the county; and

8 (E) Searched the statewide voter registration database to
9 determine if the voter is registered at any other address in the
10 state;

11 (d) The challenged voter (~~((will))~~) is not (~~((be))~~) eighteen years of
12 age (~~((by the next election))~~); or

13 (e) The challenged voter is not a citizen of the United States.

14 (2) A person's right to vote may be challenged by another
15 registered voter or the county prosecuting attorney.

16 (3) The challenger must file a signed affidavit subject to the
17 penalties of perjury swearing that, to his or her personal knowledge
18 and belief, having exercised due diligence to personally verify the
19 evidence presented, the challenged voter either is not qualified to
20 vote or does not reside at the address given on his or her voter
21 registration record based on one of the reasons allowed in subsection
22 (1) of this section. The challenger must provide the factual basis
23 for the challenge, including any information required by subsection
24 (1)(c) of this section, in the signed affidavit. The challenge may
25 not be based on unsupported allegations or allegations by anonymous
26 third parties. All documents pertaining to the challenge are public
27 records.

28 (4) Challenges based on a felony conviction under RCW 29A.08.520
29 must be heard according to RCW 29A.08.520 and rules adopted by the
30 secretary of state.

31 NEW SECTION. **Sec. 10.** This act takes effect January 1, 2018.

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