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HOUSE BILL 2433

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State of Washington

65th Legislature

2018 Regular Session

By Representatives Bergquist, Kilduff, Macri, Riccelli, Kagi, Fitzgibbon, Frame, Stambaugh, Goodman, Pollet, Ormsby, Valdez, and Tarleton; by request of Secretary of State

Read first time 01/09/18. Referred to Committee on State Govt, Elections & IT.

1 AN ACT Relating to automatic voter registration, including  
2 establishing the future voter program for certain persons sixteen and  
3 seventeen years of age; amending RCW 28A.230.150, 29A.08.110,  
4 29A.08.125, 29A.08.210, 29A.08.615, 29A.08.710, 29A.08.720,  
5 29A.08.760, 29A.84.140, 46.20.155, 29A.08.330, 29A.08.810, and  
6 29A.08.350; reenacting and amending RCW 42.56.250; adding a new  
7 section to chapter 29A.04 RCW; adding new sections to chapter 29A.08  
8 RCW; adding a new section to chapter 46.20 RCW; creating a new  
9 section; prescribing penalties; and providing an effective date.

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

11 NEW SECTION. **Sec. 1.** The secretary of state and legislature  
12 recognize the importance of voting and voter registration. To ensure  
13 that all eligible citizens can conveniently register to vote,  
14 Washington state has fully implemented motor voter registration  
15 through the department of licensing, agency-based voter registration,  
16 voter registration by mail, in-person voter registration, and online  
17 voter registration. In addition, the secretary of state delivers a  
18 voter information pamphlet to every household in Washington state  
19 that includes information about how to register to vote. Voter  
20 registration information is provided to college students at the time  
21 of registration for classes and the secretary of state sends voter

1 registration information to all young people when they turn eighteen  
2 years of age. Annually, following ongoing voter registration list  
3 maintenance, the secretary of state contacts potentially eligible,  
4 but not yet registered voters, with registration information. Voter  
5 registration information is also provided in several languages, and  
6 in forms accessible to persons with disabilities. Materials are also  
7 available to persons conducting voter registration drives.

8 Participation in voting by those between the ages of eighteen and  
9 twenty-four is the lowest of any age group. If a person views voting  
10 as important at age eighteen, they are likely to become a lifelong  
11 voter. It is the intent of the secretary of state and legislature to  
12 formalize a registration sign up process for those not yet eighteen  
13 through the establishment of the future voter program, to authorize  
14 all persons sixteen and seventeen years old to sign up to register to  
15 vote, and to engage these new voters and encourage their civic  
16 participation in an educational environment.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 29A.04  
18 RCW to read as follows:

19 "Future voter" means a United States citizen and Washington state  
20 resident, age sixteen or seventeen, who wishes to provide information  
21 to the secretary of state related to voter registration.

22 **Sec. 3.** RCW 28A.230.150 and 1969 ex.s. c 223 s 28A.02.090 are  
23 each amended to read as follows:

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

31 (2) Each year on "Temperance and Good Citizenship Day," social  
32 studies teachers must, as resources allow, coordinate a voter  
33 registration event in each history or social studies class attended  
34 by high school seniors. This event is known as the future voter  
35 program. Teachers must make voter sign up and registration available  
36 to all students.

37 (3) County auditors may, as resources allow, help coordinate  
38 elements of the future voter program, and participate in voter

1 registration events for students on "Temperance and Good Citizenship  
2 Day."

3 (4) Each temperance and good citizenship day event must encourage  
4 students who will be eighteen years of age or older by the time of  
5 the next general election to register to vote online from the  
6 classroom. Students who do not possess a state identicard or driver's  
7 license must be provided a paper registration form. The event must  
8 include adequate time for students to complete the registration  
9 process in class.

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

16 (6) The superintendent of public instruction must consult with  
17 the secretary of state to provide registration methods that enable  
18 the electronic collection of information on the number of students  
19 who registered to vote on "Temperance and Good Citizenship Day," with  
20 the goal of achieving at least fifty thousand new voter registrations  
21 for seventeen and eighteen year olds annually, beginning in January  
22 2020.

23 (7) Beginning March 1, 2020, and annually thereafter, the  
24 superintendent of public instruction must report on yearly progress  
25 toward the goal established in subsection (5) of this section,  
26 including the number of seventeen and eighteen year olds registered  
27 to vote by county and recommendations for increasing youth voter  
28 registration, to the governor and the appropriate standing committees  
29 of the legislature in accordance with RCW 43.01.036.

30 (8) For the purposes of this section:

31 (a) "Future voter program" refers to the information that may be  
32 collected by a number of processes about a future voter. Information  
33 gathered for future voters is not public until the person becomes a  
34 registered voter at age eighteen.

35 (b) "Sign up" means the act of providing information relevant to  
36 eventual official voter registration at age eighteen, prior to  
37 official registration at age eighteen.

38 **Sec. 4.** RCW 29A.08.110 and 2009 c 369 s 10 are each amended to  
39 read as follows:

1       (1) For persons registering under RCW 29A.08.120, 29A.08.123,  
2 29A.08.330, and 29A.08.340, an application is considered complete  
3 only if it contains the information required by RCW 29A.08.010. The  
4 applicant is considered to be registered to vote as of the original  
5 date of mailing (~~(or)~~), date of delivery, or eighteenth birthday,  
6 whichever is applicable. The auditor shall record the appropriate  
7 precinct identification, taxing district identification, and date of  
8 registration on the voter's record in the state voter registration  
9 list. Any mailing address provided shall be used only for mail  
10 delivery purposes, and not for precinct assignment or residency  
11 purposes. Within sixty days after the receipt of an application or  
12 transfer, the auditor shall send to the applicant, by first-class  
13 nonforwardable mail, an acknowledgment notice identifying the  
14 registrant's precinct and containing such other information as may be  
15 required by the secretary of state. The postal service shall be  
16 instructed not to forward a voter registration card to any other  
17 address and to return to the auditor any card which is not  
18 deliverable.

19       (2) If an application is not complete, the auditor shall promptly  
20 mail a verification notice to the applicant. The verification notice  
21 shall require the applicant to provide the missing information. If  
22 the applicant provides the required information within forty-five  
23 days, the applicant shall be registered to vote as of the original  
24 date of application. The applicant shall not be placed on the  
25 official list of registered voters until the application is complete.

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

28       (1) A person may sign up to register to vote if he or she is  
29 sixteen years of age, as part of the future voter program.

30       (2) A person who signs up to register to vote may not vote until  
31 reaching eighteen years of age, and his or her name may not be added  
32 to the statewide voter registration database list of voters until  
33 such time as he or she is eighteen years of age or will be eighteen  
34 years of age before the next election.

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

1 (1) A person who has attained sixteen years of age may sign up to  
2 register to vote, as part of the future voter program, by submitting  
3 a voter registration application by mail.

4 (2) The applicant must attest to the truth of the information  
5 provided on the application by affirmatively accepting the  
6 information as true.

7 (3) If signing up to register by mail, the person must provide a  
8 signature for voter registration purposes.

9 (4) The applicant must affirmatively acknowledge that he or she  
10 will not vote until his or her eighteenth birthday.

11 (5) The secretary of state may employ additional security  
12 measures to ensure the accuracy and integrity of voter  
13 preregistration applications submitted electronically.

14 **Sec. 7.** RCW 29A.08.125 and 2009 c 369 s 12 are each amended to  
15 read as follows:

16 (1) The office of the secretary of state shall maintain a  
17 statewide voter registration database. This database must be a  
18 centralized, uniform, interactive computerized statewide voter  
19 registration list that contains the name and registration information  
20 of every registered voter in the state.

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

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

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

28 (5) The database must be coordinated with other government  
29 databases within the state including, but not limited to, the  
30 department of corrections, the department of licensing, the  
31 department of health, the administrative office of the courts, and  
32 county auditors. The database may also be coordinated with the  
33 databases of election officials in other states.

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

37 (7) Voter registration information received by each county  
38 auditor must be electronically entered into the database. The office  
39 of the secretary of state must provide support, as needed, to enable

1 each county auditor to enter and maintain voter registration  
2 information in the state database.

3 (8) The secretary of state has data authority over all voter  
4 registration data.

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

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

8 (b) Identify duplicate voter registrations;

9 (c) Identify suspected duplicate voters;

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

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

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

17 (g) Provide access for county auditors that includes the  
18 capability to update registrations and search for duplicate  
19 registrations; ((and))

20 (h) Provide for the cancellation of registrations of voters who  
21 have moved out of state; and

22 (i) Provide for the storage of pending registration records for  
23 persons seventeen years of age in a manner that these records will  
24 not appear on the official list of registered voters until the future  
25 registrant is eligible to vote.

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

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

36 (12) Each county auditor shall maintain a list of all registered  
37 voters within the county that are contained on the official statewide  
38 voter registration list. In addition to the information maintained in  
39 the statewide database, the county database must also maintain the

1 applicable taxing district and precinct codes for each voter in the  
2 county, and a list of elections in which the individual voted.

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

6 **Sec. 8.** RCW 29A.08.210 and 2009 c 369 s 16 are each amended to  
7 read as follows:

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

11 (1) The former address of the applicant if previously registered  
12 to vote;

13 (2) The applicant's full name;

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

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

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

18 (6) The sex of the applicant;

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

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

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

30 (10) 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) A check box and declaration confirming that the applicant is  
34 a citizen of the United States;

35 (12) The following warning:

36 "If you knowingly provide false information on this voter  
37 registration form or knowingly make a false declaration about your  
38 qualifications for voter registration you will have committed a class

1 C felony that is punishable by imprisonment for up to five years, a  
2 fine of up to ten thousand dollars, or both."

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

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

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

10 **Sec. 9.** RCW 29A.08.615 and 2003 c 111 s 238 are each amended to  
11 read as follows:

12 (1) Registered voters are divided into two categories, "active"  
13 and "inactive." All registered voters are classified as active,  
14 unless assigned to inactive status by the county auditor.

15 (2) Persons signing up to register to vote as future voters who  
16 have not yet reached eighteen years of age are classified as  
17 "pending" until attaining eighteen years of age.

18 **Sec. 10.** RCW 29A.08.710 and 2005 c 246 s 17 are each amended to  
19 read as follows:

20 (1) The county auditor shall have custody of the original voter  
21 registration records and voter registration sign up records for each  
22 county. The original voter registration form must be filed without  
23 regard to precinct and is considered confidential and unavailable for  
24 public inspection and copying. An automated file of all registered  
25 voters must be maintained pursuant to RCW 29A.08.125. An auditor may  
26 maintain the automated file in lieu of filing or maintaining the  
27 original voter registration forms if the automated file includes all  
28 of the information from the original voter registration forms  
29 including, but not limited to, a retrievable facsimile of each  
30 voter's signature.

31 (2) The following information contained in voter registration  
32 records or files regarding a voter or a group of voters is available  
33 for public inspection and copying, except as provided in RCW  
34 40.24.060: The voter's name, address, political jurisdiction, gender,  
35 date of birth, voting record, date of registration, and registration  
36 number. The information contained in voter registration applications  
37 for persons signing up to register to vote as a future voter prior to  
38 age eighteen is exempt from public inspection and copying until the



1 applicant reaches age eighteen. No other information from voter  
2 registration records or files is available for public inspection or  
3 copying.

4 **Sec. 11.** RCW 29A.08.720 and 2011 c 10 s 18 are each amended to  
5 read as follows:

6 (1) In the case of voter registration records received through  
7 the department of licensing or an agency designated under RCW  
8 29A.08.310, the identity of the office or agency at which any  
9 particular individual registered to vote is not available for public  
10 inspection and shall not be disclosed to the public. Any record of a  
11 particular individual's choice not to register to vote at an office  
12 of the department of licensing or a state agency designated under RCW  
13 29A.08.310 is not available for public inspection and any information  
14 regarding such a choice by a particular individual shall not be  
15 disclosed to the public. The information contained in voter  
16 registration applications for persons signing up to register to vote  
17 as future voters prior to age eighteen is exempt from public  
18 inspection and copying until the applicant reaches age eighteen.

19 (2) Subject to the restrictions of RCW 29A.08.710 and 40.24.060,  
20 precinct lists and current lists of registered voters are public  
21 records and must be made available for public inspection and copying  
22 under such reasonable rules and regulations as the county auditor or  
23 secretary of state may prescribe. The county auditor or secretary of  
24 state shall promptly furnish current lists of registered voters in  
25 his or her possession, at actual reproduction cost, to any person  
26 requesting such information. The lists shall not be used for the  
27 purpose of mailing or delivering any advertisement or offer for any  
28 property, establishment, organization, product, or service or for the  
29 purpose of mailing or delivering any solicitation for money,  
30 services, or anything of value. However, the lists and labels may be  
31 used for any political purpose. The county auditor or secretary of  
32 state must provide a copy of RCW 29A.08.740 to the person requesting  
33 the material that is released under this section.

34 (3) For the purposes of this section, "political purpose" means a  
35 purpose concerned with the support of or opposition to any candidate  
36 for any partisan or nonpartisan office or concerned with the support  
37 of or opposition to any ballot proposition or issue. "Political  
38 purpose" includes, but is not limited to, such activities as the

1 advertising for or against any candidate or ballot measure or the  
2 solicitation of financial support.

3 **Sec. 12.** RCW 29A.08.760 and 2011 1st sp.s. c 43 s 813 are each  
4 amended to read as follows:

5 The secretary of state shall provide a duplicate copy of the  
6 master statewide computer file or electronic data file of registered  
7 voters to the consolidated technology services agency for purposes of  
8 creating the jury source list without cost. The information contained  
9 in voter registration applications for persons signing up to register  
10 to vote as future voters prior to age eighteen is exempt from  
11 inclusion until the applicant reaches age eighteen. Restrictions as  
12 to the commercial use of the information on the statewide computer  
13 tape or data file of registered voters, and penalties for its misuse,  
14 shall be the same as provided in RCW 29A.08.720 and 29A.08.740.

15 **Sec. 13.** RCW 29A.84.140 and 2005 c 246 s 22 are each amended to  
16 read as follows:

17 A person who knows that he or she does not possess the legal  
18 qualifications of a voter and who registers to vote is guilty of a  
19 class C felony. This section does not apply to persons age sixteen or  
20 seventeen signing up to register to vote as authorized under section  
21 5 of this act.

22 NEW SECTION. **Sec. 14.** A new section is added to chapter 29A.08  
23 RCW to read as follows:

24 (1) A person who has attained sixteen years of age and has a  
25 valid Washington state driver's license or identicard may sign up to  
26 register to vote as part of the future voter program, by submitting a  
27 voter registration application electronically on the secretary of  
28 state's web site.

29 (2) The applicant must attest to the truth of the information  
30 provided on the application by affirmatively accepting the  
31 information as true.

32 (3) If signing up to register electronically, the applicant must  
33 affirmatively assent to the use of his or her driver's license or  
34 identicard signature for voter registration purposes.

35 (4) The applicant must affirmatively acknowledge that he or she  
36 will not vote until his or her eighteenth birthday.

1 (5) A voter registration application submitted electronically is  
2 otherwise considered a registration by mail.

3 (6) For each electronic registration application, the secretary  
4 of state must obtain a digital copy of the applicant's driver's  
5 license or identicard signature from the department of licensing.

6 (7) The secretary of state may employ additional security  
7 measures to ensure the accuracy and integrity of voter  
8 preregistration applications submitted electronically.

9 **Sec. 15.** RCW 46.20.155 and 2013 c 11 s 90 are each amended to  
10 read as follows:

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

15 "Do you want to register or sign up to vote or update your voter  
16 registration?"

17 If the applicant chooses to register, sign up, or update a  
18 registration, the agent shall ask the following:

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

20 (2) "Are you (~~or will~~) at least sixteen years old and do you  
21 understand that you must be eighteen years of age (~~on or~~) before  
22 (~~the next election~~) you vote?"

23 If the applicant answers in the affirmative to both questions,  
24 the agent shall then submit the registration, sign up form, or  
25 update. If the applicant answers in the negative to either question,  
26 the agent shall not submit (~~a voter registration~~) an application.  
27 Information provided for persons under eighteen years of age under  
28 this section is exempt from public inspection and copying under  
29 chapter 42.56 RCW until the person reaches eighteen years of age.

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

34 **Sec. 16.** RCW 42.56.250 and 2017 c 38 s 1 and 2017 c 16 s 1 are  
35 each reenacted and amended to read as follows:

1 The following employment and licensing information is exempt from  
2 public inspection and copying under this chapter:

3 (1) Test questions, scoring keys, and other examination data used  
4 to administer a license, employment, or academic examination;

5 (2) All applications for public employment, including the names  
6 of applicants, resumes, and other related materials submitted with  
7 respect to an applicant;

8 (3) Professional growth plans (PGPs) in educator license renewals  
9 submitted through the eCert system in the office of the  
10 superintendent of public instruction;

11 (4) The following information held by any public agency in  
12 personnel records, public employment related records, volunteer  
13 rosters, or included in any mailing list of employees or volunteers  
14 of any public agency: Residential addresses, residential telephone  
15 numbers, personal wireless telephone numbers, personal email  
16 addresses, social security numbers, driver's license numbers,  
17 identicard numbers, and emergency contact information of employees or  
18 volunteers of a public agency, and the names, dates of birth,  
19 residential addresses, residential telephone numbers, personal  
20 wireless telephone numbers, personal email addresses, social security  
21 numbers, and emergency contact information of dependents of employees  
22 or volunteers of a public agency. For purposes of this subsection,  
23 "employees" includes independent provider home care workers as  
24 defined in RCW 74.39A.240;

25 (5) Information that identifies a person who, while an agency  
26 employee: (a) Seeks advice, under an informal process established by  
27 the employing agency, in order to ascertain his or her rights in  
28 connection with a possible unfair practice under chapter 49.60 RCW  
29 against the person; and (b) requests his or her identity or any  
30 identifying information not be disclosed;

31 (6) Investigative records compiled by an employing agency  
32 conducting an active and ongoing investigation of a possible unfair  
33 practice under chapter 49.60 RCW or of a possible violation of other  
34 federal, state, or local laws prohibiting discrimination in  
35 employment;

36 (7) Criminal history records checks for board staff finalist  
37 candidates conducted pursuant to RCW 43.33A.025;

38 (8) Except as provided in RCW 47.64.220, salary and benefit  
39 information for maritime employees collected from private employers  
40 under RCW 47.64.220(1) and described in RCW 47.64.220(2);

1 (9) Photographs and month and year of birth in the personnel  
2 files of employees and workers of criminal justice agencies as  
3 defined in RCW 10.97.030. The news media, as defined in RCW  
4 5.68.010(5), shall have access to the photographs and full date of  
5 birth. For the purposes of this subsection, news media does not  
6 include any person or organization of persons in the custody of a  
7 criminal justice agency as defined in RCW 10.97.030; ~~((and))~~

8 (10) The global positioning system data that would indicate the  
9 location of the residence of a public employee or volunteer using the  
10 global positioning system recording device; and

11 (11) Information contained in voter registration records gathered  
12 under Title 29A RCW and RCW 46.20.155 until the person reaches  
13 eighteen years of age.

14 **Sec. 17.** RCW 29A.08.330 and 2013 c 11 s 16 are each amended to  
15 read as follows:

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

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

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

33 "Do you want to register or sign up to vote or update your voter  
34 registration?"

35 If the applicant chooses to register, sign up, or update a  
36 registration, the service agent shall ask the following:

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

1 (b) "Are you (~~or will~~) at least sixteen years old and do you  
2 understand that you must be eighteen years of age (~~on or~~) before  
3 (~~the next election~~) you vote?"

4 If the applicant answers in the affirmative to both questions,  
5 the agent shall then provide the applicant with a voter registration  
6 form and instructions and shall record that the applicant has  
7 requested to sign up to vote, register to vote, or update a voter  
8 registration. If the applicant answers in the negative to either  
9 question, the agent shall not provide the applicant with a voter  
10 registration (~~form~~) application.

11 (4) If an agency uses a computerized application process, it may,  
12 in consultation with the secretary of state, develop methods to  
13 capture simultaneously the information required for voter  
14 registration during a person's computerized application process.

15 (5) Each designated agency shall transmit the applications to the  
16 secretary of state or appropriate county auditor within three  
17 business days.

18 (6) Information provided for persons under eighteen years of age  
19 for voter sign up is exempt from public inspection and copying under  
20 chapter 42.56 RCW until the person reaches eighteen years of age.

21 **Sec. 18.** RCW 29A.08.810 and 2011 c 10 s 20 are each amended to  
22 read as follows:

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

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

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

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

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

34 (ii) Submit evidence that he or she exercised due diligence to  
35 verify that the challenged voter does not reside at the address  
36 provided and to attempt to contact the challenged voter to learn the  
37 challenged voter's actual residence, including that the challenger  
38 personally:

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

4 (B) Visited the residential address provided and contacted  
5 persons at the address to determine whether the voter resides at the  
6 address and, if not, obtained and submitted with the challenge form a  
7 signed affidavit subject to the penalties of perjury from a person  
8 who owns or manages property, resides, or is employed at the address  
9 provided, that to his or her personal knowledge the challenged voter  
10 does not reside at the address as provided on the voter registration;

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

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

16 (E) Searched the statewide voter registration database to  
17 determine if the voter is registered at any other address in the  
18 state;

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

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

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

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

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

1        NEW SECTION.    **Sec. 19.**    A new section is added to chapter 29A.08  
2    RCW to read as follows:

3        A person between ages sixteen and eighteen years who is a citizen  
4    of the United States applying for or renewing an enhanced driver's  
5    license or identicard issued under RCW 46.20.202 may be signed up to  
6    register to vote, as part of the future voter program, at the time of  
7    registration or renewal, by automated process if the department of  
8    licensing record associated with the applicant verifies United States  
9    citizenship, contains the data required for voter registration under  
10   RCW 29A.08.010, and includes a signature image. The person must be  
11   informed that his or her record will be used for voter registration  
12   once he or she attains age eighteen, and offered an opportunity to  
13   decline to register.

14       NEW SECTION.    **Sec. 20.**    A new section is added to chapter 29A.08  
15   RCW to read as follows:

16        (1) If the applicant in section 19 of this act does not decline  
17   registration, the application must be stored by the department of  
18   licensing until the person is seventeen years and eight months of  
19   age. Once the applicant reaches seventeen years and eight months of  
20   age, the application must be forwarded to the secretary of state and  
21   is then considered submitted pursuant to RCW 29A.08.340. The  
22   information forwarded must contain the most recent residence and  
23   mailing address on file with the department.

24        (2) For each such application, the secretary of state must obtain  
25   a digital copy of the applicant's signature image from the department  
26   of licensing.

27        (3) The secretary of state may employ additional security  
28   measures to ensure the accuracy and integrity of voter registration  
29   applications submitted electronically.

30       NEW SECTION.    **Sec. 21.**    A new section is added to chapter 29A.08  
31   RCW to read as follows:

32        A person age eighteen years or older who is a citizen of the  
33   United States applying for or renewing an enhanced driver's license  
34   or identicard issued under RCW 46.20.202 may be registered to vote or  
35   update voter registration information at the time of registration or  
36   renewal, by automated process if the department of licensing record  
37   associated with the applicant verifies United States citizenship,  
38   contains the data required for voter registration under RCW



1 29A.08.010, and includes a signature image. The person must be  
2 informed that his or her record will be used for voter registration,  
3 and offered an opportunity to decline to register.

4 NEW SECTION. **Sec. 22.** A new section is added to chapter 29A.08  
5 RCW to read as follows:

6 (1) If the applicant in section 21 of this act does not decline  
7 registration, the application is submitted pursuant to RCW  
8 29A.08.340.

9 (2) For each such application, the secretary of state must obtain  
10 a digital copy of the applicant's signature image from the department  
11 of licensing.

12 (3) The secretary of state may employ additional security  
13 measures to ensure the accuracy and integrity of voter registration  
14 applications submitted electronically.

15 NEW SECTION. **Sec. 23.** A new section is added to chapter 29A.08  
16 RCW to read as follows:

17 (1) For persons age eighteen years and older registering under  
18 section 21 of this act, an application is considered complete only if  
19 it contains the information required by RCW 29A.08.010 and  
20 citizenship information. The applicant is considered to be registered  
21 to vote as of the original date of application or renewal of an  
22 enhanced driver's license or enhanced identicard issued under RCW  
23 46.20.202. The auditor shall record the appropriate precinct  
24 identification, taxing district identification, and date of  
25 registration on the voter's record in the state voter registration  
26 list. Any mailing address provided shall be used only for mail  
27 delivery purposes, and not for precinct assignment or residency  
28 purposes. Within sixty days after the receipt of an application or  
29 transfer, the auditor shall send to the applicant, by first-class  
30 nonforwardable mail, an acknowledgment notice identifying the  
31 registrant's precinct and containing such other information as may be  
32 required by the secretary of state. The United States postal service  
33 shall be instructed not to forward a voter registration card to any  
34 other address and to return to the auditor any card which is not  
35 deliverable.

36 (2) If an application is not complete, the auditor shall promptly  
37 mail a verification notice to the applicant. The verification notice  
38 shall require the applicant to provide the missing information. If

1 the applicant provides the required information within forty-five  
2 days, the applicant shall be registered to vote as of the original  
3 date of application. The applicant shall not be placed on the  
4 official list of registered voters until the application is complete.

5 (3) If the prospective registration applicant declines to  
6 register to vote or the information provided by the department of  
7 licensing does not indicate citizenship, the information shall not be  
8 included on the list of registered voters.

9 NEW SECTION. **Sec. 24.** A new section is added to chapter 46.20  
10 RCW to read as follows:

11 For persons eighteen years of age or older who the department has  
12 determined are citizens of the United States and who are applying for  
13 or renewing an enhanced driver's license or identicard under RCW  
14 46.20.202, and have not declined to register to vote, the department  
15 shall produce and transmit to the secretary of state the following  
16 information from the records of each individual: The name, address,  
17 date of birth, gender of the applicant, the driver's license number,  
18 signature image, citizenship, and the date on which the application  
19 was submitted. The department and the secretary of state shall  
20 process information as an automated application on a daily basis.

21 **Sec. 25.** RCW 29A.08.350 and 2013 c 11 s 18 are each amended to  
22 read as follows:

23 The department of licensing shall produce and transmit to the  
24 secretary of state the following information from the records of each  
25 individual who requested a voter registration or update at a driver's  
26 license facility: The name, address, date of birth, gender of the  
27 applicant, the driver's license number, signature image, citizenship,  
28 and the date on which the application for voter registration or  
29 update was submitted. The secretary of state shall process the  
30 registrations and updates as an electronic application.

31 NEW SECTION. **Sec. 26.** This act takes effect July 1, 2019.

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