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**State Government & Tribal Relations  
Committee**

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**HB 1063**

**Brief Description:** Authorizing seventeen year olds to participate in primary elections.

**Sponsors:** Representatives Bergquist, Stonier and Paul.

**Brief Summary of Bill**

- Allows 17 year olds who will be 18 by the upcoming general election to vote in the primary election and presidential primary election immediately preceding that general election.
- Makes disclosable for public inspection and copying the voter registration information of 17 year olds who are eligible to vote in primary elections and presidential primary elections beginning 30 days before the respective primary, whichever is first.

**Hearing Date:** 1/30/19

**Staff:** Alaura Valley (786-7291), Desiree Omli (786-7105).

**Background:**

Elections.

A person is entitled to vote if he or she is a United States citizen, has lived at their address in Washington for at least 30 days prior to the election, is at least 18 years old, is not under the Department of Corrections supervision for a felony conviction and is not disqualified to vote due to a court order.

A 16 or 17 year old may sign up to register to vote. A person who signs up to register to vote is referred to as a future voter. Upon signing up to register to vote, the applicant must confirm that they are either 18 years old or at least 16 years old and will only vote upon turning age 18. A future voter must provide the same information needed for a voter registration.

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*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.*

There are three types of elections in Washington state; general, primary, and special. General elections are held on the first Tuesday after the first Monday each November. Primaries must be held in August for November general elections. Primary elections serve as a procedure for winnowing candidates for public office to a final list of two as part of a special or general election. Washington uses a top-two primary rather than a party nominating system, meaning the two candidates who receive the most votes in the primary advance to the general election. Presidential primaries are held on the fourth Tuesday in May or on an alternative date proposed by the Secretary. Special elections are any election that is not a general election. Special elections can be held in conjunction with a primary or on other specified dates. Issues addressed on special elections include levies, bonds, levy lid lifts, annexations, and changes in government structure.

#### Voter Registration Database and the Public Records Act.

The Secretary of State (Secretary) must maintain a statewide voter registration database, and each county auditor must maintain custody of the original voter registration records. Subject to certain restrictions, either the county auditor or the Secretary must make available for public inspection and copying the precinct lists and lists of registered voters. The only information available for public inspection and copying includes the voter's name, address, political jurisdiction, gender, date of birth, voting record, date of registration, and registration number.

The Secretary must store the pending registration records for persons who sign up to register to vote and must ensure that the records will not appear on the official list of registered voters until the applicant will be at least 18 years old by the next election. Personally identifiable information and information that is otherwise disclosable under election law is exempt from public inspection and copying until the subject of the record reaches age 18, except for the purposes of processing and delivering ballots.

#### **Summary of Bill:**

A 17 year old person who is not 18 years of age at the time of a primary election or presidential primary, but will be 18 by the time of the upcoming general election, may vote in the primary election or presidential primary. A 17 year old who is qualified to vote in the upcoming general election may only vote in the primary elections which winnow down candidates for the general election. The 17 year old who will be 18 by the time of the general election may not vote in any special elections, including those held in conjunction with primary elections, before reaching the age of 18. The oath signed during voter registration is charged to specify that the voter will not vote in a general election until they are 18, or a primary election until they will be 18 by the following general election.

In the case of a primary election held in conjunction with a special election, the county auditor must provide a qualifying future voter the same ballot as provided to other persons and instructions explaining in which races the future voter may and may not vote. Upon return of ballots, the county auditor must segregate and review the returned ballots. If the county auditor finds a future voter has voted on a race or issue they were not eligible to vote on, the county auditor must create a duplicate ballot and process it with the same process used for other duplicate ballots.

When a 17 year old will be 18 years old by the next general election, that person's voter registration information will be made available for public inspection and copying 30 days prior to the earlier of the presidential primary election or the primary election. However, the bill clarifies that information necessary for the purpose of processing and delivering ballots may be disclosed prior to this time.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.