

# HOUSE BILL REPORT

## SB 5227

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### As Passed House - Amended:

April 16, 2019

**Title:** An act relating to deadlines for receipt of voter registrations by election officials.

**Brief Description:** Concerning deadlines for receipt of voter registrations by election officials.

**Sponsors:** Senators Kuderer, Hunt, Takko, Nguyen and Billig.

### Brief History:

#### Committee Activity:

State Government & Tribal Relations: 3/26/19, 4/3/19 [DPA].

#### Floor Activity:

Passed House - Amended: 4/16/19, 94-2.

### Brief Summary of Bill (As Amended by House)

- Requires that voter registrations submitted electronically be received by midnight of the registration deadline, and registrations submitted by any other method, other than in person, be received no later than the close of business of the registration deadline.
- Changes the deadline to update the address for an existing voter registration submitted by a method other than in person to eight days before the day of the election rather than 8:00 p.m. on the day of the election.
- Changes when a person is considered registered to vote, for certain registration methods, to be when an election official receives a voter registration application instead of the date of mailing or date of delivery.

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## HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

**Majority Report:** Do pass as amended. Signed by 9 members: Representatives Gregerson, Chair; Pellicciotti, Vice Chair; Walsh, Ranking Minority Member; Goehner, Assistant Ranking Minority Member; Appleton, Dolan, Hudgins, Mosbrucker and Smith.

**Staff:** Desiree Omli (786-7105).

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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.*

## **Background:**

### Methods of Registration.

A person may register to vote by mail, electronically, or in person. A person may also register to vote when he or she applies for service or assistance, and with each renewal, recertification, or change of address, at the Department of Licensing and at certain agencies as designated by the Governor in consultation with the Secretary of State (Secretary). The designated agencies include certain divisions within the Department of Social and Health Services, the Department of Health, the Health Care Authority, the Health Benefits Exchange (HBE), and the Department of Services for the Blind.

In addition, beginning July 1, 2019, an automatic voter registration process is available for enhanced driver's license and identicard applicants and persons receiving services at the HBE. The automatic voter registration procedure is also available at additional agencies as designated by the Governor in consultation with the Secretary.

### Voter Registration Deadlines.

Before June 30, 2019, in order to vote in an election, a person who is not yet registered must submit a registration in person at his or her county auditor's office no later than eight days before the election date, or by any other method other than in person no later than 29 days before the election date. A person who is already registered to vote may update his or her voter registration no later than 29 days before the date of the election.

Beginning June 30, 2019, in order to vote in an election, a person who is not yet registered must register either in person by 8:00 p.m. on the day of the election, or submit an application by any other method other than in person that is received no later than eight days before the election date. In-person registration must take place at the county auditor's office, the division of elections if in a separate city from the county auditor's office, a voting center, or other location designated by the county auditor. A person who is already registered may update an already existing registration by various methods up to 8:00 p.m. on the day of the election.

### Registration Date.

For registrations by mail or online, at designated agencies, via the automatic voter registration process except when obtaining or renewing an enhanced driver's license or identicard or via the future voter program, a person submitting a voter registration application is considered registered to vote as of the date of mailing, date of delivery, or when the person will be at least 18 years old by the next general election, whichever is applicable. A person who obtains or is in possession of an enhanced driver's license or identicard is considered registered to vote as of the original date of issuance or renewal, or date of a change of address for an existing enhanced license or identicard. A person who signs up to register to vote through the future voter program is considered registered, and therefore added to the voter registration database, when the person will be 18 years old by the next general election.

The "date of mailing" means the date of the postal cancellation on the application, which is used to determine if the application was received by the registration deadline. If the postal cancellation is illegible, then the date that the elections official receives the application is used. If the application is received by the county auditor or the Office of the Secretary of

State (OSOS) by the close of business on the fifth day after the deadline for registration, and the postal cancellation is illegible, then the application is considered to have arrived timely.

**Summary of Amended Bill:**

Voter Registration Deadlines.

Voter registration applications received electronically must be received by an election official by midnight of the registration deadline. Applications submitted by a method other than in person must be physically received by an election official by the close of business of the registration deadline.

A person who is already registered to vote and wishes to change their residential address in person must, by 8:00 p.m. on the day of the election, appear at the county auditor's office, the division of elections if in a separate city from the county auditor's office, a voting center, or other location designated by the county auditor in his or her county of residence. A request to change a residential address, submitted by a method other than in person, must be received by an election official no later than eight days before the election.

An election official is any staff member of the OSOS or a staff member of the county auditor's office.

Registration Date.

The definition and use of the date of mailing for voter registration purposes is removed. Rather, the date that an election official receives a voter registration application is the registration date for the purpose of registering and meeting the registration deadline for all methods of voter registration, except for the future voter program and automatic voter registration during an application or renewal of an enhanced driver's license or identicaid. However, registration information received during an application or renewal of an enhanced driver's license or identicaid must be received by an election official by the voter registration deadline.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) This bill is a clean-up bill for the same day voter registration bill passed last year; it came from the county auditors and director of elections to align what they are able to do with the same day voter registration bill. Implementing same day voter registration is a challenge. It is difficult to provide updated ballots based on new addresses that can be received electronically up to five minutes before the deadline. This bill provides predictability, clarifies confusion, and provides the bright lines for both same day and automatic voter registration deadlines that county auditors need. In addition, the amendment cleans up language in the bill.

(Opposed) None.

**Persons Testifying:** Senator Kuderer, prime sponsor; Paddy McGuire, Mason County Auditor's Office; Mary Hall, Thurston County Auditor's Office; and Jay Jennings, Office of the Secretary of State.

**Persons Signed In To Testify But Not Testifying:** None.