

SENATE BILL REPORT

SB 5679

As of January 26, 2022

Title: An act relating to creating the Washington voter confidence act.

Brief Description: Concerning elections and voter confidence.

Sponsors: Senators Wagoner, Wilson, J., Gildon and Short.

Brief History:

Committee Activity: State Government & Elections: 1/28/22.

Brief Summary of Bill

- Requires that the Washington State Patrol survey a sample of signatures from 2022 ballot return envelopes for comparison with signatures on file.
- Requires that the Department of Licensing verify voter registration attestations using a signature pad displaying qualifications.
- Requires that the Washington Association of Prosecuting Attorneys compile a list and produce a report of all prosecuted election law violations and outcomes of the cases.
- Waives the cost of an enhanced driver license or ID for individuals below 200 percent of the federal poverty level.
- Requires that the Secretary of State provide access to legal research databases to all county auditors for voter registration database maintenance.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Staff: Samuel Brown (786-7470)

Background: Registering to Vote. Persons who are age 18 or older and who are United

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States citizens that have lived in the state, county, and precinct for 30 days immediately preceding an election are entitled to vote. The National Voter Registration Act requires states to provide the opportunity to register to vote for federal elections. To register to vote, a person must provide their name, date of birth, residential and mailing addresses, a signature attesting the truth of the information on the voter registration application, and an attestation of the applicant's United States citizenship.

Under the Motor Voter Act, the Department of Licensing (DOL) must provide voter registration services. DOL licensing agents must offer each driver's license or identicard applicant the opportunity to register to vote at the time of the transaction. If the applicant chooses to register to vote or update a registration, the licensing agent must ask if the applicant is a United States citizen who will vote only after turning 18 years of age. If the applicant affirms both questions, the registration, sign up form, or update is processed. DOL automatically registers applicants for new or renewed enhanced driver licenses or enhanced identicards to vote or update their registrations unless the applicant declines.

Voter Registration List Maintenance. The Secretary of State (SOS) maintains a statewide voter registration database that is the official list of registered voters for all elections. The database includes voter information received on registration forms. SOS must engage in ongoing list maintenance to detect persons registered to vote in multiple counties. If potential duplicate registrations are identified, SOS refers the information to the appropriate county auditors, who compare the signatures for each registration and resolve the matter.

SOS must also compare the list of registered voters to the following lists and cancel any registrations which match entries on the lists:

- at least once a month to a list of persons who are ineligible to vote because they are currently serving a sentence of total confinement under Department of Corrections jurisdiction; and
- periodically to a list of deceased persons prepared by the Registrar of Vital Statistics.

Summary of Bill: Reports. The Washington State Patrol must conduct a survey comparing the accuracy of between 5000 and 10,000 randomly selected voter registration signatures with ballot return envelopes from the 2022 general election and report the results of the survey to the Legislature by December 1, 2023.

By December 31st of each year, the Washington Association of Prosecuting Attorneys must report all referred and prosecuted cases of election law violations within the last 12 months, and the status or outcome of each case.

Department of Licensing Procedures. DOL must provide all driver license and identicard applicants who choose to register to vote, sign up to register to vote, or update an existing voter registration with a signature pad that displays constitutional voter registration requirements and asks the applicant to affirm that:

- facts on the voter registration form are true;

- the applicant is a United States citizen;
- the applicant has lived at their current Washington address for at least 30 days before the next election at which they will vote;
- the applicant is at least 16 years old; and
- the applicant is not disqualified from voting due to a court order or under supervision for a felony conviction.

The additional fee for an enhanced driver license or enhanced identicard is waived for any applicant whose current gross family income is 200 percent or less of the federal poverty level.

List Maintenance. The SOS must provide each county auditor, without cost, access to a legal research data service which includes death and court records to assist with voter registration database maintenance.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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