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**HOUSE BILL 1796**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Representatives Sutherland, Klippert, Walsh, Kraft, Jacobsen, and Young

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1 AN ACT Relating to requiring verification of citizenship for  
2 voter registration; amending RCW 29A.08.010, 29A.08.123, 29A.08.210,  
3 and 29A.08.350; adding a new section to chapter 29A.08 RCW; and  
4 providing an expiration date.

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

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

8 (1) By July 1, 2022, each county auditor must consult with the  
9 department of licensing to determine whether each registered voter in  
10 the county has demonstrated proof of citizenship by applying for and  
11 receiving an enhanced driver's license or identicard under chapter  
12 46.20 RCW.

13 (2) If the registered voter has proven citizenship, the voter  
14 shall remain registered.

15 (3)(a) If the registered voter has not proven citizenship, the  
16 county auditor shall:

17 (i) Cancel the voter's registration;

18 (ii) Send a notice to the voter stating that the voter's  
19 registration has been canceled and instructing the voter that the  
20 registration may be restored by appearing in person at the auditor's  
21 office and demonstrating proof of citizenship through:

- 1 (A) A valid United States passport;
- 2 (B) A United States certificate of naturalization;
- 3 (C) A United States department of state consular report of birth  
4 abroad; or
- 5 (D) An original, certified birth certificate from a United States  
6 birth place, issued by a city, county, state, or territory, that  
7 contains all of the following:
- 8 (I) Full name and date of birth;
- 9 (II) Place of birth, which must be a United States location;
- 10 (III) A registrar's raised, embossed, impressed, or multicolored  
11 seal;
- 12 (IV) A control or file number that the issuing authority can  
13 confirm;
- 14 (V) A registrar's signature; and
- 15 (VI) The date the certificate was filed with the registrar's  
16 office.
- 17 (b) Birth certificates from Puerto Rico issued before July 1,  
18 2010, are not accepted to satisfy the requirement in (a)(ii)(D) of  
19 this subsection.
- 20 (c) Washington wallet-sized birth registrations are not accepted  
21 to satisfy the requirement in (a)(ii)(D) of this subsection.
- 22 (d) Upon being presented with proof of citizenship as described  
23 in (a)(ii) of this subsection, the county auditor must immediately  
24 reinstate the voter's registration.
- 25 (e) A voter whose registration has been canceled may vote a  
26 provisional ballot pursuant to RCW 29A.08.625.
- 27 (4) This section expires January 1, 2024.

28 **Sec. 2.** RCW 29A.08.010 and 2019 c 6 s 1 are each amended to read  
29 as follows:

- 30 (1) The minimum information (~~((provided on a voter registration  
31 application))~~) that is required in order to place a voter registration  
32 applicant on the voter registration rolls includes:
- 33 (a) Name;
- 34 (b) Residential address;
- 35 (c) Date of birth;
- 36 (d) A signature attesting to the truth of the information  
37 provided on the application; (~~and~~)
- 38 (e) A check or indication in the box confirming the individual is  
39 a United States citizen; and

1 (f) (i) Proof of United States citizenship through:

2 (A) A valid enhanced driver's license or identicard for which  
3 proof of United State citizenship is required;

4 (B) A valid United States passport;

5 (C) A United States certificate of naturalization;

6 (D) A United States department of state consular report of birth  
7 abroad; or

8 (E) An original, certified birth certificate from a United States  
9 birth place, issued by a city, county, state, or territory, that  
10 contains all of the following:

11 (I) Full name and date of birth;

12 (II) Place of birth which must be a United States location;

13 (III) A registrar's raised, embossed, impressed, or multicolored  
14 seal;

15 (IV) A control or file number that the issuing authority can  
16 confirm;

17 (V) A registrar's signature; and

18 (VI) The date the certificate was filed with the registrar's  
19 office.

20 (ii) Birth certificates from Puerto Rico issued before July 1,  
21 2010, are not accepted to satisfy the requirement in (f) (i) (E) of  
22 this subsection.

23 (iii) Washington wallet-sized birth registrations are not  
24 accepted to satisfy the requirement in (f) (i) (E) of this subsection.

25 (2) The residential address provided must identify the actual  
26 physical residence of the voter in Washington, as defined in RCW  
27 29A.04.151, with detail sufficient to allow the voter to be assigned  
28 to the proper precinct and to locate the voter to confirm his or her  
29 residence for purposes of verifying qualification to vote under  
30 Article VI, section 1 of the state Constitution. A residential  
31 address may be either a traditional address or a nontraditional  
32 address. A traditional address consists of a street number and name,  
33 optional apartment number or unit number, and city or town, as  
34 assigned by a local government, which serves to identify the parcel  
35 or building of residence and the unit if a multiunit residence. A  
36 nontraditional address consists of a narrative description of the  
37 location of the voter's residence, and may be used when a traditional  
38 address has not been assigned or affixed to the voter's residence or  
39 when a voter resides on an Indian reservation or Indian lands,  
40 pursuant to the conditions in RCW 29A.08.112.

1 (3) All other information supplied is ancillary and not to be  
2 used as grounds for not registering an applicant to vote.

3 (4) Modification of the language of the official Washington state  
4 voter registration form by the voter will not be accepted and will  
5 cause the rejection of the registrant's application.

6 **Sec. 3.** RCW 29A.08.123 and 2019 c 6 s 3 are each amended to read  
7 as follows:

8 (1) A person who has a valid enhanced Washington state driver's  
9 license((~~r~~)) or state identification card for which proof of United  
10 States citizenship is required, or valid tribal identification, may  
11 submit a voter registration application electronically on the  
12 secretary of state's website. A person who has a valid tribal  
13 identification card may submit a voter registration electronically on  
14 the secretary of state's website if the secretary of state is able to  
15 obtain a copy of the applicant's signature from the federal  
16 government or the tribal government and proof of the applicant's  
17 United States citizenship from the department of licensing, the  
18 federal government, the tribal government, or the applicant.

19 (2) The applicant must attest to the truth of the information  
20 provided on the application by affirmatively accepting the  
21 information as true.

22 (3) The applicant must affirmatively assent to use of his or her  
23 driver's license, state identification card, or tribal identification  
24 card signature for voter registration purposes.

25 (4) A voter registration application submitted electronically is  
26 otherwise considered a registration by mail.

27 (5) For each electronic application, the secretary of state must  
28 obtain a digital copy of the applicant's driver's license or state  
29 identification card signature from the department of licensing or  
30 tribal identification issuing authority.

31 (6) The secretary of state may employ additional security  
32 measures to ensure the accuracy and integrity of voter registration  
33 applications submitted electronically.

34 **Sec. 4.** RCW 29A.08.210 and 2020 c 208 s 3 are each amended to  
35 read as follows:

36 (1) An applicant for voter registration shall complete an  
37 application providing the following information concerning his or her  
38 qualifications as a voter in this state:

1       ~~((1))~~ (a) The former address of the applicant if previously  
2 registered to vote;

3       ~~((2))~~ (b) The applicant's full name;

4       ~~((3))~~ (c) The applicant's date of birth;

5       ~~((4))~~ (d) The address of the applicant's residence for voting  
6 purposes;

7       ~~((5))~~ (e) The mailing address of the applicant if that address  
8 is not the same as the address in (d) of this subsection ~~((4) of~~  
9 ~~this section))~~;

10       ~~((6))~~ (f) The sex of the applicant;

11       ~~((7))~~ (g) The applicant's Washington state driver's license  
12 number, Washington state identification card number, or the last four  
13 digits of the applicant's social security number if he or she does  
14 not have a Washington state driver's license or Washington state  
15 identification card;

16       ~~((8))~~ (h) A check box allowing the applicant to indicate that  
17 he or she is a member of the armed forces, national guard, or  
18 reserves, or that he or she is an overseas voter;

19       ~~((9))~~ (i) A check box allowing the applicant to acknowledge  
20 that he or she is at least sixteen years old;

21       ~~((10))~~ (j) Clear and conspicuous language, designed to draw the  
22 applicant's attention, stating that:

23       ~~((a))~~ (i) The applicant must be a United States citizen in  
24 order to register to vote; and

25       ~~((b))~~ (ii) The applicant may register to vote if the applicant  
26 is at least sixteen years old and may vote if the applicant will be  
27 at least eighteen years old by the next general election, or is at  
28 least eighteen years old for special elections;

29       ~~((11))~~ (k) A check box and declaration confirming that the  
30 applicant is a citizen of the United States;

31       ~~((12))~~ (l) The following warning:  
32 "If you knowingly provide false information on this voter  
33 registration form or knowingly make a false declaration about your  
34 qualifications for voter registration you will have committed a class  
35 C felony that is punishable by imprisonment for up to five years, a  
36 fine of up to ten thousand dollars, or both."

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

1        ~~((14))~~ (n) Any other information that the secretary of state  
2 determines is necessary to establish the identity of the applicant  
3 and prevent duplicate or fraudulent voter registrations.

4        (2) This information shall be recorded on a single registration  
5 form to be prescribed by the secretary of state.

6        (3) Upon receipt of the applicant's registration form, the county  
7 auditor shall contact the department of licensing to determine  
8 whether the applicant has demonstrated proof of citizenship by  
9 applying for and receiving an enhanced driver's license or identicard  
10 under chapter 46.20 RCW.

11        (a) If the applicant has proven citizenship, the applicant shall  
12 be registered.

13        (b)(i) If the applicant has not proven citizenship, the county  
14 auditor shall send a notice to the voter stating that the voter  
15 registration is incomplete and instructing the applicant that the  
16 registration may be completed by appearing in person at the auditor's  
17 office and demonstrating proof of citizenship through:

18        (A) A valid United States passport;

19        (B) A United States certificate of naturalization;

20        (C) A United States department of state consular report of birth  
21 abroad; or

22        (D) An original, certified birth certificate from a United States  
23 birth place, issued by a city, county, state, or territory, that  
24 contains all of the following:

25        (I) Full name and date of birth;

26        (II) Place of birth, which must be a United States location;

27        (III) A registrar's raised, embossed, impressed, or multicolored  
28 seal;

29        (IV) A control or file number that the issuing authority can  
30 confirm;

31        (V) A registrar's signature; and

32        (VI) The date the certificate was filed with the registrar's  
33 office.

34        (ii) Birth certificates from Puerto Rico issued before July 1,  
35 2010, are not accepted to satisfy the requirement in (b)(i)(D) of  
36 this subsection.

37        (iii) Washington wallet-sized birth registrations are not  
38 accepted to satisfy the requirement in (b)(i)(D) of this subsection.

1       (c) Upon being presented with proof of citizenship as described  
2 in (b) of this subsection, the county auditor must immediately  
3 complete the applicant's voter registration.

4       **Sec. 5.** RCW 29A.08.350 and 2018 c 110 s 106 are each amended to  
5 read as follows:

6       The department of licensing shall produce and transmit to the  
7 secretary of state the following information from the records of each  
8 individual who requested a voter registration or update at a driver's  
9 license facility: The name, address, date of birth, gender of the  
10 applicant, the driver's license number, signature image, confirmation  
11 that the applicant has provided proof of United States citizenship to  
12 satisfy RCW 29A.08.010, and the date on which the application for  
13 voter registration or update was submitted. The secretary of state  
14 shall process the registrations and updates as an electronic  
15 application.

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