
SUBSTITUTE SENATE BILL 5636

State of Washington

67th Legislature

2022 Regular Session

By Senate State Government & Elections (originally sponsored by Senators Hunt, Kuderer, Nguyen, Saldaña, and C. Wilson)

READ FIRST TIME 01/27/22.

1 AN ACT Relating to secure automatic voter registration; amending
2 RCW 29A.08.340, 29A.08.350, 46.20.155, 29A.08.362, 29A.08.365,
3 29A.08.030, 29A.08.110, 29A.08.125, 29A.08.370, 29A.08.375,
4 29A.08.620, 29A.84.140, 46.08.195, 29A.08.630, and 46.20.207; adding
5 new sections to chapter 29A.08 RCW; repealing RCW 46.20.156,
6 29A.08.355, 29A.08.357, and 29A.08.359; and providing an effective
7 date.

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

9 **PART I**

10 **SECURE AUTOMATIC VOTER REGISTRATION AT THE DEPARTMENT OF LICENSING**

11 **Sec. 1.** RCW 29A.08.340 and 2013 c 11 s 17 are each amended to
12 read as follows:

13 ~~((1))~~ A person may register to vote or update his or her voter
14 registration when he or she applies for ~~((e))~~, renews, duplicates,
15 or replaces a driver's license, permit, or identification card under
16 chapter 46.20 RCW, and when he or she notifies the department of
17 licensing of a change of address for a driver's license, permit, or
18 identification card under RCW 46.08.195, under the procedures set
19 forth in sections 2, 3, and 4 of this act and RCW 29A.08.350.

1 ~~((2) To register to vote or update a registration, the applicant~~
2 ~~shall provide the information required by RCW 29A.08.010.~~

3 ~~(3) The driver licensing agent shall record that the applicant~~
4 ~~has requested to register to vote or update a voter registration.))~~

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

7 (1) The department of licensing must allow a person age 18 years
8 or older to be registered to vote or update voter registration
9 information by automated process at the time of registration,
10 renewal, duplication, replacement, or change of address, whether in
11 person, by mail, or by electronic commerce, if:

12 (a) The person meets the requirements for voter registration; and

13 (b) The department of licensing record associated with the
14 applicant contains:

15 (i) The data required to determine whether the applicant meets
16 the requirements for voter registration under RCW 29A.08.010;

17 (ii) Other information as required by the secretary of state; and

18 (iii) A signature image.

19 (2) The department of licensing must allow a person 16 or 17
20 years of age to be signed up to register to vote by automated process
21 at the time of registration, renewal, duplication, replacement, or
22 change of address, whether in person, by mail, or by electronic
23 commerce, if:

24 (a) The person meets the requirements to sign up to register to
25 vote; and

26 (b) The department of licensing record associated with the
27 applicant contains:

28 (i) The data required to determine whether the applicant meets
29 the requirements for voter registration under RCW 29A.08.210, other
30 than age;

31 (ii) Other information as required by the secretary of state; and

32 (iii) A signature image.

33 (3) The person must be informed that his or her record will be
34 used for voter registration and offered an opportunity to decline to
35 register under the procedures set forth in sections 3 and 4 of this
36 act and RCW 29A.08.350 and 46.20.155.

37 (4) The department of licensing shall implement an electronic
38 information system that allows the department of licensing to
39 determine, at the time of the individual's driver's license

1 transaction, whether the individual is currently registered to vote
2 or signed up to register to vote in the state.

3 (5) For each type of document accepted by the department of
4 licensing for purposes of a driver's license transaction, the
5 department of licensing, in consultation with the secretary of state,
6 shall determine whether:

7 (a) The document demonstrates that the individual is a United
8 States citizen;

9 (b) The document demonstrates that the individual is not a United
10 States citizen at the time of the driver's license transaction; or

11 (c) The document does not demonstrate whether or not the
12 individual is a United States citizen at the time of the driver's
13 license transaction.

14 (6) If the individual presents a document demonstrating that the
15 individual is not a United States citizen at the time of the driver's
16 license transaction, the department of licensing shall not offer a
17 voter registration opportunity to the individual and shall not
18 produce or transmit information about the individual to the secretary
19 of state for voter registration purposes.

20 (7) If the department of licensing determines that the individual
21 is currently registered to vote or signed up to register to vote in
22 the state, the department of licensing shall transmit information to
23 the secretary of state as provided by section 3 of this act.

24 (8) If the department of licensing determines that:

25 (a) The individual is not currently registered to vote or signed
26 up to register to vote in the state; and

27 (b) The individual:

28 (i) Has received or is renewing an enhanced driver's license or
29 identicard issued under RCW 46.20.202 or is changing the address for
30 an existing enhanced driver's license or identicard pursuant to RCW
31 46.20.205, whether in person, by mail, or by electronic commerce; or

32 (ii) Engaged in a driver's license transaction in person, by
33 mail, or by electronic commerce and, as part of the transaction,
34 presented a document demonstrating that the individual is a United
35 States citizen,

36 the department of licensing shall transmit information to the
37 secretary of state as provided by section 4 of this act.

38 (9) If the department of licensing determines that the
39 individual:

1 (a) Is not currently registered to vote or signed up to register
2 to vote in the state;

3 (b) Has not received and is not renewing an enhanced driver's
4 license or identicard issued under RCW 46.20.202 and is not changing
5 the address for an existing enhanced driver's license or identicard
6 pursuant to RCW 46.20.205; and

7 (c) Engaged in a driver's license transaction in person, by mail,
8 or by electronic commerce and presented a document that does not
9 demonstrate whether or not the individual is a United States citizen
10 at the time of the transaction,

11 the department of licensing shall offer a voter registration
12 opportunity as provided by RCW 46.20.155 and shall transmit
13 information to the secretary of state as provided by RCW 29A.08.350.

14 (10) For individuals who are program participants under RCW
15 40.24.030, the department of licensing and the secretary of state
16 shall adopt procedures that substantially meet the requirements of
17 subsections (1) through (9) of this section.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.08
19 RCW to read as follows:

20 (1) At least on a daily basis, the department of licensing shall
21 produce and transmit to the secretary of state the following
22 information from the records of each individual who:

23 (a) Is currently registered to vote or signed up to register to
24 vote in the state; and

25 (b) Engaged in a driver's license transaction in person, by mail,
26 or by electronic commerce on that date:

27 The name, address, date of birth, gender, driver's license
28 number, and signature image of the applicant, and the date on which
29 the update was submitted. If the department of licensing records
30 whether an individual prefers to communicate in a language other than
31 English, the department of licensing shall transmit the individual's
32 language preference to the secretary of state.

33 (2) The secretary of state shall process the update as an
34 electronic update as follows:

35 (a) If the information received from the department of licensing
36 indicates that the individual has not moved and has not changed their
37 name, the secretary of state shall:

38 (i) Cause the date of the update in the statewide voter
39 registration address to be recorded; and

1 (ii) If the individual is in inactive voter status, cause the
2 individual to be returned to active voter status as provided in RCW
3 29A.08.630.

4 (b) If the information received from the department of licensing
5 indicates that the individual has moved or changed their name, the
6 secretary of state shall:

7 (i) Cause the statewide voter registration database to be
8 updated;

9 (ii) If the individual is in inactive voter status, cause the
10 individual to be returned to active voter status as provided in RCW
11 29A.08.630; and

12 (iii) Within 30 days of the receipt of the information from the
13 department of licensing, cause an acknowledgment notice to be sent by
14 nonforwardable mail to the individual under RCW 29A.08.110.

15 (c) If an individual returns the notice and affirmatively
16 declines the update in writing, the secretary of state shall cause
17 the individual's information to be modified appropriately on the list
18 of registered voters.

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

21 (1) At least on a daily basis, the department of licensing shall
22 produce and transmit to the secretary of state the following
23 information from the records of each individual who:

24 (a) Is not currently registered to vote or signed up to register
25 to vote in the state; and

26 (b) Who, on that date, has:

27 (i) Received or is renewing an enhanced driver's license or
28 identicard issued under RCW 46.20.202 or is changing the address for
29 an existing enhanced driver's license or identicard pursuant to RCW
30 46.20.205, whether in person, by mail, or by electronic commerce; or

31 (ii) Engaged in a driver's license transaction in person, by
32 mail, or by electronic commerce, and, as part of the transaction,
33 presented a document that demonstrates that the individual is a
34 United States citizen:

35 The name, address, date of birth, gender, driver's license
36 number, and signature image of the applicant, and the date on which
37 the application for voter registration was submitted. If the
38 department of licensing records whether an individual prefers to
39 communicate in a language other than English, the department of

1 licensing shall transmit the individual's language preference to the
2 secretary of state.

3 (2) The secretary of state shall process the registrations as an
4 electronic application as follows:

5 (a) Within 30 days of the receipt of the information from the
6 department of licensing, the secretary of state shall cause an
7 acknowledgment notice to be sent by nonforwardable mail to the
8 individual under RCW 29A.08.110.

9 (b) If an individual returns the notice and affirmatively
10 declines in writing to register to vote, the secretary of state shall
11 cause the individual's information to be removed from the list of
12 registered voters, and the individual shall be deemed never to have
13 registered to vote. If the individual has voted in an election, the
14 returned notice is of no effect and the person remains registered as
15 of the original date of issuance or renewal or date of change of
16 address.

17 (3) (a) For persons age 18 years and older registering under this
18 section, an application is considered complete only if it contains
19 the information required by RCW 29A.08.010 and other information as
20 required by the secretary of state. The applicant is considered to be
21 registered to vote as of the original date of issuance or renewal or
22 date of change of address.

23 (b) For persons 16 or 17 years of age signing up to register
24 under this section, an application is considered complete only if it
25 contains the information required by RCW 29A.08.010 and other
26 information as required by the secretary of state. The applicant is
27 considered to be registered to vote as of the date set forth in RCW
28 29A.08.110(1).

29 (c) The auditor or secretary of state shall record the
30 appropriate precinct identification, taxing district identification,
31 and date of registration on the voter's record in the state voter
32 registration list. Any mailing address provided shall be used only
33 for mail delivery purposes, and not for precinct assignment or
34 residency purposes.

35 (d) An auditor or the secretary of state may use other means to
36 communicate with potential and registered voters such as, but not
37 limited to, email, phone, or text messaging. The alternate form of
38 communication must not be in lieu of the first-class mail
39 requirements. The auditor shall act in compliance with all voter
40 notification processes established in federal law.

1 (4) If an application is not complete, the secretary of state
2 shall cause a verification notice to be promptly mailed to the
3 applicant. The verification notice must require the applicant to
4 provide the missing information. If the applicant provides the
5 required information within 45 days, the applicant must be registered
6 to vote. The applicant must not be placed on the official list of
7 registered voters until the application is complete.

8 (5) The department of licensing is prohibited from sharing data
9 files used by the secretary of state to certify voters registered
10 through the automated process outlined in this section with any
11 federal agency, or state agency other than the secretary of state.
12 Personal information supplied for the purposes of obtaining a
13 driver's license or identicard is exempt from public inspection
14 pursuant to RCW 42.56.230.

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

17 ~~((The))~~ At least on a daily basis, the department of licensing
18 shall produce and transmit to the secretary of state the following
19 information from the records of each individual who ~~((requested))~~:

20 (1) Is not currently registered to vote or signed up to register
21 to vote in the state;

22 (2) Has not received and is not renewing an enhanced driver's
23 license or identicard issued under RCW 46.20.202 and is not changing
24 the address for an existing enhanced driver's license or identicard
25 pursuant to RCW 46.20.205;

26 (3) Engaged in a driver's license transaction on that date and,
27 as part of the transaction, presented a document that does not
28 demonstrate whether or not the individual is a United States citizen
29 at the time of the transaction; and

30 (4) Requested a voter registration ~~((or update at a driver's~~
31 license facility)) as provided by RCW 46.20.155:

32 The name, address, date of birth, gender of the applicant, the
33 driver's license number, signature image, and the date on which the
34 application for voter registration or update was submitted. If the
35 department of licensing records whether an individual prefers to
36 communicate in a language other than English, the department of
37 licensing shall transmit the individual's language preference to the
38 secretary of state. The secretary of state shall process the
39 registrations and updates as an electronic application.

1 **Sec. 6.** RCW 46.20.155 and 2020 c 208 s 8 are each amended to
2 read as follows:

3 (1) Before issuing an original license or identicard (~~(or)~~),
4 renewing, duplicating, or replacing a license, permit, or identicard
5 under this chapter, and before accepting a change of address for a
6 driver's license, permit, or identicard card under this chapter to an
7 individual who:

8 (a) Is not currently registered to vote or signed up to register
9 to vote in the state;

10 (b) Has not received and is not renewing an enhanced driver's
11 license or identicard issued under RCW 46.20.202 and is not changing
12 the address for an existing enhanced driver's license or identicard
13 pursuant to RCW 46.20.205; and

14 (c) Engaged in a driver's license transaction and presented a
15 document that does not demonstrate whether or not the individual is a
16 United States citizen at the time of the transaction, the licensing
17 agent shall determine if the applicant wants to register to vote (~~or~~
18 update his or her voter registration)) by asking the following
19 question:

20 (~~"Do you want to register or sign up to vote or update your~~
21 voter registration?") "Our records show that you are not registered
22 to vote in Washington. While you're here, do you want to register to
23 vote?" The department of licensing, with the approval of the
24 secretary of state, may direct licensing agents to ask a
25 substantially similar question designed to improve applicant
26 understanding.

27 If the applicant chooses to register(~~(or)~~) or sign up(~~(or update~~
28 ~~a registration))~~), the agent shall ask the following:

- 29 (1) "Are you a United States citizen?"
30 (2) "Are you at least sixteen years old ?"

31 If the applicant answers in the affirmative to both questions,
32 the agent shall then submit the registration(~~(or)~~) or sign up form(~~(or~~
33 ~~or update)~~). If the applicant answers in the negative to either
34 question, the agent shall not submit an application. Information that
35 is otherwise disclosable under chapter 29A.08 RCW cannot be disclosed
36 on the future voter until the person reaches eighteen years of age,
37 except for the purpose of processing and delivering ballots.

1 (2) The department shall establish a procedure that substantially
2 meets the requirements of subsection (1) of this section when
3 permitting an applicant described in subsection (1)(a) through (c) of
4 this section to renew a license, permit, or identicard or submit a
5 change of address for a driver's license, permit, or identification
6 card by mail or by electronic commerce.

7 NEW SECTION. **Sec. 7.** The following acts or parts of acts are
8 each repealed:

9 (1) RCW 46.20.156 (Voter registration—Automatic—Enhanced
10 driver's licenses and identicards) and 2020 c 208 s 21 & 2018 c 110 s
11 105;

12 (2) RCW 29A.08.355 (Automatic registration and automatic sign-up
13 to register—Enhanced driver's licenses and identicards) and 2020 c
14 208 s 7 & 2018 c 110 s 102;

15 (3) RCW 29A.08.357 (Automatic registration—Enhanced driver's
16 licenses and identicards—Application submission) and 2018 c 110 s
17 103; and

18 (4) RCW 29A.08.359 (Automatic registration—Enhanced driver's
19 licenses and identicards—Procedure—Auditor duties—Confidentiality)
20 and 2020 c 208 s 18, 2019 c 391 s 8, & 2018 c 110 s 104.

21 **PART II**

22 **SECURE AUTOMATIC VOTER REGISTRATION AT OTHER STATE AGENCIES**

23 **Sec. 8.** RCW 29A.08.362 and 2018 c 110 s 201 are each amended to
24 read as follows:

25 (1) (~~Beginning July 1, 2019, the~~) The health benefit exchange
26 shall provide the following information to the secretary of state's
27 office for consenting Washington healthplanfinder applicants who
28 affirmatively indicate that they are interested in registering to
29 vote, including applicants who file changes of address, who reside in
30 Washington, are age (~~eighteen~~) 16 years or older, and are verified
31 as citizens through the health benefit exchange, for voter
32 registration purposes, or, if the person is under 18 years old, for
33 signing up for voter registration purposes:

34 (a) Names;

35 (b) Traditional or nontraditional residential addresses;

1 (c) Mailing addresses, if different from the traditional or
2 nontraditional residential address; (~~and~~)

3 (d) Dates of birth;

4 (e) The date on which the application was submitted;

5 (f) Whether an individual prefers to communicate in a language
6 other than English, if the health benefit exchange records such
7 information; and

8 (g) Any other necessary information for a voter registration.

9 (2) Subject to compliance with all applicable federal laws and
10 regulations, the secretary of state may process the information as an
11 electronic application or electronic update through a procedure that
12 substantially meets the requirements of sections 3 and 4 of this act,
13 including the mailing of an acknowledgment notice under RCW
14 29A.08.110.

15 (3) The health benefit exchange shall consult with the secretary
16 of state's office to ensure that sufficient information is provided
17 to allow the secretary of state to obtain a digital copy of the
18 person's signature when available from the department of licensing
19 and establish other criteria and procedures that are secure and
20 compliant with federal and state voter registration and privacy laws
21 and rules, including other criteria and procedures for obtaining a
22 signature if necessary.

23 ~~((3) If applicable, the health benefit exchange shall report any~~
24 ~~known barriers or impediments to implementation of this section to~~
25 ~~the appropriate committees of the legislature and the governor no~~
26 ~~later than December 1, 2018.))~~

27 (4) If the health benefit exchange determines(~~(, in consultation~~
28 ~~with the health care authority,)) that implementation of (~~chapter~~
29 ~~110, Laws of 2018)) this act requires changes subject to approval
30 from the centers for medicare and medicaid services, participation of
31 the health benefit exchange is contingent on receiving that approval.~~~~

32 (5) For applicants who are program participants under RCW
33 40.24.030, the health benefit exchange and the secretary of state
34 shall adopt procedures that substantially meet the requirements of
35 subsections (1) through (3) of this section.

36 **Sec. 9.** RCW 29A.08.365 and 2018 c 110 s 202 are each amended to
37 read as follows:

38 (1) The governor shall make a decision, in consultation with the
39 office of the secretary of state, as to whether each agency

1 identified in subsection (3) of this section shall implement
2 automatic voter registration. The final decision is at the governor's
3 sole discretion.

4 (2)(a) Each agency identified in subsection (3) of this section
5 shall submit a report to the governor and appropriate legislative
6 committees no later than December 1, 2018, describing:

7 (i) Steps needed to implement automatic voter registration under
8 chapter 110, Laws of 2018 by July 1, 2019;

9 (ii) Barriers to implementation, including ways to mitigate those
10 barriers; and

11 (iii) Applicable federal and state privacy protections for voter
12 registration information.

13 (b) In preparing the report required under this subsection, the
14 agency may consult with the secretary of state's office to determine
15 automatic voter registration criteria and procedures.

16 (3) This section applies to state agencies, other than the health
17 benefit exchange, providing public assistance or services to persons
18 with disabilities, designated pursuant to RCW 29A.08.310(1), that
19 collect, process, and store the following information as part of
20 providing assistance or services:

21 (a) Names;

22 (b) Traditional or nontraditional residential addresses;

23 (c) Dates of birth;

24 (d) A signature (~~(attesting)~~) or other attestation to the truth
25 of the information provided on the application for assistance or
26 services; and

27 (e) (~~(Verification)~~) Reliable verification of citizenship
28 information, via (~~(social security administration data)~~) database
29 match or manually verified by the agency during the client
30 transaction.

31 (4) Once an agency has implemented automatic voter registration,
32 it shall continue to provide automatic voter registration unless
33 legislation is enacted that directs the agency to do otherwise.

34 (5) Agencies may not begin verifying citizenship as part of an
35 agency transaction for the sole purpose of providing automatic voter
36 registration.

37 (6) The governor may make a decision, in consultation with the
38 office of the secretary of state, as to whether other state agencies
39 that collect, possess, and store the information identified in
40 subsection (3)(a), (b), (c), and (e) of this section may implement

1 automatic voter registration through a procedure that substantially
2 meets the requirements of sections 3 and 4 of this act, or as to
3 whether other state agencies that collect, possess, and store the
4 information in subsection (3)(a) through (c) of this section may
5 implement automatic voter registration updates for already registered
6 voters through a procedure that substantially meets the requirements
7 of section 3 of this act. The governor may make the same decision, in
8 consultation with the office of the secretary of state, as to local
9 or federal agencies, provided that such agencies consent to
10 implementing automatic voter registration or automatic voter
11 registration updates. The final decision is at the governor's sole
12 discretion.

13 **PART III**

14 **TECHNICAL AND CONFORMING AMENDMENTS**

15 **Sec. 10.** RCW 29A.08.030 and 2009 c 369 s 7 are each amended to
16 read as follows:

17 The definitions set forth in this section apply throughout this
18 chapter, unless the context clearly requires otherwise.

19 (1) "Verification notice" means a notice sent by the county
20 auditor or secretary of state to a voter registration applicant and
21 is used to verify or collect information about the applicant in order
22 to complete the registration. The verification notice must be
23 designed to include a postage prepaid, preaddressed return form by
24 which the applicant may verify or send information.

25 (2) "Acknowledgment notice" means a notice sent by nonforwardable
26 mail by the county auditor or secretary of state to a registered
27 voter to acknowledge a voter registration transaction or an automatic
28 voter registration transaction, which can include initial
29 registration, transfer, or reactivation of an inactive registration.
30 An acknowledgment notice may be a voter registration card.

31 (3) "Identification notice" means a notice sent to a
32 provisionally registered voter to confirm the applicant's identity.

33 (4) "Confirmation notice" means a notice sent to a registered
34 voter by first-class forwardable mail at the address indicated on the
35 voter's permanent registration record and to any other address at
36 which the county auditor or secretary of state could reasonably
37 expect mail to be received by the voter in order to confirm the
38 voter's residence address. The confirmation notice must be designed

1 to include a postage prepaid, preaddressed return form by which the
2 registrant may verify the address information.

3 (5) "Driver's license transaction" means an application, renewal
4 application, duplicate application, and replacement application for a
5 driver's license, permit, or identification card under chapter 46.20
6 RCW, and a notification to the department of licensing of a change of
7 address for a driver's license, permit, or identification card under
8 RCW 46.08.195.

9 **Sec. 11.** RCW 29A.08.110 and 2020 c 208 s 14 are each amended to
10 read as follows:

11 (1) For persons registering under RCW 29A.08.120, 29A.08.123,
12 29A.08.170, 29A.08.330, 29A.08.340, 29A.08.362, and 29A.08.365, an
13 application is considered complete only if it contains the
14 information required by RCW 29A.08.010. The applicant is considered
15 to be registered to vote as of:

16 (a) The original date of receipt;

17 (b) When the person will be at least eighteen years old by the
18 next election; or

19 (c) When the person will be at least seventeen years old by the
20 next primary election or presidential primary election and eighteen
21 years old by the general election, whichever is applicable.

22 (2) As soon as practicable, the auditor shall record the
23 appropriate precinct identification, taxing district identification,
24 and date of registration on the voter's record in the state voter
25 registration list. The secretary of state shall, pursuant to RCW
26 29A.04.611, establish procedures to enable new or updated voter
27 registrations to be recorded on an expedited basis. Any mailing
28 address provided shall be used only for mail delivery purposes, and
29 not for precinct assignment or residency purposes. Within (~~sixty~~)
30 30 days after the receipt of an application or transfer, the auditor
31 shall send to the applicant, by first-class nonforwardable mail, an
32 acknowledgment notice identifying the registrant's precinct and
33 containing such other information as may be required by the secretary
34 of state. The postal service shall be instructed not to forward a
35 voter registration card to any other address and to return to the
36 auditor any card which is not deliverable.

37 (3) The acknowledgment notice shall include, without limitation:

38 (a) A postage prepaid, preaddressed return form by which the
39 individual may decline to be registered to vote or decline the

1 update. In counties covered under section 203 of the voting rights
2 act, 52 U.S.C. Sec. 10503, the postage prepaid, preaddressed return
3 form shall also allow the individual to select a language preference;

4 (b) A statement explaining that the person has been registered to
5 vote or signed up to register to vote, as appropriate, setting forth
6 the qualifications to vote in this state, stating that if the
7 individual does not meet the qualifications to vote in this state,
8 the person may return the notice and affirmatively decline in writing
9 to register to vote, and that if the person wishes to unregister to
10 vote at any time, that they may contact their county auditor to do
11 so;

12 (c) The information set forth in (a) and (b) of this subsection
13 in the appropriate language or languages for which the individual's
14 county of residence is covered under section 203 of the voting rights
15 act, 52 U.S.C. Sec. 10503; and

16 (d) Information regarding how an individual can obtain more
17 information about the notice and assistance in the individual's
18 preferred language, including foreign languages as set forth in RCW
19 29A.08.270.

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

27 ((4)) (5) Once a future voter is no longer in pending status,
28 as described in RCW 29A.08.615, his or her application to sign up to
29 register to vote is no longer pending and is subject to this section.

30 **Sec. 12.** RCW 29A.08.125 and 2018 c 109 s 7 are each amended to
31 read as follows:

32 (1) The office of the secretary of state shall maintain a
33 statewide voter registration database. This database must be a
34 centralized, uniform, interactive computerized statewide voter
35 registration list that contains the name and registration information
36 of every registered voter in the state.

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

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

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

6 (5) The database must be coordinated with other government
7 databases within the state including, but not limited to, the
8 department of corrections, the department of licensing, the
9 department of health, the administrative office of the courts, and
10 county auditors. The database may also be coordinated with the
11 databases of election officials in other states.

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

15 (7) Voter registration information received by each county
16 auditor must be electronically entered into the database. The office
17 of the secretary of state must provide support, as needed, to enable
18 each county auditor to enter and maintain voter registration
19 information in the state database.

20 (8) The secretary of state has data authority over all voter
21 registration data.

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

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

25 (b) Identify duplicate voter registrations;

26 (c) Identify suspected duplicate voters;

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

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

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

34 (g) Provide access for county auditors that includes the
35 capability to update registrations and search for duplicate
36 registrations;

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

39 (i) Provide for the storage of pending registration records for
40 all future voters who have not yet reached eighteen years of age in a

1 manner that these records will not appear on the official list of
2 registered voters until the future registrant is no longer in pending
3 status as defined under RCW 29A.08.615;

4 (j) Allow the department of licensing to determine, at the time
5 of an individual's driver's license transaction, whether the
6 individual is currently registered to vote in the state; and

7 (k) Allow for the processing of information about individuals
8 transmitted to the secretary as provided by sections 2, 3, and 4 of
9 this act and RCW 29A.08.350, 29A.08.362, and 29A.08.365 as electronic
10 applications and updates. This includes, but is not limited to:

11 (i) Providing for a comparison between the voter registration
12 database and the information transmitted about an individual to
13 determine whether an individual is currently registered to vote in
14 the state, and if the individual is currently registered to vote,
15 whether the information indicates that the individual has moved or
16 that individual has changed their name; and

17 (ii) Facilitating the mailing of an acknowledgment notice and the
18 processing of any such notices returned by the individual or returned
19 as undeliverable by the postal service.

20 (10) The secretary of state may, upon agreement with other
21 appropriate jurisdictions, screen against any available databases
22 maintained by election officials in other states and databases
23 maintained by federal agencies including, but not limited to, the
24 federal bureau of investigation, the federal court system, the
25 federal bureau of prisons, and the bureau of citizenship and
26 immigration services.

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

30 (12) Each county auditor shall maintain a list of all registered
31 voters within the county that are contained on the official statewide
32 voter registration list. In addition to the information maintained in
33 the statewide database, the county database must also maintain the
34 applicable taxing district and precinct codes for each voter in the
35 county, and a list of elections in which the individual voted.

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

1 **Sec. 13.** RCW 29A.08.370 and 2018 c 110 s 203 are each amended to
2 read as follows:

3 (1) If a person who is ineligible to vote becomes, in the rare
4 occasion, registered to vote under RCW (~~(29A.08.355)~~) 29A.08.340 or
5 29A.08.362 or section 4 of this act in the absence of a knowing
6 violation by that person of RCW 29A.84.140, that person shall be
7 deemed to have performed an authorized act of registration and such
8 act may not be considered as evidence of a claim to citizenship.

9 (2) Unless a person willfully and knowingly votes or attempts to
10 vote knowing that he or she is not entitled to vote, a person who is
11 ineligible to vote and becomes registered to vote under RCW
12 (~~(29A.08.355)~~) 29A.08.340 or 29A.08.362 or section 4 of this act, and
13 subsequently votes or attempts to vote in an election held after the
14 effective date of the person's registration, is not guilty of
15 violating RCW 29A.84.130, and shall be deemed to have performed an
16 authorized act, and such act may not be considered as evidence of a
17 claim to citizenship.

18 (3) A person who is ineligible to vote, who successfully
19 completes the voter registration process under RCW (~~(29A.08.355)~~)
20 29A.08.340 or 29A.08.362 or section 4 of this act or votes in an
21 election, must have their voter registration, or record of vote,
22 removed from the voter registration database and any other
23 application records.

24 (4) Should an ineligible individual become registered to vote,
25 the office of the secretary of state and the relevant agency shall
26 jointly determine the cause.

27 **Sec. 14.** RCW 29A.08.375 and 2018 c 110 s 207 are each amended to
28 read as follows:

29 The office of the secretary of state may adopt rules to implement
30 automatic voter registration under (~~(chapter 110, Laws of 2018)~~) this
31 act.

32 **Sec. 15.** RCW 29A.08.620 and 2011 c 10 s 17 are each amended to
33 read as follows:

34 (1) Each county auditor must request change of address
35 information from the postal service for all mail ballots.

36 (2) The county auditor shall transfer the registration of a voter
37 and send an acknowledgment notice to the new address informing the
38 voter of the transfer if change of address information received by

1 the county auditor from the postal service(~~(, the department of~~
2 ~~licensing, or another agency designated to provide voter registration~~
3 ~~services)) indicates that the voter has moved within the county.~~

4 (3) The county auditor shall place a voter on inactive status and
5 send to all known addresses a confirmation notice and a voter
6 registration application if change of address information received by
7 the county auditor from the postal service(~~(, the department of~~
8 ~~licensing, or another agency designated to provide voter registration~~
9 ~~services)) indicates that the voter has moved from one county to
10 another.~~

11 (4) The county auditor shall place a voter on inactive status and
12 send to all known addresses a confirmation notice if any of the
13 following occur:

14 (a) Any document mailed by the county auditor to a voter is
15 returned by the postal service as undeliverable without address
16 correction information; or

17 (b) Change of address information received from the postal
18 service, the department of licensing, or another state agency
19 designated to provide voter registration services indicates that the
20 voter has moved out of the state.

21 **Sec. 16.** RCW 29A.84.140 and 2020 c 208 s 20 are each amended to
22 read as follows:

23 A person who knows that he or she does not possess the legal
24 qualifications of a voter and who registers to vote is guilty of a
25 class C felony. This section does not apply to persons age sixteen or
26 seventeen signing up to register to vote as authorized under RCW
27 29A.08.170 or (~~(29A.08.355(2))~~) section 2 of this act.

28 **Sec. 17.** RCW 46.08.195 and 2017 c 147 s 2 are each amended to
29 read as follows:

30 (1) The name, residence address, and mailing address (if
31 different) submitted by an applicant for a driver's license or other
32 permit, identicard, certificate of title, or vehicle or vessel
33 registration is the name and address of record for the person.

34 (2)(a) If an applicant for or the holder of a driver's license,
35 permit, identicard, certificate of title, or vehicle or vessel
36 registration changes his or her name or address, he or she must
37 notify the department of the change in writing on a form provided by
38 the department. The written notification, or other means as

1 designated by rule of the department, is the exclusive means by which
2 the name or address of record maintained by the department concerning
3 the person may be changed.

4 ~~(b) ((The form must contain a place for the person to indicate
5 that an address change is not for voting purposes.))~~ The department
6 must notify the secretary of state by the means described in ~~((RCW
7 29A.08.350))~~ section 3 of this act of all change of address
8 information for ~~((natural persons))~~ a driver's license, permit, or
9 identicard received by means of this form ~~((except information on
10 persons indicating that the change is not for voting purposes))~~.

11 (3) Any notice regarding the refusal, cancellation, suspension,
12 revocation, disqualification, probation, or nonrenewal of the
13 driver's license, commercial driver's license, permit, driving
14 privilege, identicard, certificate of title, or vehicle or vessel
15 registration mailed to the address of record of the applicant or
16 holder is effective notwithstanding the applicant or holder's failure
17 to receive the notice.

18 (4) The department may not change the name of record of a person
19 who is the holder of a driver's license, other driving permit, or
20 identicard under this section unless the person has again satisfied
21 the department regarding his or her identity in the manner provided
22 under RCW 46.20.035.

23 **Sec. 18.** RCW 29A.08.630 and 2009 c 369 s 31 are each amended to
24 read as follows:

25 The county auditor shall return an inactive voter to active voter
26 status if, prior to the passage of two federal general elections, the
27 voter:

28 (1) Notifies the auditor of a change of address;

29 (2) Responds to a confirmation notice with information that he or
30 she continues to reside at the registration address; ~~((or))~~

31 (3) Engages in a driver's license transaction or other agency
32 transaction and provides information indicating that the voter has
33 not moved; or

34 (4) Votes or attempts to vote in a primary, special election, or
35 general election. If the inactive voter fails to provide such a
36 notice or take such an action within that period, the auditor shall
37 cancel the person's voter registration.

1 **Sec. 19.** RCW 46.20.207 and 2018 c 110 s 107 are each amended to
2 read as follows:

3 (1) The department is authorized to cancel any driver's license
4 upon determining that the licensee was not entitled to the issuance
5 of the license, or that the licensee failed to give the required or
6 correct information in his or her application, or that the licensee
7 is incompetent to drive a motor vehicle for any of the reasons under
8 RCW 46.20.031 (4) and (7).

9 (2) Upon such cancellation, the licensee must surrender the
10 license so canceled to the department.

11 (3) Upon the cancellation of (~~an enhanced~~) a driver's license
12 or identicard for failure of the licensee to give correct
13 information, if such information had been transferred to the
14 secretary of state for purposes of voter registration, the department
15 must immediately notify the office of the secretary of state, and the
16 county auditor of the county of the licensee's address of record, of
17 the cancellation of the license or identicard and identify the
18 incorrect information.

19 NEW SECTION. **Sec. 20.** This act takes effect September 1, 2023.

--- END ---