

FINAL BILL REPORT

SB 5153

C 361 L 23
Synopsis as Enacted

Brief Description: Concerning uniform disclosure of records related to future voters and making conforming amendments related to participation of future voters in state primaries.

Sponsors: Senators Valdez, Hunt, Nguyen and Wilson, C..

Senate Committee on State Government & Elections
House Committee on State Government & Tribal Relations

Background: Public Records Act. The Public Records Act (PRA), enacted in 1972 as part of Initiative 276, requires all state and local government agencies to make all public records available for public inspection and copying, unless certain statutory exemptions apply. Over 500 specific references in the PRA or other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. The provisions requiring public records disclosure must be interpreted liberally, while the exemptions are interpreted narrowly to effectuate the general policy favoring disclosure.

Future Voter Program. A person is entitled to vote if the person is a United States citizen, has lived at their address in Washington for at least 30 days prior to the election, is not serving a sentence of total confinement for a felony conviction, and is not disqualified to vote due to a court order. Under ESB 6313, passed in 2020, a person may vote in a primary election if they are 17 years old, but will be 18 by the general election. Sixteen and 17-year olds may sign up to register to vote as part of the Future Voter Program, with their registrations held in pending status until such time as they may vote in an election. Information otherwise subject to disclosure requirements regarding persons who signed up to register to vote under the Future Voter Program cannot be disclosed until the person turns 18, except for processing and delivering ballots.

Penalties. A person who knows they do not meet the legal requirements to register to vote, but does so anyway, commits a class C felony, punishable by up to five years' imprisonment and a \$10,000 fine. Persons signing up to register to vote under the Future Voter Program

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may not be prosecuted for knowing illegal voter registration.

Summary: Information Disclosure. Information otherwise subject to public disclosure requirements about persons signed up to register to vote is subject to disclosure at the time the person is eligible to participate in the next presidential primary, primary, or general election.

Votes on Final Passage:

Senate	48	0	
House	76	22	(House amended)
Senate	46	0	(Senate concurred)

Effective: July 23, 2023

September 1, 2023 (Section 13)