
HOUSE BILL 1797

State of Washington

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By Representatives Sutherland, Klippert, Walsh, Kraft, Graham, and Young

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1 AN ACT Relating to the timely processing of updated voter
2 registration information; and amending RCW 29A.08.125, 29A.08.140,
3 29A.08.330, and 29A.08.340.

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

5 **Sec. 1.** RCW 29A.08.125 and 2018 c 109 s 7 are each amended to
6 read as follows:

7 (1) The office of the secretary of state shall maintain a
8 statewide voter registration database. This database must be a
9 centralized, uniform, interactive computerized statewide voter
10 registration list that contains the name and registration information
11 of every registered voter in the state.

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

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

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

19 (5) The database must be coordinated with other government
20 databases within the state including, but not limited to, the
21 department of corrections, the department of licensing, the

1 department of health, the administrative office of the courts, and
2 county auditors. The database may also be coordinated with the
3 databases of election officials in other states.

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

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

12 (8) The secretary of state has data authority over all voter
13 registration data.

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

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

17 (b) Identify duplicate voter registrations;

18 (c) Identify suspected duplicate voters;

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

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

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

26 (g) Provide access for county auditors that includes the
27 capability to update registrations and search for duplicate
28 registrations;

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

31 (i) Provide for the storage of pending registration records for
32 all future voters who have not yet reached eighteen years of age in a
33 manner that these records will not appear on the official list of
34 registered voters until the future registrant is no longer in pending
35 status as defined under RCW 29A.08.615.

36 (10) County auditors must update a voter's registration
37 information in the database as soon as practicable, and no later than
38 the close of the next business day, after the auditors receive the
39 updated information.

1 (11) County auditors must capture a forensic image of the voter
2 registration database both before and after updating a voter's
3 registration information in the database.

4 (12) The secretary of state may, upon agreement with other
5 appropriate jurisdictions, screen against any available databases
6 maintained by election officials in other states and databases
7 maintained by federal agencies including, but not limited to, the
8 federal bureau of investigation, the federal court system, the
9 federal bureau of prisons, and the bureau of citizenship and
10 immigration services.

11 ~~((11))~~ (13) The database shall retain information regarding
12 previous successful appeals of proposed cancellations of
13 registrations in order to avoid repeated cancellations for the same
14 reason.

15 ~~((12))~~ (14) Each county auditor shall maintain a list of all
16 registered voters within the county that are contained on the
17 official statewide voter registration list. In addition to the
18 information maintained in the statewide database, the county database
19 must also maintain the applicable taxing district and precinct codes
20 for each voter in the county, and a list of elections in which the
21 individual voted.

22 ~~((13))~~ (15) Each county auditor shall allow electronic access
23 and information transfer between the county's voter registration
24 system and the official statewide voter registration list.

25 **Sec. 2.** RCW 29A.08.140 and 2020 c 208 s 22 are each amended to
26 read as follows:

27 (1) In order to vote in any primary, special election, or general
28 election, a person who is not registered to vote in Washington must:

29 (a) Submit a registration application that is received by an
30 election official no later than eight days before the day of the
31 primary, special election, or general election. For purposes of this
32 subsection (1)(a), "received" means: (i) Being physically received by
33 an election official by the close of business of the required
34 deadline; or (ii) for applications received online or electronically,
35 by midnight, of the required deadline; or

36 (b) Register in person at a county auditor's office, the division
37 of elections if in a separate city from the county auditor's office,
38 a voting center, a student engagement hub, or other location

1 designated by the county auditor no later than 8:00 p.m. on the day
2 of the primary, special election, or general election.

3 (2) (a) In order to change a residence address for voting in any
4 primary, special election, or general election, a person who is
5 already registered to vote in Washington may update his or her
6 registration by:

7 (i) Submitting an address change using a registration application
8 or making notification via any non-in-person method that is received
9 by election officials no later than eight days before the day of the
10 primary, special election, or general election; or

11 (ii) Appearing in person, at a county auditor's office, the
12 division of elections if in a separate city from the county auditor's
13 office, a voting center, or other location designated by the county
14 auditor, no later than 8:00 p.m. on the day of the primary, special
15 election, or general election to be in effect for that primary,
16 special election, or general election.

17 (b) A registered voter who fails to update his or her residential
18 address by this deadline may vote according to his or her previous
19 registration address.

20 (3) To register or update a voting address in person at a county
21 auditor's office, a voting center, or other location designated by
22 the county auditor, a person must appear in person at a county
23 auditor's office, a voting center, or other location designated by
24 the county auditor at a time when the facility is open and complete
25 the voter registration application by providing the information
26 required by RCW 29A.08.010.

27 (4) Election officials must update a voter's registration
28 information in the voter registration database as soon as
29 practicable, and no later than the close of the next business day,
30 after the election officials receive the updated information.

31 (5) Election officials must capture a forensic image of the voter
32 registration database both before and after updating a voter's
33 registration information in the database.

34 **Sec. 3.** RCW 29A.08.330 and 2020 c 208 s 5 are each amended to
35 read as follows:

36 (1) The secretary of state shall prescribe the method of voter
37 registration for each designated agency. The agency shall use either
38 the state voter registration by mail form with a separate declination
39 form for the applicant to indicate that he or she declines to

1 register at this time, or the agency may use a separate form approved
2 for use by the secretary of state.

3 (2) The person providing service at the agency shall offer voter
4 registration services to every client whenever he or she applies for
5 service or assistance and with each renewal, recertification, or
6 change of address. The person providing service shall give the
7 applicant the same level of assistance with the voter registration
8 application as is offered to fill out the agency's forms and
9 documents, including information about age and citizenship
10 requirements for voter registration.

11 (3) The person providing service at the agency shall determine if
12 the prospective applicant wants to register to vote or update his or
13 her voter registration by asking the following question:

14 "Do you want to register or sign up to vote or update your voter
15 registration?"

16 If the applicant chooses to register, sign up, or update a
17 registration, the service agent shall ask the following:

18 (a) "Are you a United States citizen?"

19 (b) "Are you at least sixteen years old?"

20 If the applicant answers in the affirmative to both questions,
21 the agent shall then provide the applicant with a voter registration
22 form and instructions and shall record that the applicant has
23 requested to sign up to vote, register to vote, or update a voter
24 registration. If the applicant answers in the negative to either
25 question, the agent shall not provide the applicant with a voter
26 registration application.

27 (4) If an agency uses a computerized application process, it may,
28 in consultation with the secretary of state, develop methods to
29 capture simultaneously the information required for voter
30 registration during a person's computerized application process.

31 (5) Each designated agency shall transmit the applications to the
32 secretary of state or appropriate county auditor (~~within three~~
33 ~~business days~~) no later than the close of the next business day and
34 must be received by the election official by the required voter
35 registration deadline.

36 (6) Information that is otherwise disclosable under this chapter
37 cannot be disclosed on the future voter until the person reaches

1 eight years of age, except for the purpose of processing and
2 delivering ballots.

3 **Sec. 4.** RCW 29A.08.340 and 2013 c 11 s 17 are each amended to
4 read as follows:

5 (1) A person may register to vote or update his or her voter
6 registration when he or she applies for or renews a driver's license
7 or identification card under chapter 46.20 RCW.

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

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

12 (4) The department of licensing shall transmit the applications
13 to the secretary of state or appropriate county auditor no later than
14 the close of the next business day.

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