

SENATE BILL REPORT

SB 5579

As of February 6, 2001

Title: An act relating to protecting the integrity of elections.

Brief Description: Protecting the integrity of elections.

Sponsors: Senators Shin, Patterson, Roach, Hale, Kohl-Welles and Winsley; by request of Secretary of State.

Brief History:

Committee Activity: State & Local Government: 2/8/01.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Staff: Aaron Jennings (786-7445)

Background: Voter Registration: A person may register to vote, transfer a voter registration, or change his or her name for registration purposes when the person applies for or renews a driver's license or identification card. An agency that offers voter registration must offer the same level of service to persons registering to vote as the agency would offer a person filling out the agency's forms or documents. The Secretary of State shall furnish registration forms. When a person registers to vote, the county auditor will acknowledge the registration by sending the voter a card identifying the voter's precinct.

Violating Voting Laws: A registered voter and precinct election official may challenge a voter's registration. The county auditors are to participate with the Secretary of State to maintain a program to detect voters voting in more than one county. It is a felony for a person to vote in an election when not legally qualified to vote. Any violation of election laws shall be prosecuted by the prosecuting attorney.

Training Election Officials: The secretary shall provide training programs for election officials and personnel.

Summary of Bill: Registration Information: Voter registration information must be provided in foreign languages that are required of state agencies. Signs are posted at driver licensing facilities advising the applicant of voter registration services, the qualifications for registering, and the penalties for false registration. The voter registration application form must include clear language stating that a person must be a citizen in order to vote.

Voting Fraud: The Secretary of State must provide a voter guide detailing what is voter fraud and voter discrimination and provide a web site where complaints of violations of voting laws may be made. Complaints are forwarded to county auditors or election officials who must take action on the complaint.

Transfer of Registration: When a voter transfers his or her registration, the voter must provide all the information needed to cancel the previous registration. This information is forwarded on to the county auditor where the voter was previously registered, so that auditor may cancel the voter's registration.

Registering to Vote: Only eligible United States citizens may register to vote. When a voter registers, the agency providing the service must provide information about age and citizenship requirements for registering to vote. Further, when a person is applying for a driver's license or identification card, the licensing agent must ask the applicant if he or she wants to register to vote. If the answer is yes, then the agent must ask the applicant if he or she is a citizen and 18 years of age.

Voting Law Violations: A person who registers to vote when that person knows that he or she is not eligible to vote is committing a class C felony. Further, an election official or a voter registrar who intentionally disenfranchises or discriminates against a person eligible to vote is committing a class C felony.

Prosecution of Voting Law Violations: Prosecutors may initiate challenges to a registered voter's right to vote. If a voter voted in two or more counties, the prosecuting attorney for the county of the voter's residence must pursue the complaint. Further, prosecutors must aggressively investigate and pursue claims of voting law violations.

Appropriation: None.

Fiscal Note: Not requested.

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