

ESHB 1513 - S COMM AMD
By Committee on State Government

OUT OF ORDER 02/28/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature is committed to granting
4 equal access to voter registration for all voters. The legislature
5 recognizes the importance of fostering lifelong civic participation.
6 In Washington, according to 2016 United States census bureau
7 statistics, only twenty-one percent of eligible citizens between the
8 ages of eighteen and twenty-four are registered to vote. Studies show
9 that young adults who vote are likely to continue to do so throughout
10 adulthood. The legislature recognizes that these representational
11 disparities in registration rates and voting rates within the youth
12 electorate will improve by enacting election policies that engage all
13 young citizens. Therefore, the legislature declares that this act is
14 intended to increase voter turnout in young adults.

15 **Sec. 2.** RCW 28A.230.150 and 1969 ex.s. c 223 s 28A.02.090 are
16 each amended to read as follows:

17 (1) On January 16th of each year or the preceding Friday when
18 January 16th falls on a nonschool day, there shall be observed within
19 each public school "Temperance and Good Citizenship Day". Annually
20 the state superintendent of public instruction shall duly prepare and
21 publish for circulation among the teachers of the state a program for
22 use on such day embodying topics pertinent thereto and may from year
23 to year designate particular laws for special observance.

24 (2) Each year on "Temperance and Good Citizenship Day," social
25 studies teachers must, as resources allow, coordinate a voter
26 registration event in each history or social studies class attended
27 by high school seniors. Teachers must make voter registration
28 available to eligible students.

29 (3) County auditors may, as resources allow, help coordinate and
30 participate in voter registration events for students on "Temperance
31 and Good Citizenship Day."

1 (4) Each temperance and good citizenship day event must encourage
2 students who will be eighteen years of age or older by the time of
3 the next general election to register to vote online from the
4 classroom. Students who do not possess a state identicard or driver's
5 license must be provided a paper registration form. The event must
6 include adequate time for students to complete the registration
7 process in class.

8 (5) The superintendent of public instruction, in consultation
9 with the secretary of state, must update and distribute youth voter
10 registration materials annually, by December 1st, for eligible
11 students to register to vote at school. Electronic notification of
12 the availability of the materials must be distributed to high school
13 principals and secondary social studies and history teachers.

14 (6) The superintendent of public instruction must consult with
15 the secretary of state to provide registration methods that enable
16 the electronic collection of information on the number of students
17 who registered to vote on "Temperance and Good Citizenship Day," with
18 the goal of achieving at least fifty thousand new voter registrations
19 for seventeen and eighteen year olds annually, beginning in January
20 2018.

21 (7) Beginning March 1, 2019, and annually thereafter, the
22 superintendent of public instruction must report on yearly progress
23 toward the goal established in subsection (5) of this section,
24 including the number of seventeen and eighteen year olds registered
25 to vote by county and recommendations for increasing youth voter
26 registration, to the governor, the secretary of state, and the
27 appropriate standing committees of the legislature in accordance with
28 RCW 43.01.036.

29 **Sec. 3.** RCW 42.56.230 and 2015 c 224 s 2 and 2015 c 47 s 1 are
30 each reenacted and amended to read as follows:

31 The following personal information is exempt from public
32 inspection and copying under this chapter:

33 (1) Personal information in any files maintained for students in
34 public schools, patients or clients of public institutions or public
35 health agencies, or welfare recipients;

36 (2)(a) Personal information:

37 (i) For a child enrolled in licensed child care in any files
38 maintained by the department of early learning;

1 (ii) For a child enrolled in a public or nonprofit program
2 serving or pertaining to children, adolescents, or students,
3 including but not limited to early learning or child care services,
4 parks and recreation programs, youth development programs, and after-
5 school programs; or

6 (iii) For the family members or guardians of a child who is
7 subject to the exemption under this subsection (2) if the family
8 member or guardian has the same last name (~~(of [as])~~) as the child or
9 if the family member or guardian resides at the same address (~~(of~~
10 ~~[as])~~) as the child and disclosure of the family member's or
11 guardian's information would result in disclosure of the personal
12 information exempted under (a)(i) and (ii) of this subsection.

13 (b) Emergency contact information under this subsection (2) may
14 be provided to appropriate authorities and medical personnel for the
15 purpose of treating the individual during an emergency situation;

16 (3) Personal information in files maintained for employees,
17 appointees, or elected officials of any public agency to the extent
18 that disclosure would violate their right to privacy;

19 (4) Information required of any taxpayer in connection with the
20 assessment or collection of any tax if the disclosure of the
21 information to other persons would: (a) Be prohibited to such persons
22 by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance
23 authorized under RCW 35.102.145; or (b) violate the taxpayer's right
24 to privacy or result in unfair competitive disadvantage to the
25 taxpayer;

26 (5) Credit card numbers, debit card numbers, electronic check
27 numbers, card expiration dates, or bank or other financial
28 information as defined in RCW 9.35.005 including social security
29 numbers, except when disclosure is expressly required by or governed
30 by other law;

31 (6) Personal and financial information related to a small loan or
32 any system of authorizing a small loan in RCW 31.45.093;

33 (7)(a) Any record used to prove identity, age, residential
34 address, social security number, or other personal information
35 required to apply for a driver's license or identicard.

36 (b) Information provided under RCW 46.20.111 that indicates that
37 an applicant declined to register with the selective service system.

38 (c) Any record pertaining to a vehicle license plate, driver's
39 license, or identicard issued under RCW 46.08.066 that, alone or in
40 combination with any other records, may reveal the identity of an

1 individual, or reveal that an individual is or was, performing an
2 undercover or covert law enforcement, confidential public health
3 work, public assistance fraud, or child support investigative
4 activity. This exemption does not prevent the release of the total
5 number of vehicle license plates, drivers' licenses, or identicards
6 that, under RCW 46.08.066, an agency or department has applied for,
7 been issued, denied, returned, destroyed, lost, and reported for
8 misuse.

9 (d) Any record pertaining to a vessel registration issued under
10 RCW 88.02.330 that, alone or in combination with any other records,
11 may reveal the identity of an individual, or reveal that an
12 individual is or was, performing an undercover or covert law
13 enforcement activity. This exemption does not prevent the release of
14 the total number of vessel registrations that, under RCW 88.02.330,
15 an agency or department has applied for, been issued, denied,
16 returned, destroyed, lost, and reported for misuse; (~~and~~)

17 (8) All information related to individual claims resolution
18 structured settlement agreements submitted to the board of industrial
19 insurance appeals under RCW 51.04.063, other than final orders from
20 the board of industrial insurance appeals.

21 Upon request by the legislature, the department of licensing
22 shall provide a report to the legislature containing all of the
23 information in subsection (7)(c) and (d) of this section that is
24 subject to public disclosure(~~(-)~~);

25 (9) Voluntarily submitted information contained in a database
26 that is part of or associated with enhanced 911 emergency
27 communications systems, or information contained or used in emergency
28 notification systems as provided under RCW 38.52.575 and 38.52.577;
29 and

30 (10) Information contained in voter registration applications of
31 persons under eighteen years of age until such time as the person
32 reaches eighteen years of age.

33 **Sec. 4.** RCW 29A.08.710 and 2005 c 246 s 17 are each amended to
34 read as follows:

35 (1) The county auditor shall have custody of the original voter
36 registration records for each county. The original voter registration
37 form must be filed without regard to precinct and is considered
38 confidential and unavailable for public inspection and copying. An
39 automated file of all registered voters must be maintained pursuant

1 to RCW 29A.08.125. An auditor may maintain the automated file in lieu
2 of filing or maintaining the original voter registration forms if the
3 automated file includes all of the information from the original
4 voter registration forms including, but not limited to, a retrievable
5 facsimile of each voter's signature.

6 (2) The following information contained in voter registration
7 records or files regarding a voter or a group of voters is available
8 for public inspection and copying, except as provided in RCW
9 40.24.060: The voter's name, address, political jurisdiction, gender,
10 date of birth, voting record, date of registration, and registration
11 number. No other information from voter registration records or files
12 is available for public inspection or copying.

13 (3) The information contained in voter registration applications
14 of persons under eighteen years of age is exempt from public
15 inspection and copying requirements under chapter 42.56 RCW until the
16 person reaches eighteen years of age.

17 **Sec. 5.** RCW 29A.08.720 and 2011 c 10 s 18 are each amended to
18 read as follows:

19 (1) In the case of voter registration records received through
20 the department of licensing or an agency designated under RCW
21 29A.08.310, the identity of the office or agency at which any
22 particular individual registered to vote is not available for public
23 inspection and shall not be disclosed to the public. Any record of a
24 particular individual's choice not to register to vote at an office
25 of the department of licensing or a state agency designated under RCW
26 29A.08.310 is not available for public inspection and any information
27 regarding such a choice by a particular individual shall not be
28 disclosed to the public. The information contained in voter
29 registration applications for persons registering to vote prior to
30 age eighteen is exempt from public inspection and copying until the
31 applicant reaches age eighteen.

32 (2) Subject to the restrictions of RCW 29A.08.710 and 40.24.060,
33 precinct lists and current lists of registered voters are public
34 records and must be made available for public inspection and copying
35 under such reasonable rules and regulations as the county auditor or
36 secretary of state may prescribe. The county auditor or secretary of
37 state shall promptly furnish current lists of registered voters in
38 his or her possession, at actual reproduction cost, to any person
39 requesting such information. The lists shall not be used for the

1 purpose of mailing or delivering any advertisement or offer for any
2 property, establishment, organization, product, or service or for the
3 purpose of mailing or delivering any solicitation for money,
4 services, or anything of value. However, the lists and labels may be
5 used for any political purpose. The county auditor or secretary of
6 state must provide a copy of RCW 29A.08.740 to the person requesting
7 the material that is released under this section.

8 (3) For the purposes of this section, "political purpose" means a
9 purpose concerned with the support of or opposition to any candidate
10 for any partisan or nonpartisan office or concerned with the support
11 of or opposition to any ballot proposition or issue. "Political
12 purpose" includes, but is not limited to, such activities as the
13 advertising for or against any candidate or ballot measure or the
14 solicitation of financial support.

15 **Sec. 6.** RCW 29A.08.760 and 2011 1st sp.s. c 43 s 813 are each
16 amended to read as follows:

17 The secretary of state shall provide a duplicate copy of the
18 master statewide computer file or electronic data file of registered
19 voters to the consolidated technology services agency for purposes of
20 creating the jury source list without cost. The information contained
21 in voter registration applications for persons registering to vote
22 prior to age eighteen is exempt from inclusion until the applicant
23 reaches age eighteen. Restrictions as to the commercial use of the
24 information on the statewide computer tape or data file of registered
25 voters, and penalties for its misuse, shall be the same as provided
26 in RCW 29A.08.720 and 29A.08.740.

27 **Sec. 7.** RCW 29A.84.140 and 2005 c 246 s 22 are each amended to
28 read as follows:

29 A person who knows that he or she does not possess the legal
30 qualifications of a voter and who registers to vote is guilty of a
31 class C felony. This section does not apply to persons under eighteen
32 who register to vote as authorized under RCW 28A.230.150.

33 **Sec. 8.** RCW 29A.08.125 and 2009 c 369 s 12 are each amended to
34 read as follows:

35 (1) The office of the secretary of state shall maintain a
36 statewide voter registration database. This database must be a
37 centralized, uniform, interactive computerized statewide voter

1 registration list that contains the name and registration information
2 of every registered voter in the state.

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

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

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

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

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

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

24 (8) The secretary of state has data authority over all voter
25 registration data.

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

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

29 (b) Identify duplicate voter registrations;

30 (c) Identify suspected duplicate voters;

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

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

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

38 (g) Provide access for county auditors that includes the
39 capability to update registrations and search for duplicate
40 registrations; ((and))

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

3 (i) Provide for the storage of pending registration records for
4 persons under eighteen years of age in a manner that these records
5 will not appear on the official list of registered voters until the
6 future registrant is eligible to vote.

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

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

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

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

26 **Sec. 9.** RCW 29A.08.615 and 2003 c 111 s 238 are each amended to
27 read as follows:

28 (1) Registered voters are divided into two categories, "active"
29 and "inactive." All registered voters are classified as active,
30 unless assigned to inactive status by the county auditor.

31 (2) Persons registering to vote who have not yet reached eighteen
32 years of age are classified as "pending" until attaining eighteen
33 years of age.

34 NEW SECTION. **Sec. 10.** This act takes effect January 1, 2018."

OUT OF ORDER 02/28/2018

1 On page 1, line 2 of the title, after "information;" strike the
2 remainder of the title and insert "amending RCW 28A.230.150,
3 29A.08.710, 29A.08.720, 29A.08.760, 29A.84.140, 29A.08.125, and
4 29A.08.615; reenacting and amending RCW 42.56.230; creating a new
5 section; and providing an effective date."

EFFECT: Eliminates provision for persons who will not be 18 years of age by the next general election to sign up to register to vote. Requires that the Superintendent of Public Instruction provide a copy of the report on voter registrations on Temperance and Good Citizenship Day to the Secretary of State.

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