

# HOUSE BILL REPORT

## 2SHB 1513

### As Passed Legislature

**Title:** An act relating to collecting youth voter registration sign up information.

**Brief Description:** Collecting youth voter registration sign up information.

**Sponsors:** House Committee on State Govt, Elections & IT (originally sponsored by Representatives Bergquist, Stambaugh, Frame, Hudgins, Sawyer, Slatter, Macri, Gregerson, Peterson, McBride, Doglio, Appleton, Fitzgibbon, Goodman, Tharinger, Farrell, Pollet, Ormsby, Dolan and Riccelli).

#### Brief History:

##### Committee Activity:

State Government, Elections & Information Technology: 2/3/17, 2/7/17 [DP], 1/10/18, 1/19/18 [DP2S];

Transportation: 2/21/17, 2/22/17 [DPS].

##### Floor Activity:

Passed House: 3/1/17, 53-45.

Passed House: 2/12/18, 52-46.

Passed Senate: 2/28/18, 27-22.

Passed Legislature.

#### Brief Summary of Second Substitute Bill

- Authorizes a person to sign up to register to vote upon turning 16 years old, but provides that such persons are not added to the official list of registered voters until the person will be at least 18 years old by the next election.
- Exempts the information related to voter registration from public disclosure requirements until the subject of the information reaches age 18, with exceptions.
- Exempts the information related to voter registration from inclusion on the jury source list until the person reaches age 18.
- Provides for a voter sign-up and registration event in high school classes on Temperance and Good Citizenship Day.

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

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## **HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY**

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**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 7 members: Representatives Hudgins, Chair; Dolan, Vice Chair; Appleton, Gregerson, Irwin, Johnson and Pellicciotti.

**Minority Report:** Do not pass. Signed by 2 members: Representatives McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member.

**Staff:** Desiree Omli (786-7105).

### **Background:**

#### Voter Registration.

A person may vote if they are a United States citizen, have lived at their address for at least 30 days prior to the election, be at least 18 years old, are not under the Department of Corrections supervision for a felony conviction, and are not disqualified to vote due to a court order. It is a class C felony for a person to register to vote if the person knows that they do not meet the legal qualifications of a voter. A challenge to a person's right to vote must be based on personal knowledge of certain information, including that a voter will not be 18 years old by the next election.

Upon registering to vote, the applicant must confirm that he or she is a United States citizen and is at least 18 years old or will be by the next election. Voters may register electronically, by mail, or in person at certain locations. To register electronically, a person must have a valid state driver's license or state identification card and agree to use their license or identification card signature for voter registration purposes.

The National Voter Registration Act of 1993 requires state agencies to provide voter registration services to their customers. Through the Motor Voter Act, the Department of Licensing (DOL) is required to provide voter registration services. In addition to the DOL, the Governor, in consultation with the Secretary of State (Secretary), must designate state agencies to provide voter registration services. Additional agencies offering voter registration services are the: Department of Social and Health Services, Department of Health, Health Care Authority, Health Benefits Exchange, and Department of Services for the Blind. In addition, each institution of higher education is required to place an active prompt on its course registration website, or similar, that will allow students to select a link that directs them to the Secretary's voter registration website. State agencies offering registration services must ask its customers if they want to register to vote or update voter registration information.

#### Temperance and Good Citizenship Day.

On January 16, or the preceding Friday if January 16 falls on a nonschool day, each public school observes Temperance and Good Citizenship Day. The Superintendent of Public Instruction (Superintendent) must annually produce a program for teachers to use on Temperance and Good Citizenship Day.

### Voter Registration Database, the Public Records Act, and Jury List.

Under the Public Records Act, each agency must make available for public inspection and copying all public records, unless the record falls under an exception. The Secretary must maintain a statewide voter registration database, and, for each county, the county auditor must maintain custody of the original voter registration records. Subject to certain restrictions, either the county auditor or the Secretary must make available for public inspection and copying the precinct lists and lists of registered voters. The only information in voter registration records available for inspection and copying include the: voter's name, address, political jurisdiction, gender, date of birth, voting record, date of registration, and registration number. The Secretary must provide a copy of the master statewide voter registration file to the Consolidated Technology Services agency for the purpose of creating a jury source list.

### **Summary of Second Substitute Bill:**

#### Voter Registration.

A person may sign up to register to vote in person at a designated agency, electronically, or by mail upon his or her sixteenth birthday. A person who signs up to register to vote is also referred to as a future voter. A future voter who signs up to register to vote provides information needed for voter registration, but their application is in pending status until such a time that they turn 18 by the next election. A future voter's information is not added to the statewide voter registration database until their application is no longer in pending status. State agencies that offer voter registration services must ask their customers if they want to sign up to register to vote, and if the person is at least 18 years old or at least 16 years and will only vote after turning 18 years old.

An applicant for voter registration, and those signing up to register, must acknowledge that they must be 18 years old to vote. A person who is 16 or 17 years old who signs up to register to vote as part of the future voter program is not guilty of a class C felony. The Secretary may employ additional security measures to ensure the accuracy and integrity of voter pre-registration applications submitted electronically.

#### Temperance and Good Citizenship Day.

On the annual Temperance and Good Citizenship Day, if resources allow, social studies teachers must coordinate a voter registration event in each history or social studies class attended by high school seniors as part of the future voters program. As resources allow, county auditors may help coordinate and participate in these voter registration events. Each event must encourage students who will be at least 18 years old by the next general election to register to vote online or by paper application from the classroom. Teachers must make voter sign-up and registration available to all students.

The Superintendent, in consultation with the Secretary, must update and distribute youth voter registration materials by December 1 each year and electronically notify high school principals and secondary social studies and history teachers that the materials are available. The Superintendent must consult with the Secretary to provide registration methods that enable the electronic collection of information on the number of students who register at the registration event, with the goal of achieving at least 50,000 new voter registrations for 17 and 18 year olds annually. Beginning on March 1, 2019, the Superintendent must report on

yearly progress toward this goal, and provide recommendations for increasing youth voter registration, to the Governor and Legislature.

**Voter Registration Database, the Public Records Act, and Jury List.**

The county auditor must maintain custody of the original voter sign-up records for registration. The Secretary must store the pending registration records for persons who sign up to register to vote and must ensure that the records will not appear on the official list of registered voters until the applicant will be at least 18 years old by the next election. Personally identifiable information and information that is otherwise disclosable under election law is exempt from public inspection and copying until the subject of the record reaches age 18, except for the purpose of processing and delivering ballots. In addition, the information contained in a voter registration application is exempt from inclusion on the jury source list until the person reaches age 18.

The act takes effect July 1, 2019.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on July 1, 2019.

**Staff Summary of Public Testimony:**

(In support) This bill presents an opportunity to increase voter turnout while providing safeguards to ensure that future voters will not be added to the voter database until they are 18 years old. The biggest predictor of whether someone will vote is whether they are registered. Preregistration of 16 and 17 year olds will make youth more likely to vote, which will push new perspectives in elections. Many states allow 16 and 17 year olds to sign up to vote, and many youth want to vote before leaving high school. There is a lack of information for many students about voter registration, but getting the information out at an earlier age will help them to be ready to vote when they turn 18 years old. Many students look forward to getting their license, so tying preregistration with that process will increase youth representation in our democracy to ensure participation of all ages.

(Opposed) None.

**Persons Testifying:** Representative Berquist, prime sponsor; Lori Augino, Office of the Secretary of State; Mary Hall, Thurston County Auditor's Office; Elisabeth Smith, American Civil Liberties Union of Washington; Gracie Anderson; Adan Espino, Jr., Washington Students Association; Jasmyne Sims; Cole Jaynes-Ostrom; James Paribello, Washington Voting Justice Coalition; John Jacobson, The Washington Bus; and Oskar Zambrano, Progreso.

**Persons Signed In To Testify But Not Testifying:** None.