
SUBSTITUTE SENATE BILL 5192

State of Washington

65th Legislature

2017 Regular Session

By Senate State Government (originally sponsored by Senators Kuderer, Billig, Cleveland, Palumbo, Hunt, Darneille, Keiser, Carlyle, and Hasegawa)

READ FIRST TIME 02/09/17.

1 AN ACT Relating to enacting same day voter registration; amending
2 RCW 29A.08.140, 29A.08.110, 29A.08.410, and 29A.40.160; and providing
3 a contingent effective date.

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

5 **Sec. 1.** RCW 29A.08.140 and 2011 c 10 s 15 are each amended to
6 read as follows:

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

9 (a) Submit a registration application no later than (~~twenty-~~
10 ~~nine~~) eight days before the day of the primary, special election, or
11 general election; or

12 (b) Register in person at the county auditor's office, the
13 division of elections if in a separate city from the county auditor's
14 office, a voting center, or other location designated by the county
15 auditor, in his or her county of residence no later than (~~eight days~~
16 ~~before~~) 5:00 p.m. on the day of the primary, special election, or
17 general election.

18 (2) A person who is already registered to vote in Washington may
19 update his or her registration no later than (~~twenty-nine~~) eight
20 days before the day of the primary, special election, or general
21 election to be in effect for that primary, special election, or

1 general election. A registered voter who fails to transfer his or her
2 residential address by this deadline may vote according to his or her
3 previous registration address.

4 (3) To register in person at the county auditor's office, a
5 voting center, or other location designated by the county auditor, a
6 person must appear in person at the county auditor's office, a voting
7 center, or other location designated by the county auditor in the
8 county in which the person resides at a time when the facility is
9 open and complete the voter registration application by providing the
10 information required by RCW 29A.08.010.

11 **Sec. 2.** RCW 29A.08.110 and 2009 c 369 s 10 are each amended to
12 read as follows:

13 (1) An application is considered complete only if it contains the
14 information required by RCW 29A.08.010. The applicant is considered
15 to be registered to vote as of the original date of mailing or date
16 of delivery, whichever is applicable. As soon as practicable, the
17 auditor shall record the appropriate precinct identification, taxing
18 district identification, and date of registration on the voter's
19 record in the state voter registration list. The secretary of state
20 shall establish procedures to enable new or updated voter
21 registrations to be recorded on an expedited basis. Any mailing
22 address provided shall be used only for mail delivery purposes, and
23 not for precinct assignment or residency purposes. Within sixty days
24 after the receipt of an application or transfer, the auditor shall
25 send to the applicant, by first-class nonforwardable mail, an
26 acknowledgment notice identifying the registrant's precinct and
27 containing such other information as may be required by the secretary
28 of state. The postal service shall be instructed not to forward a
29 voter registration card to any other address and to return to the
30 auditor any card which is not deliverable.

31 (2) If an application is not complete, the auditor shall promptly
32 mail a verification notice to the applicant. The verification notice
33 shall require the applicant to provide the missing information. If
34 the applicant provides the required information within forty-five
35 days, the applicant shall be registered to vote as of the original
36 date of application. The applicant shall not be placed on the
37 official list of registered voters until the application is complete.

1 **Sec. 3.** RCW 29A.08.410 and 2009 c 369 s 22 are each amended to
2 read as follows:

3 A registered voter who changes his or her residence from one
4 address to another within the same county may transfer his or her
5 registration to the new address in one of the following ways:

6 (1) Sending the county auditor a request stating both the voter's
7 present address and the address from which the voter was last
8 registered;

9 (2) Appearing in person before the county auditor, or at a voting
10 center or other location designated by the county auditor, and making
11 such a request;

12 (3) Telephoning or emailing the county auditor to transfer the
13 registration; or

14 (4) Submitting a voter registration application.

15 **Sec. 4.** RCW 29A.40.160 and 2011 c 10 s 43 are each amended to
16 read as follows:

17 (1) Each county auditor shall open a voting center each primary,
18 special election, and general election. The voting center shall be
19 open during business hours during the voting period, which begins
20 eighteen days before, and ends at 8:00 p.m. on the day of, the
21 primary, special election, or general election.

22 (2) ~~((The))~~ Each county auditor shall register voters in person
23 at each of the following locations in the county:

24 (a) At the county auditor's office;

25 (b) At the division of elections, if located in a separate city
26 from the county auditor's office; and

27 (c) For each presidential general election, at a voting center in
28 each city in the county with a population of one hundred thousand or
29 greater, which does not have a voting center as required in (a) or
30 (b) of this subsection. A voting center opened pursuant to this
31 subsection is not required to be open on the Sunday before the
32 presidential election.

33 (3) Voting centers shall be located in public buildings
34 including, but not limited to, libraries.

35 (4) Each voting center must provide voter registration materials,
36 ballots, provisional ballots, disability access voting units, sample
37 ballots, instructions on how to properly vote the ballot, a ballot
38 drop box, and voters' pamphlets, if a voters' pamphlet has been
39 published.

1 ~~((3) The)~~ (5) Each voting center must be accessible to persons
2 with disabilities. Each state agency and entity of local government
3 shall permit the use of any of its accessible facilities as voting
4 centers when requested by a county auditor.

5 ~~((4) The)~~ (6) Each voting center must provide at least one
6 voting unit certified by the secretary of state that provides access
7 to individuals who are blind or visually impaired, enabling them to
8 vote with privacy and independence.

9 ~~((5))~~ (7) No person may interfere with a voter attempting to
10 vote in a voting center. Interfering with a voter attempting to vote
11 is a violation of RCW 29A.84.510.

12 ~~((6))~~ (8) Before opening the voting center, the voting
13 equipment shall be inspected to determine if it has been properly
14 prepared for voting. If the voting equipment is capable of direct
15 tabulation of each voter's choices, the county auditor shall verify
16 that no votes have been registered for any issue or office, and that
17 the device has been sealed with a unique numbered seal at the time of
18 final preparation and logic and accuracy testing. A log must be made
19 of all device numbers and seal numbers.

20 ~~((7))~~ (9) The county auditor shall require any person desiring
21 to vote at a voting center to either sign a ballot declaration or
22 provide identification.

23 (a) The signature on the declaration must be compared to the
24 signature on the voter registration record before the ballot may be
25 counted. If the voter registered using a mark, or can no longer sign
26 his or her name, the election officers shall require the voter to be
27 identified by another registered voter.

28 (b) The identification must be valid photo identification, such
29 as a driver's license, state identification card, student
30 identification card, tribal identification card, or employer
31 identification card. Any individual who desires to vote in person but
32 cannot provide identification shall be issued a provisional ballot,
33 which shall be accepted if the signature on the declaration matches
34 the signature on the voter's registration record.

35 ~~((8))~~ (10) Provisional ballots must be accompanied by a
36 declaration and security envelope, as required by RCW 29A.40.091, and
37 space for the voter's name, date of birth, current and former
38 registered address, reason for the provisional ballot, and
39 disposition of the provisional ballot. The voter shall vote and
40 return the provisional ballot at the voting center. The voter must be

1 provided information on how to ascertain whether the provisional
2 ballot was counted and, if applicable, the reason why the vote was
3 not counted.

4 ~~((9))~~ (11) Any voter may take printed or written material into
5 the voting device to assist in casting his or her vote. The voter
6 shall not use this material to electioneer and shall remove it when
7 he or she leaves the voting center.

8 ~~((10))~~ (12) If any voter states that he or she is unable to
9 cast his or her votes due to a disability, the voter may designate a
10 person of his or her choice, or two election officers, to enter the
11 voting booth and record the votes as he or she directs.

12 ~~((11))~~ (13) No voter is entitled to vote more than once at a
13 primary, special election, or general election. If a voter
14 incorrectly marks a ballot, he or she may be issued a replacement
15 ballot.

16 ~~((12))~~ (14) A voter who has already returned a ballot but
17 requests to vote at a voting center shall be issued a provisional
18 ballot. The canvassing board shall not count the provisional ballot
19 if it finds that the voter has also voted a regular ballot in that
20 primary, special election, or general election.

21 ~~((13))~~ (15) The county auditor must prevent overflow of each
22 ballot drop box to allow a voter to deposit his or her ballot
23 securely. Ballots must be removed from a ballot drop box by at least
24 two people, with a record kept of the date and time ballots were
25 removed, and the names of people removing them. Ballots from drop
26 boxes must be returned to the counting center in secured transport
27 containers. A copy of the record must be placed in the container, and
28 one copy must be transported with the ballots to the counting center,
29 where the seal number must be verified by the county auditor or a
30 designated representative. All ballot drop boxes must be secured at
31 8:00 p.m. on the day of the primary, special election, or general
32 election.

33 ~~((14))~~ (16) Any voter who is inside or in line at the voting
34 center at 8:00 p.m. on the day of the primary, special election, or
35 general election must be allowed to vote.

36 ~~((15))~~ (17) For each primary, special election, and general
37 election, the county auditor may provide election services at
38 locations in addition to ~~((the))~~ voting centers. The county auditor
39 has discretion to establish which services will be provided at the

1 additional locations, and which days and hours the locations will be
2 open.

3 NEW SECTION. **Sec. 5.** This act takes effect upon implementation
4 of uniform voter registration software in the state of Washington and
5 a majority of counties. The secretary of state must provide notice of
6 the effective date of this section to affected parties, the chief
7 clerk of the house of representatives, the secretary of the senate,
8 the office of the code reviser, and others as deemed appropriate by
9 the secretary of state.

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