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SENATE BILL 5192

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State of Washington

65th Legislature

2017 Regular Session

By Senators Kuderer, Billig, Cleveland, Palumbo, Hunt, Darneille, Keiser, Carlyle, and Hasegawa

Read first time 01/16/17. Referred to Committee on State Government.

1 AN ACT Relating to extending the time period for voter  
2 registration; amending RCW 29A.08.140, 29A.08.110, 29A.08.410, and  
3 29A.40.160; and providing 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, a voting  
13 center, or other location designated by the county auditor, in his or  
14 her county of residence no later than (~~eight days before~~) 5:00 p.m.  
15 on the day of the primary, special election, or general election.

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

1 residential address by this deadline may vote according to his or her  
2 previous registration address.

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

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

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

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

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

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

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

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

10 (3) Telephoning or emailing the county auditor to transfer the  
11 registration; or

12 (4) Submitting a voter registration application.

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

15 (1) Each county auditor shall open ((a)) at least one voting  
16 center each primary, special election, and general election. ((The))  
17 Voting centers should be located in public buildings including, but  
18 not limited to, libraries. Each county auditor shall open a voting  
19 center at each of the following locations in the county:

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

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

23 (c) In each city in the county with a population of eighty  
24 thousand or greater which does not have a voting center as required  
25 in (a) or (b) of this subsection.

26 (2) Each voting center shall be open during business hours during  
27 the voting period, which begins eighteen days before, and ends at  
28 8:00 p.m. on the day of, the primary, special election, or general  
29 election.

30 ~~((2) The))~~ (3) Each voting center must provide voter  
31 registration materials, ballots, provisional ballots, disability  
32 access voting units, sample ballots, instructions on how to properly  
33 vote the ballot, a ballot drop box, and voters' pamphlets, if a  
34 voters' pamphlet has been published.

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

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

5       (~~(5)~~) (6) No person may interfere with a voter attempting to  
6 vote in a voting center. Interfering with a voter attempting to vote  
7 is a violation of RCW 29A.84.510.

8       (~~(6)~~) (7) Before opening the voting center, the voting  
9 equipment shall be inspected to determine if it has been properly  
10 prepared for voting. If the voting equipment is capable of direct  
11 tabulation of each voter's choices, the county auditor shall verify  
12 that no votes have been registered for any issue or office, and that  
13 the device has been sealed with a unique numbered seal at the time of  
14 final preparation and logic and accuracy testing. A log must be made  
15 of all device numbers and seal numbers.

16       (~~(7)~~) (8) The county auditor shall require any person desiring  
17 to vote at a voting center to either sign a ballot declaration or  
18 provide identification.

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

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

31       (~~(8)~~) (9) Provisional ballots must be accompanied by a  
32 declaration and security envelope, as required by RCW 29A.40.091, and  
33 space for the voter's name, date of birth, current and former  
34 registered address, reason for the provisional ballot, and  
35 disposition of the provisional ballot. The voter shall vote and  
36 return the provisional ballot at the voting center. The voter must be  
37 provided information on how to ascertain whether the provisional  
38 ballot was counted and, if applicable, the reason why the vote was  
39 not counted.

1        ~~((9))~~ (10) Any voter may take printed or written material into  
2 the voting device to assist in casting his or her vote. The voter  
3 shall not use this material to electioneer and shall remove it when  
4 he or she leaves the voting center.

5        ~~((10))~~ (11) If any voter states that he or she is unable to  
6 cast his or her votes due to a disability, the voter may designate a  
7 person of his or her choice, or two election officers, to enter the  
8 voting booth and record the votes as he or she directs.

9        ~~((11))~~ (12) No voter is entitled to vote more than once at a  
10 primary, special election, or general election. If a voter  
11 incorrectly marks a ballot, he or she may be issued a replacement  
12 ballot.

13        ~~((12))~~ (13) A voter who has already returned a ballot but  
14 requests to vote at a voting center shall be issued a provisional  
15 ballot. The canvassing board shall not count the provisional ballot  
16 if it finds that the voter has also voted a regular ballot in that  
17 primary, special election, or general election.

18        ~~((13))~~ (14) The county auditor must prevent overflow of each  
19 ballot drop box to allow a voter to deposit his or her ballot  
20 securely. Ballots must be removed from a ballot drop box by at least  
21 two people, with a record kept of the date and time ballots were  
22 removed, and the names of people removing them. Ballots from drop  
23 boxes must be returned to the counting center in secured transport  
24 containers. A copy of the record must be placed in the container, and  
25 one copy must be transported with the ballots to the counting center,  
26 where the seal number must be verified by the county auditor or a  
27 designated representative. All ballot drop boxes must be secured at  
28 8:00 p.m. on the day of the primary, special election, or general  
29 election.

30        ~~((14))~~ (15) Any voter who is inside or in line at the voting  
31 center at 8:00 p.m. on the day of the primary, special election, or  
32 general election must be allowed to vote.

33        ~~((15))~~ (16) For each primary, special election, and general  
34 election, the county auditor may provide election services at  
35 locations in addition to ~~(the)~~ voting centers. The county auditor  
36 has discretion to establish which services will be provided at the  
37 additional locations, and which days and hours the locations will be  
38 open.

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

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