
SUBSTITUTE SENATE BILL 6183

State of Washington

66th Legislature

2020 Regular Session

By Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Hunt, Conway, Kuderer, and Wilson, C.)

READ FIRST TIME 02/07/20.

1 AN ACT Relating to allowing service and overseas voters to use
2 the common access card as a digital signature for proof of identity
3 on certain election materials; amending RCW 29A.04.611 and
4 29A.08.123; and adding a new section to chapter 29A.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.04
7 RCW to read as follows:

8 "Digital signature" means the certificate-based digital
9 identification code issued to qualified personnel by the United
10 States department of defense as part of the common access card or its
11 successor.

12 **Sec. 2.** RCW 29A.04.611 and 2011 c 10 s 13 are each amended to
13 read as follows:

14 The secretary of state as chief election officer shall make
15 reasonable rules in accordance with chapter 34.05 RCW not
16 inconsistent with the federal and state election laws to effectuate
17 any provision of this title and to facilitate the execution of its
18 provisions in an orderly, timely, and uniform manner relating to any
19 federal, state, county, city, town, and district elections. To that

1 end the secretary shall assist local election officers by devising
2 uniform forms and procedures.

3 In addition to the rule-making authority granted otherwise by
4 this section, the secretary of state shall make rules governing the
5 following provisions:

6 (1) The maintenance of voter registration records;

7 (2) The preparation, maintenance, distribution, review, and
8 filing of precinct maps;

9 (3) Standards for the design, layout, and production of ballots;

10 (4) The examination and testing of voting systems for
11 certification;

12 (5) The source and scope of independent evaluations of voting
13 systems that may be relied upon in certifying voting systems for use
14 in this state;

15 (6) Standards and procedures for the acceptance testing of voting
16 systems by counties;

17 (7) Standards and procedures for testing the programming of vote
18 tallying software for specific primaries and elections;

19 (8) Standards and procedures for the preparation and use of each
20 type of certified voting system including procedures for the
21 operation of counting centers where vote tallying systems are used;

22 (9) Standards and procedures to ensure the accurate tabulation
23 and canvassing of ballots;

24 (10) Consistency among the counties of the state in the
25 preparation of ballots, the operation of vote tallying systems, and
26 the canvassing of primaries and elections;

27 (11) Procedures to ensure the secrecy of a voter's ballot when a
28 small number of ballots are counted;

29 (12) The use of substitute devices or means of voting when a
30 voting device is found to be defective, the counting of votes cast on
31 the defective device, the counting of votes cast on the substitute
32 device, and the documentation that must be submitted to the county
33 auditor regarding such circumstances;

34 (13) Procedures for the transportation of sealed containers of
35 voted ballots or sealed voting devices;

36 (14) The acceptance and filing of documents via electronic
37 transmission, including the use of digital signatures by service and
38 overseas voters for electronic voter registration;

39 (15) Voter registration applications and records;

- 1 (16) The use of voter registration information in the conduct of
2 elections;
- 3 (17) The coordination, delivery, and processing of voter
4 registration records accepted by driver licensing agents or the
5 department of licensing;
- 6 (18) The coordination, delivery, and processing of voter
7 registration records accepted by agencies designated by the governor
8 to provide voter registration services;
- 9 (19) Procedures to receive and distribute voter registration
10 applications by mail;
- 11 (20) Procedures for a voter to change his or her voter
12 registration address within a county by telephone;
- 13 (21) Procedures for a voter to change the name under which he or
14 she is registered to vote;
- 15 (22) Procedures for canceling dual voter registration records and
16 for maintaining records of persons whose voter registrations have
17 been canceled;
- 18 (23) Procedures for the electronic transfer of voter registration
19 records between county auditors and the office of the secretary of
20 state;
- 21 (24) Procedures and forms for declarations of candidacy;
- 22 (25) Procedures and requirements for the acceptance and filing of
23 declarations of candidacy by electronic means;
- 24 (26) Procedures for the circumstance in which two or more
25 candidates have a name similar in sound or spelling so as to cause
26 confusion for the voter;
- 27 (27) Filing for office;
- 28 (28) The order of positions and offices on a ballot;
- 29 (29) Sample ballots;
- 30 (30) Independent evaluations of voting systems;
- 31 (31) The testing, approval, and certification of voting systems;
- 32 (32) The testing of vote tallying software programming;
- 33 (33) Standards and procedures to prevent fraud and to facilitate
34 the accurate processing and canvassing of ballots, including
35 standards for the approval and implementation of hardware and
36 software for automated signature verification systems;
- 37 (34) Standards and procedures to guarantee the secrecy of
38 ballots;
- 39 (35) Uniformity among the counties of the state in the conduct of
40 elections;

1 (36) Standards and procedures to accommodate overseas voters and
2 service voters;

3 (37) The tabulation of paper ballots;

4 (38) The accessibility of voting centers;

5 (39) The aggregation of precinct results if reporting the results
6 of a single precinct could jeopardize the secrecy of a person's
7 ballot;

8 (40) Procedures for conducting a statutory recount;

9 (41) Procedures for filling vacancies in congressional offices if
10 the general statutory time requirements for availability of ballots,
11 certification, canvassing, and related procedures cannot be met;

12 (42) Procedures for the statistical sampling of signatures for
13 purposes of verifying and canvassing signatures on initiative,
14 referendum, and recall election petitions;

15 (43) Standards and deadlines for submitting material to the
16 office of the secretary of state for the voters' pamphlet;

17 (44) Deadlines for the filing of ballot titles for referendum
18 bills and constitutional amendments if none have been provided by the
19 legislature;

20 (45) Procedures for the publication of a state voters' pamphlet;

21 (46) Procedures for conducting special elections regarding
22 nuclear waste sites if the general statutory time requirements for
23 availability of ballots, certification, canvassing, and related
24 procedures cannot be met;

25 (47) Procedures for conducting partisan primary elections;

26 (48) Standards and procedures for the proper conduct of voting on
27 accessible voting devices;

28 (49) Standards for voting technology and systems used by the
29 state or any political subdivision to be accessible for individuals
30 with disabilities, including nonvisual accessibility for the blind
31 and visually impaired, in a manner that provides the same opportunity
32 for access and participation, including privacy and independence, as
33 other voters;

34 (50) All data formats for transferring voter registration data on
35 electronic or machine-readable media for the purpose of administering
36 the statewide voter registration list required by the Help America
37 Vote Act (P.L. 107-252);

38 (51) Defining the interaction of electronic voter registration
39 election management systems employed by each county auditor to

1 maintain a local copy of each county's portion of the official state
2 list of registered voters;

3 (52) Provisions and procedures to implement the state-based
4 administrative complaint procedure as required by the Help America
5 Vote Act (P.L. 107-252);

6 (53) Facilitating the payment of local government grants to local
7 government election officers or vendors; and

8 (54) Standards for the verification of signatures on ballot
9 declarations.

10 **Sec. 3.** RCW 29A.08.123 and 2019 c 6 s 3 are each amended to read
11 as follows:

12 (1) A person who has a valid Washington state driver's license,
13 state identification card, or tribal identification may submit a
14 voter registration application electronically on the secretary of
15 state's web site. A person who has a valid tribal identification card
16 may submit a voter registration electronically on the secretary of
17 state's web site if the secretary of state is able to obtain a copy
18 of the applicant's signature from the federal government or the
19 tribal government. A service or overseas voter may use a digital
20 signature to submit a voter registration electronically on the
21 secretary of state's web site.

22 (2) The applicant must attest to the truth of the information
23 provided on the application by affirmatively accepting the
24 information as true.

25 (3) The applicant must affirmatively assent to use of his or her
26 driver's license, state identification card, or tribal identification
27 card signature or digital signature for voter registration purposes.

28 (4) A voter registration application submitted electronically is
29 otherwise considered a registration by mail.

30 (5) For each electronic application, the secretary of state must
31 obtain a digital copy of the applicant's driver's license or state
32 identification card signature from the department of licensing or
33 tribal identification issuing authority.

34 (6) The secretary of state may employ additional security
35 measures to ensure the accuracy and integrity of voter registration
36 applications submitted electronically.

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