

HOUSE BILL REPORT

HB 2332

As Amended by the Senate

Title: An act relating to a statewide voter registration data base.

Brief Description: Directing a statewide voter registration data base.

Sponsors: By Representatives Romero, McDermott, Schmidt, Woods, Ruderman, Miloscia, Esser and Kagi; by request of Secretary of State.

Brief History:

Committee Activity:

State Government: 1/25/02, 1/29/02 [DP];

Appropriations: 2/5/02, 2/6/02 [DP].

Floor Activity:

Passed House: 2/15/02, 98-0.

Senate Amended.

Passed Senate: 3/8/02, 45-0.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">· Initiates the creation of a statewide voter registration data base.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Romero, Chair; Miloscia, Vice Chair; McMorris, Ranking Minority Member; McDermott, Schindler, Schmidt and Upthegrove.

Staff: Marsha Reilly (786-7135).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 24 members: Representatives Sommers, Chair; Doumit, 1st Vice Chair; Fromhold, 2nd Vice Chair; Sehlin, Ranking Minority Member; Alexander, Buck, Clements, Cody, Cox, Dunshee, Grant, Kagi, Kenney, Kessler, Linville, Lisk, Mastin, McIntire, Pearson, Pflug, Ruderman, Schual-Berke, Talcott and Tokuda.

Staff: Linda Brooks (786-7153).

Background:

County auditors are responsible for maintaining voter registration information in a computer file on magnetic tape or disk, punched cards, or some other form of data storage containing the records of all registered voters within their jurisdiction. The computer file contains each voter's name, date of birth, residence address, sex, date of registration, applicable taxing district and precinct codes and the last five dates on which the individual voted. County auditors are to provide parts of this information to any person, upon written request, at cost.

County auditors are required to provide a computer tape or data file of the records of the registered voters in their counties to the Office of the Secretary of State. The Office of the Secretary of State provides a duplicate copy of this data to: 1) any political party organization or other individual making such request and at cost; 2) the statute law committee, at no cost; and 3) the Department of Information Services for the purpose of creating the jury source list, at no cost.

While county auditors and the Office of the Secretary of State are required to furnish the voter registration information to any person or political party making a request, the use of this information is restricted. It may not be used for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value. To do so is considered a felony punishable by imprisonment for up to five years and/or a fine of not more than \$10,000. Civil penalties apply as well. However, any person who mails or delivers any advertisement, offer or solicitation for a political purpose is not liable provided they take reasonable precautions to assure that the data is not used for anything other than political purposes.

Summary of Bill:

The Office of the Secretary of State, in conjunction with county auditors, will begin to create a statewide voter registration data base. The Office of the Secretary of State will identify a group of voter registration experts who will work on a design for the data base system. The data base will be designed to accomplish the following:

- identify duplicate voter registrations;
- identify suspected duplicate voters;
- screen against the Department of Corrections data base in order to cancel voter registrations of felons;
- provide current signatures of voters as a check for initiative signatures;
- provide a comparison between the voter registration data base and the Department of Licensing change of address data base;

- provide online access for county auditors for real time duplicate checking and update capabilities, provided sufficient funding is available;
- cancel voter registration for persons who have moved to other states and surrendered their Washington drivers' licenses; and
- ensure that counties maintain legal control of the registration records for that county.

The Office of the Secretary of State will report the findings of this group to the Legislature by February 1, 2003.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment requires that institutions of higher education set up an active prompt on course registration web sites or other web sites actively used by students that will link the student to the secretary of state's voter registration web site (same provisions as in House Bill 2678).

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: (State Government) This bill is directly related to the federal election reform movement. A statewide voter database is necessary, though maintaining the information is still a county responsibility. Each county is to maintain legal control of the records for its county. According to statute, these records are to be used only for political purposes. Parts of the data contained in the record are public, but it must be used for political purposes and not for general marketing purposes. The birth date is a private record and will not be included in any records sold to political parties. A significant problem is whether the auditors have current addresses for registered voters. Anything mailed to voters, aside from voters' pamphlets, are returned if a problem with the address exists.

Testimony For: (Appropriations) This bill responds to the Florida situation and prepares for the future. The Secretary of State has been working on voter registration database issues for years. With pending federal legislation, it is possible that we may be able to secure federal grants. Passing this bill would make our efforts more official. Right now each county has its own computer system, and the computer files come in a variety of formats. This design effort would work to smooth out those differences. Passing this legislation would also let all stakeholders know that we are working on these database issues.

Testimony Against: (State Government) None.

Testimony Against: (Appropriations) None.

Testified: (State Government) Sam Reed, Secretary of State; and Dave Elliott and Dean Logan, Office of the Secretary of State.

Testified: (Appropriations) David Elliott, Office of the Secretary of State.