

HOUSE BILL REPORT

SSB 5566

As Reported by House Committee On:
State Government & Tribal Affairs

Title: An act relating to providing for privacy protection for certain voter registration information.

Brief Description: Providing for privacy protection for certain voter registration information.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Franklin and Kohl-Welles).

Brief History:

Committee Activity:

State Government & Tribal Affairs: 3/27/07, 3/30/07 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House Committee)**

- Allows public inspection of voter signatures on absentee ballot return envelopes, but not copying.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass as amended. Signed by 6 members: Representatives Hunt, Chair; Appleton, Vice Chair; Green, McDermott, Miloscia and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member and Kretz.

Staff: Colleen Kerr (786-7168).

Background:

Under statute, county auditors have custody of original voter registration records. These are confidential records and unavailable for public inspection and copying. For purposes of the statewide voter registration database, however, the county auditor must keep a computer file of each voter registration for that county. At a minimum, this computer file must contain the voter's full name, date of birth, residential address, gender, date of voter registration,

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applicable taxing district and precinct codes, and voting records. This information is available for public inspection and copying.

County auditors also maintain custody of absentee ballot records. These records include the return envelope for the absentee ballot. The return envelope has a space for the voter to provide the date on which the ballot was voted, a signature line, and place to provide the voter's telephone number. Providing this information allows the voter to attest to his or her eligibility to vote in that election. This information is covered by a secrecy flap to protect the anonymity of the voter.

Summary of Amended Bill:

The absentee ballot return envelopes retained by the county auditor are subject to public disclosure, but the portion of the ballot with the voter's signature and telephone number is available for public inspection, but not copying.

Amended Bill Compared to Substitute Bill:

The amended bill places the provision allowing the inspection of voter signatures and telephone numbers, but not copying, in a different section of the code.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) In King County there was an incident where 600,000 election signatures were scanned at the county auditor's office. This leads to concerns about identity theft. There are mixed feelings about the voter birth dates, but the pressing issue is the voter signatures. This Legislature has twice before made policy choices to protect voter signatures; by keeping original voter registration records confidential and by providing a secrecy flap on the absentee ballot return envelopes. There are other avenues for obtaining a person's signature, but that does not make it appropriate in this instance and does not make it the right thing to do. It was only in 2004 that the Legislature allowed the disclosure of voter birth dates after the gubernatorial election. Ever since this act, the public has been genuinely angry that voter birth dates and accompanying voter registration information is available to various organizations, political action committees, and political parties. Making just the year or the month and the year available may be an appropriate compromise.

(Opposed) Correctly identifying someone requires a full name, birth date, and home town. It is important for the press and other watch dog organizations to have this information available

to ensure the integrity of the elections process. This was most clear during the 2004 gubernatorial election when it was necessary to reveal balloting improprieties. Signature and birth date verification prevents double counting of ballots. This is currently the only audit method available for the ballot process. The only way to bring these problems to the public's attention is by scanning them and putting them in the public domain. This accountability measure is even more important now that mail-in ballots have eliminated the polling books. It is not even clear that the incident with the 600,000 signatures happened or if it has been blown out of proportion with retelling.

Persons Testifying: (In support) Senator Franklin, prime sponsor; and Suzanne Sinclair and Karen Flynn, Washington Association of County Auditors.

(Opposed) Rowland Thompson, Allied Daily Newspapers.

Persons Signed In To Testify But Not Testifying: None.