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SENATE BILL 5334

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State of Washington

65th Legislature

2017 Regular Session

By Senators Zeiger, Llias, Walsh, Kuderer, Keiser, and Wellman; by request of Secretary of State

Read first time 01/20/17. Referred to Committee on State Government.

1 AN ACT Relating to extending the time period for voter  
2 registration to no later than eleven days before the day of a  
3 primary, special election, or general election; amending RCW  
4 29A.08.140, 29A.08.125, 29A.08.410, and 29A.08.620; adding a new  
5 section to chapter 29A.08 RCW; repealing RCW 29A.08.420; providing a  
6 contingent effective date; and providing a contingent expiration  
7 date.

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

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

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

13 (a) Submit a registration application pursuant to RCW 29A.08.115,  
14 29A.08.120, 29A.08.310, or 29A.08.320, received by election officials  
15 no later than ((~~twenty-nine~~)) eleven days before the day of the  
16 primary, special election, or general election; or

17 (b) ((Register)) Submit a registration application no later than  
18 eleven days before the day of the primary, special election, or  
19 general election:

20 (i) Pursuant to RCW 29A.08.123, 29A.08.330(4), or 29A.08.340; or

1       (ii) In person at the county auditor's office in his or her  
2 county of residence ((no later than eight days before the day of the  
3 primary, special election, or general election)), or an alternate  
4 location designated by the county auditor.

5       (2) A person who is already registered to vote in Washington may  
6 update his or her registration no later than ((~~twenty-nine~~)) twenty-  
7 eight days before the day of the primary, special election, or  
8 general election to be in effect for that primary, special election,  
9 or general election. A registered voter who fails to transfer his or  
10 her residential address by this deadline may vote according to his or  
11 her previous registration address.

12       (3) If a voter registration deadline falls on a state or federal  
13 holiday, the deadline is moved to the next business day after the  
14 holiday.

15       NEW SECTION. Sec. 2. A new section is added to chapter 29A.08  
16 RCW to read as follows:

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

19       (a) Submit a voter registration application pursuant to RCW  
20 29A.08.115, 29A.08.120, 29A.08.310, or 29A.08.320, received by  
21 election officials no later than eleven days before the day of the  
22 primary, special election, or general election; or

23       (b) Submit a registration application pursuant to RCW 29A.08.123,  
24 29A.08.330(4), or 29A.08.340 no later than eleven days before the day  
25 of the primary, special election, or general election; or submit a  
26 registration application in person at the county auditor's office in  
27 his or her county of residence, or an alternate location designated  
28 by the county auditor no later than eleven days before the day of the  
29 primary, special election, or general election.

30       (2) A person who is already registered to vote in Washington may  
31 change his or her residential address or name no later than eleven  
32 days before the day of the primary, special election, or general  
33 election to be in effect for that primary, special election, or  
34 general election. A registered voter who fails to transfer his or her  
35 residential address by this deadline may vote according to his or her  
36 previous registration address.

37       (3) If a voter registration deadline falls on a state or federal  
38 holiday, the deadline is moved to the next business day after the  
39 holiday.

1       **Sec. 3.** RCW 29A.08.125 and 2009 c 369 s 12 are each amended to  
2 read as follows:

3       (1) The office of the secretary of state shall maintain a  
4 statewide voter registration database. This database must be a  
5 centralized, uniform, interactive computerized statewide voter  
6 registration list that contains the name and registration information  
7 of every registered voter in the state.

8       (2) The statewide list is the official list of registered voters  
9 for the conduct of all elections.

10       (3) The statewide list must include, but is not limited to, the  
11 name, date of birth, residence address, signature, gender, and date  
12 of registration of every legally registered voter in the state.

13       (4) A unique identifier must be assigned to each registered voter  
14 in the state.

15       (5) The database must be coordinated with other government  
16 databases within the state including, but not limited to, the  
17 department of corrections, the department of licensing, the  
18 department of health, the administrative office of the courts, and  
19 county auditors. The database may also be coordinated with the  
20 databases of election officials in other states.

21       (6) Authorized employees of the secretary of state and each  
22 county auditor must have immediate electronic access to the  
23 information maintained in the database.

24       (7) Voter registration information received by each county  
25 auditor must be electronically entered into the database. The office  
26 of the secretary of state must provide support, as needed, to enable  
27 each county auditor to enter and maintain voter registration  
28 information in the state database.

29       (8) The secretary of state has data authority over all voter  
30 registration data.

31       (9) The voter registration database must be designed to  
32 accomplish at a minimum, the following:

33       (a) Comply with the help America vote act of 2002 (P.L. 107-252);

34       (b) Identify duplicate voter registrations;

35       (c) Identify suspected duplicate voters;

36       (d) Screen against any available databases maintained by other  
37 government agencies to identify voters who are ineligible to vote due  
38 to a felony conviction, lack of citizenship, or mental incompetence;

39       (e) Provide images of voters' signatures for the purpose of  
40 checking signatures on initiative and referendum petitions;

1 (f) Provide for a comparison between the voter registration  
2 database and the department of licensing change of address database;

3 (g) Provide access for county auditors that includes the  
4 capability to update registrations and search for duplicate  
5 registrations; (~~and~~))

6 (h) Provide for the cancellation of registrations of voters who  
7 have moved out of state; and

8 (i) Provide for the change of residence address for a voter from  
9 one county to another.

10 (10) The secretary of state may, upon agreement with other  
11 appropriate jurisdictions, screen against any available databases  
12 maintained by election officials in other states and databases  
13 maintained by federal agencies including, but not limited to, the  
14 federal bureau of investigation, the federal court system, the  
15 federal bureau of prisons, and the bureau of citizenship and  
16 immigration services.

17 (11) The database shall retain information regarding previous  
18 successful appeals of proposed cancellations of registrations in  
19 order to avoid repeated cancellations for the same reason.

20 (12) Each county auditor shall maintain a list of all registered  
21 voters within the county that are contained on the official statewide  
22 voter registration list. In addition to the information maintained in  
23 the statewide database, the county database must also maintain the  
24 applicable taxing district and precinct codes for each voter in the  
25 county, and a list of elections in which the individual voted.

26 (13) Each county auditor shall allow electronic access and  
27 information transfer between the county's voter registration system  
28 and the official statewide voter registration list.

29 **Sec. 4.** RCW 29A.08.410 and 2009 c 369 s 22 are each amended to  
30 read as follows:

31 A registered voter who changes his or her residence from one  
32 address to another within (~~the same county~~) this state may transfer  
33 his or her registration to the new address in one of the following  
34 ways:

35 (1) Sending the county auditor a request stating both the voter's  
36 present address and the address from which the voter was last  
37 registered;

38 (2) Appearing in person before the county auditor and making such  
39 a request;

- 1 (3) Telephoning or emailing the county auditor to (~~transfer~~  
2 ~~the~~) change the residence address for voter registration; or  
3 (4) Submitting a voter registration application.

4 **Sec. 5.** RCW 29A.08.620 and 2011 c 10 s 17 are each amended to  
5 read as follows:

6 (1) Each county auditor must request change of address  
7 information from the postal service for all mail ballots.

8 (2) The county auditor shall transfer the registration of a voter  
9 and send an acknowledgment notice to the new address informing the  
10 voter of the transfer if change of address information received by  
11 the county auditor from the postal service, the department of  
12 licensing, or another agency designated to provide voter registration  
13 services indicates that the voter has moved within the (~~county~~)  
14 state.

15 (~~(3) (The county auditor shall place a voter on inactive status~~  
16 ~~and send to all known addresses a confirmation notice and a voter~~  
17 ~~registration application if change of address information received by~~  
18 ~~the county auditor from the postal service, the department of~~  
19 ~~licensing, or another agency designated to provide voter registration~~  
20 ~~services indicates that the voter has moved from one county to~~  
21 ~~another.~~

22 (~~4~~) The county auditor shall place a voter on inactive status  
23 and send to all known addresses a confirmation notice if any of the  
24 following occur:

25 (a) Any document mailed by the county auditor to a voter is  
26 returned by the postal service as undeliverable without address  
27 correction information; or

28 (b) Change of address information received from the postal  
29 service, the department of licensing, or another state agency  
30 designated to provide voter registration services indicates that the  
31 voter has moved out of the state.

32 NEW SECTION. **Sec. 6.** RCW 29A.08.420 (Transfer to another  
33 county) and 2009 c 369 s 23, 2004 c 267 s 122, 2003 c 111 s 229, 1999  
34 c 100 s 3, 1994 c 57 s 36, 1991 c 81 s 24, 1977 ex.s. c 361 s 26,  
35 1971 ex.s. c 202 s 26, & 1965 c 9 s 29.10.040 are each repealed.

1        NEW SECTION.    **Sec. 7.**    (1) Sections 2 and 4 through 6 of this act  
2 take effect when the statewide voter registration database operated  
3 by the secretary of state is compliant with RCW 29A.08.125.

4        (2) The secretary of state's office must provide written notice  
5 to the code reviser's office when the statewide voter registration  
6 database is compliant with RCW 29A.08.125.

7        NEW SECTION.    **Sec. 8.**    Section 1 of this act expires when  
8 sections 2 and 4 through 6 of this act take effect.

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