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**SENATE BILL 5636**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Hunt, Kuderer, Nguyen, Saldaña, and C. Wilson

AN ACT Relating to secure automatic voter registration; amending RCW 29A.08.340, 29A.08.350, 46.20.155, 46.20.155, 29A.08.362, 29A.08.365, 29A.08.030, 29A.08.110, 29A.08.125, 29A.08.370, 29A.08.375, 29A.08.620, 29A.84.140, 29A.84.140, 46.08.195, 29A.08.630, and 46.20.207; adding new sections to chapter 29A.08 RCW; repealing RCW 46.20.156, 29A.08.355, 29A.08.357, and 29A.08.359; providing an effective date; and providing an expiration date.

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

**PART I**

**SECURE AUTOMATIC VOTER REGISTRATION AT THE DEPARTMENT OF LICENSING**

**Sec.**  RCW 29A.08.340 and 2013 c 11 s 17 are each amended to read as follows:

((~~(1)~~)) A person may register to vote or update his or her voter registration when he or she applies for ((~~or~~)), renews, duplicates, or replaces a driver's license, permit, or identification card under chapter 46.20 RCW, and when he or she notifies the department of licensing of a change of address for a driver's license, permit, or identification card under RCW 46.08.195, under the procedures set forth in sections 2, 3, and 4 of this act and RCW 29A.08.350.

((~~(2) To register to vote or update a registration, the applicant shall provide the information required by RCW 29A.08.010.~~

~~(3) The driver licensing agent shall record that the applicant has requested to register to vote or update a voter registration.~~))

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

(1) The department of licensing must allow a person age 18 years or older to be registered to vote or update voter registration information by automated process at the time of registration, renewal, duplication, replacement, or change of address, whether in person, by mail, or by electronic commerce, if:

(a) The person meets the requirements for voter registration; and

(b) The department of licensing record associated with the applicant contains:

(i) The data required to determine whether the applicant meets the requirements for voter registration under RCW 29A.08.010;

(ii) Other information as required by the secretary of state; and

(iii) A signature image.

(2) Beginning September 1, 2023, the department of licensing must allow a person 16 or 17 years of age to be signed up to register to vote by automated process at the time of registration, renewal, duplication, replacement, or change of address, whether in person, by mail, or by electronic commerce, if:

(a) The person meets the requirements to sign up to register to vote; and

(b) The department of licensing record associated with the applicant contains:

(i) The data required to determine whether the applicant meets the requirements for voter registration under RCW 29A.08.210, other than age;

(ii) Other information as required by the secretary of state; and

(iii) A signature image.

(3) The person must be informed that his or her record will be used for voter registration and offered an opportunity to decline to register under the procedures set forth in sections 3 and 4 of this act and RCW 29A.08.350 and 46.20.155.

(4) The department of licensing shall implement an electronic information system that allows the department of licensing to determine, at the time of the individual's driver's license transaction, whether the individual is currently registered to vote or signed up to register to vote in the state.

(5) For each type of document accepted by the department of licensing for purposes of a driver's license transaction, the department of licensing, in consultation with the secretary of state, shall determine whether:

(a) The document demonstrates that the individual is a United States citizen;

(b) The document demonstrates that the individual is not a United States citizen at the time of the driver's license transaction; or

(c) The document does not demonstrate whether or not the individual is a United States citizen at the time of the driver's license transaction.

(6) If the individual presents a document demonstrating that the individual is not a United States citizen at the time of the driver's license transaction, the department of licensing shall not offer a voter registration opportunity to the individual and shall not produce or transmit information about the individual to the secretary of state for voter registration purposes.

(7) If the department of licensing determines that the individual is currently registered to vote or signed up to register to vote in the state, the department of licensing shall transmit information to the secretary of state as provided by section 3 of this act.

(8) If the department of licensing determines that:

(a) The individual is not currently registered to vote or signed up to register to vote in the state; and

(b) The individual:

(i) Has received or is renewing an enhanced driver's license or identicard issued under RCW 46.20.202 or is changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205, whether in person, by mail, or by electronic commerce; or

(ii) Engaged in a driver's license transaction in person, by mail, or by electronic commerce and, as part of the transaction, presented a document demonstrating that the individual is a United States citizen,

the department of licensing shall transmit information to the secretary of state as provided by section 4 of this act.

(9) If the department of licensing determines that the individual:

(a) Is not currently registered to vote or signed up to register to vote in the state;

(b) Has not received and is not renewing an enhanced driver's license or identicard issued under RCW 46.20.202 and is not changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205; and

(c) Engaged in a driver's license transaction in person, by mail, or by electronic commerce and presented a document that does not demonstrate whether or not the individual is a United States citizen at the time of the transaction,

the department of licensing shall offer a voter registration opportunity as provided by RCW 46.20.155 and shall transmit information to the secretary of state as provided by RCW 29A.08.350.

(10) For individuals who are program participants under RCW 40.24.030, the department of licensing and the secretary of state shall adopt procedures that substantially meet the requirements of subsections (1) through (9) of this section.

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

(1) At least on a daily basis, the department of licensing shall produce and transmit to the secretary of state the following information from the records of each individual who:

(a) Is currently registered to vote or signed up to register to vote in the state; and

(b) Engaged in a driver's license transaction in person, by mail, or by electronic commerce on that date:

The name, address, date of birth, gender, driver's license number, and signature image of the applicant, and the date on which the update was submitted. If the department of licensing records whether an individual prefers to communicate in a language other than English, the department of licensing shall transmit the individual's language preference to the secretary of state.

(2) The secretary of state shall process the update as an electronic update as follows:

(a) If the information received from the department of licensing indicates that the individual has not moved and has not changed their name, the secretary of state shall:

(i) Cause the date of the update in the statewide voter registration address to be recorded; and

(ii) If the individual is in inactive voter status, cause the individual to be returned to active voter status as provided in RCW 29A.08.630.

(b) If the information received from the department of licensing indicates that the individual has moved or changed their name, the secretary of state shall:

(i) Cause the statewide voter registration database to be updated;

(ii) If the individual is in inactive voter status, cause the individual to be returned to active voter status as provided in RCW 29A.08.630; and

(iii) Within 10 days of the receipt of the information from the department of licensing, cause an automatic voter registration acknowledgment notice to be sent by nonforwardable mail to the individual.

(c) The automatic voter registration acknowledgment notice shall include, without limitation:

(i) A postage prepaid, preaddressed return form by which the individual may decline the update or may select a language preference;

(ii) A statement explaining that the individual's voter registration has been updated, and stating that if the update was in error, the person should return the notice and affirmatively decline the update in writing;

(iii) The information set forth in (c)(i) and (ii) of this subsection in at least each language for which the individual's county of residence is covered under section 203 of the voting rights act, 52 U.S.C. Sec. 10503; and

(iv) Information regarding how an individual can obtain more information about the notice and assistance in the individual's preferred language, including foreign languages as set forth in RCW 29A.08.270.

(d) The automatic voter registration acknowledgment notice may be combined with an acknowledgment notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The United States postal service shall be instructed not to forward a voter registration card to any other address and to return any card which is not deliverable.

(e) If an individual returns the notice and affirmatively declines the update in writing, the secretary of state shall cause the individual's information to be modified appropriately on the list of registered voters.

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

(1) At least on a daily basis, the department of licensing shall produce and transmit to the secretary of state the following information from the records of each individual who:

(a) Is not currently registered to vote or signed up to register to vote in the state; and

(b) Who, on that date, has:

(i) Received or is renewing an enhanced driver's license or identicard issued under RCW 46.20.202 or is changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205, whether in person, by mail, or by electronic commerce; or

(ii) Engaged in a driver's license transaction in person, by mail, or by electronic commerce, and, as part of the transaction, presented a document that demonstrates that the individual is a United States citizen:

The name, address, date of birth, gender, driver's license number, and signature image of the applicant, and the date on which the application for voter registration was submitted. If the department of licensing records whether an individual prefers to communicate in a language other than English, the department of licensing shall transmit the individual's language preference to the secretary of state.

(2) The secretary of state shall process the registrations as an electronic application as follows:

(a) Within 10 days of the receipt of the information from the department of licensing, the secretary of state shall cause an automatic voter registration acknowledgment notice to be sent by nonforwardable mail to the individual.

(b) The automatic voter registration acknowledgment notice shall include, without limitation:

(i) A postage prepaid, preaddressed return form by which the individual may decline to be registered to vote or may select a language preference;

(ii) A statement explaining that the person has been registered to vote or signed up to register to vote, as appropriate, setting forth the qualifications to vote in this state, and stating that if the individual does not meet the qualifications to vote in this state, the person should return the notice and affirmatively decline in writing to register to vote;

(iii) The information set forth in (b)(i) and (ii) of this subsection in at least each language for which the individual's county of residence is covered under section 203 of the voting rights act, 52 U.S.C. Sec. 10503; and

(iv) Information regarding how an individual can obtain more information about the notice and assistance in the individual's preferred language, including foreign languages as set forth in RCW 29A.08.270.

(c) The automatic voter registration acknowledgment notice may be combined with an acknowledgment notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The United States postal service shall be instructed not to forward a voter registration card to any other address and to return any card which is not deliverable.

(d) If an individual returns the notice and affirmatively declines in writing to register to vote, the secretary of state shall cause the individual's information to be removed from the list of registered voters, and the individual shall be deemed never to have registered to vote. If the individual has voted in an election, the returned notice is of no effect and the person remains registered as of the original date of issuance or renewal or date of change of address.

(3)(a) For persons age 18 years and older registering under this section, an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the original date of issuance or renewal or date of change of address.

(b) For persons 16 or 17 years of age signing up to register under this section, an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the date set forth in RCW 29A.08.110(1).

(c) The auditor or secretary of state shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list. Any mailing address provided shall be used only for mail delivery purposes, and not for precinct assignment or residency purposes.

(d) An auditor or the secretary of state may use other means to communicate with potential and registered voters such as, but not limited to, email, phone, or text messaging. The alternate form of communication must not be in lieu of the first-class mail requirements. The auditor shall act in compliance with all voter notification processes established in federal law.

(4) If an application is not complete, the secretary of state shall cause a verification notice to be promptly mailed to the applicant. The verification notice must require the applicant to provide the missing information. If the applicant provides the required information within 45 days, the applicant must be registered to vote. The applicant must not be placed on the official list of registered voters until the application is complete.

(5) The department of licensing is prohibited from sharing data files used by the secretary of state to certify voters registered through the automated process outlined in this section with any federal agency, or state agency other than the secretary of state. Personal information supplied for the purposes of obtaining a driver's license or identicard is exempt from public inspection pursuant to RCW 42.56.230.

**Sec.**  RCW 29A.08.350 and 2018 c 110 s 106 are each amended to read as follows:

((~~The~~)) At least on a daily basis, the department of licensing shall produce and transmit to the secretary of state the following information from the records of each individual who ((~~requested~~)):

(1) Is not currently registered to vote or signed up to register to vote in the state;

(2) Has not received and is not renewing an enhanced driver's license or identicard issued under RCW 46.20.202 and is not changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205;

(3) Engaged in a driver's license transaction on that date and, as part of the transaction, presented a document that does not demonstrate whether or not the individual is a United States citizen at the time of the transaction; and

(4) Requested a voter registration ((~~or update at a driver's license facility~~)) as provided by RCW 46.20.155:

The name, address, date of birth, gender of the applicant, the driver's license number, signature image, and the date on which the application for voter registration or update was submitted. If the department of licensing records whether an individual prefers to communicate in a language other than English, the department of licensing shall transmit the individual's language preference to the secretary of state. The secretary of state shall process the registrations and updates as an electronic application.

**Sec.**  RCW 46.20.155 and 2018 c 109 s 15 are each amended to read as follows:

(1) Before issuing an original license or identicard ((~~or~~)), renewing, duplicating, or replacing a license, permit, or identicard under this chapter, and before accepting a change of address for a driver's license, permit, or identicard card under this chapter to an individual who:

(a) Is not currently registered to vote or signed up to register to vote in the state;

(b) Has not received and is not renewing an enhanced driver's license or identicard issued under RCW 46.20.202 and is not changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205; and

(c) Engaged in a driver's license transaction and presented a document that does not demonstrate whether or not the individual is a United States citizen at the time of the transaction, the licensing agent shall determine if the applicant wants to register to vote ((~~or update his or her voter registration~~)) by asking the following question:

((~~"Do you want to register or sign up to vote or update your voter registration?"~~)) "Our records show that you are not registered to vote in Washington. While you're here, do you want to register to vote?" The department of licensing, with the approval of the secretary of state, may direct licensing agents to ask a substantially similar question designed to improve applicant understanding.

If the applicant chooses to register((~~,~~)) or sign up((~~, or update a registration~~)), the agent shall ask the following:

(1) "Are you a United States citizen?"

(2) "Are you at least eighteen years old or are you at least sixteen years old and will you vote only after you turn eighteen?"

If the applicant answers in the affirmative to both questions, the agent shall then submit the registration((~~,~~)) or sign up form((~~, or update~~)). If the applicant answers in the negative to either question, the agent shall not submit an application. Information that is otherwise disclosable under chapter 29A.08 RCW cannot be disclosed on the future voter until the person reaches eighteen years of age, except for the purpose of processing and delivering ballots.

(2) The department shall establish a procedure that substantially meets the requirements of subsection (1) of this section when permitting an applicant described in subsection (1)(a) through (c) of this section to renew a license, permit, or identicard or submit a change of address for a driver's license, permit, or identification card by mail or by electronic commerce.

**Sec.**  RCW 46.20.155 and 2020 c 208 s 8 are each amended to read as follows:

(1) Before issuing an original license or identicard ((~~or~~)), renewing, duplicating, or replacing a license, permit, or identicard under this chapter, and before accepting a change of address for a driver's license, permit, or identicard card under this chapter to an individual who:

(a) Is not currently registered to vote or signed up to register to vote in the state;

(b) Has not received and is not renewing an enhanced driver's license or identicard issued under RCW 46.20.202 and is not changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205; and

(c) Engaged in a driver's license transaction and presented a document that does not demonstrate whether or not the individual is a United States citizen at the time of the transaction, the licensing agent shall determine if the applicant wants to register to vote ((~~or update his or her voter registration~~)) by asking the following question:

((~~"Do you want to register or sign up to vote or update your voter registration?"~~)) "Our records show that you are not registered to vote in Washington. While you're here, do you want to register to vote?" The department of licensing, with the approval of the secretary of state, may direct licensing agents to ask a substantially similar question designed to improve applicant understanding.

If the applicant chooses to register((~~,~~)) or sign up((~~, or update a registration~~)), the agent shall ask the following:

(1) "Are you a United States citizen?"

(2) "Are you at least sixteen years old ?"

If the applicant answers in the affirmative to both questions, the agent shall then submit the registration((~~,~~)) or sign up form((~~, or update~~)). If the applicant answers in the negative to either question, the agent shall not submit an application. Information that is otherwise disclosable under chapter 29A.08 RCW cannot be disclosed on the future voter until the person reaches eighteen years of age, except for the purpose of processing and delivering ballots.

(2) The department shall establish a procedure that substantially meets the requirements of subsection (1) of this section when permitting an applicant described in subsection (1)(a) through (c) of this section to renew a license, permit, or identicard or submit a change of address for a driver's license, permit, or identification card by mail or by electronic commerce.

NEW SECTION. **Sec.**  The following acts or parts of acts are each repealed:

(1)RCW 46.20.156 (Voter registration—Automatic—Enhanced driver's licenses and identicards) and 2020 c 208 s 21 & 2018 c 110 s 105;

(2)RCW 29A.08.355 (Automatic registration and automatic sign-up to register—Enhanced driver's licenses and identicards) and 2020 c 208 s 7 & 2018 c 110 s 102;

(3)RCW 29A.08.357 (Automatic registration—Enhanced driver's licenses and identicards—Application submission) and 2018 c 110 s 103; and

(4)RCW 29A.08.359 (Automatic registration—Enhanced driver's licenses and identicards—Procedure—Auditor duties—Confidentiality) and 2020 c 208 s 18, 2019 c 391 s 8, & 2018 c 110 s 104.

**PART II**

**SECURE AUTOMATIC VOTER REGISTRATION AT OTHER STATE AGENCIES**

**Sec.**  RCW 29A.08.362 and 2018 c 110 s 201 are each amended to read as follows:

(1) ((~~Beginning July 1, 2019, the~~)) The health benefit exchange and health care authority shall provide the following information to the secretary of state's office for ((~~consenting~~)) each Washington healthplanfinder applicant((~~s who affirmatively indicate that they are interested in registering to vote, including applicants who file changes of address~~)) and Washington apple health applicant contained on an initial, renewal, or change of address application, who reside in Washington, are age ((~~eighteen~~)) 16 years or older, and are verified as citizens through the health benefit exchange or health care authority, for voter registration purposes:

(a) Names;

(b) Traditional or nontraditional residential addresses;

(c) Mailing addresses, if different from the traditional or nontraditional residential address; ((~~and~~))

(d) Dates of birth;

(e) Last four digits of social security numbers;

(f) The date on which the application was submitted; and

(g) Whether an individual prefers to communicate in a language other than English, if the health benefit exchange or health care authority records such information.

(2) Beginning September 1, 2023, the health benefit exchange and health care authority shall provide the information specified in subsection (1) of this section for applicants who are age 16 or older and otherwise meet the criteria specified in subsection (1) of this section.

(3) The secretary of state shall process the information as an electronic application or electronic update through a procedure that substantially meets the requirements of sections 3 and 4 of this act, including the mailing of an automatic voter registration acknowledgment notice that shall include, without limitation:

(a) A postage prepaid, preaddressed return form by which the individual may decline to be registered to vote or decline the update, or may select a language preference;

(b) A statement explaining that the person has been registered to vote or signed up to register to vote, as appropriate, setting forth the qualifications to vote in this state, and stating that if the individual does not meet the qualifications to vote in this state, the person should return the notice and affirmatively decline in writing to register to vote;

(c) The information set forth in (a) and (b) of this subsection in at least each language for which the individual's county of residence is covered under section 203 of the voting rights act, 52 U.S.C. Sec. 10503; and

(d) Information regarding how an individual can obtain more information about the notice and assistance in the individual's preferred language, including foreign languages as set forth in RCW 29A.08.270.

(4) The health benefit exchange and health care authority shall consult with the secretary of state's office to ensure that sufficient information is provided to allow the secretary of state to obtain a digital copy of the person's signature when available from the department of licensing and establish other criteria and procedures that are secure and compliant with federal and state voter registration and privacy laws and rules, including other criteria and procedures for obtaining a signature if necessary.

((~~(3) If applicable, the health benefit exchange shall report any known barriers or impediments to implementation of this section to the appropriate committees of the legislature and the governor no later than December 1, 2018.~~

~~(4)~~)) (5) If the health benefit exchange and health care authority determine((~~s, in consultation with the health care authority,~~)) that implementation of ((~~chapter 110, Laws of 2018~~)) this act requires changes subject to approval from the centers for medicare and medicaid services, participation of the health benefit exchange and health care authority is contingent on receiving that approval.

(6) For applicants who are program participants under RCW 40.24.030, the health benefit exchange, the health care authority, and the secretary of state shall adopt procedures that substantially meet the requirements of subsections (1) through (4) of this section.

**Sec.**  RCW 29A.08.365 and 2018 c 110 s 202 are each amended to read as follows:

(1) The governor shall make a decision, in consultation with the office of the secretary of state, as to whether each agency identified in subsection (3) of this section shall implement automatic voter registration. The final decision is at the governor's sole discretion.

(2)(a) Each agency identified in subsection (3) of this section shall submit a report to the governor and appropriate legislative committees no later than December 1, 2018, describing:

(i) Steps needed to implement automatic voter registration under chapter 110, Laws of 2018 by July 1, 2019;

(ii) Barriers to implementation, including ways to mitigate those barriers; and

(iii) Applicable federal and state privacy protections for voter registration information.

(b) In preparing the report required under this subsection, the agency may consult with the secretary of state's office to determine automatic voter registration criteria and procedures.

(3) This section applies to state agencies, other than the health benefit exchange, providing public assistance or services to persons with disabilities, designated pursuant to RCW 29A.08.310(1), that collect, process, and store the following information as part of providing assistance or services:

(a) Names;

(b) Traditional or nontraditional residential addresses;

(c) Dates of birth;

(d) A signature ((~~attesting~~)) or other attestation to the truth of the information provided on the application for assistance or services; and

(e) ((~~Verification~~)) Reliable verification of citizenship information, via ((~~social security administration data~~)) database match or manually verified by the agency during the client transaction.

(4) Once an agency has implemented automatic voter registration, it shall continue to provide automatic voter registration unless legislation is enacted that directs the agency to do otherwise.

(5) Agencies may not begin verifying citizenship as part of an agency transaction for the sole purpose of providing automatic voter registration.

(6) The governor may make a decision, in consultation with the office of the secretary of state, as to whether other state agencies that collect, possess, and store the information identified in subsection (3)(a), (b), (c), and (e) of this section may implement automatic voter registration through a procedure that substantially meets the requirements of sections 3 and 4 of this act, or as to whether other state agencies that collect, possess, and store the information in subsection (3)(a) through (c) of this section may implement automatic voter registration updates for already registered voters through a procedure that substantially meets the requirements of section 3 of this act. The governor may make the same decision, in consultation with the office of the secretary of state, as to local or federal agencies, provided that such agencies consent to implementing automatic voter registration or automatic voter registration updates. The final decision is at the governor's sole discretion.

**PART III**

**TECHNICAL AND CONFORMING AMENDMENTS**

**Sec.**  RCW 29A.08.030 and 2009 c 369 s 7 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter, unless the context clearly requires otherwise.

(1) "Verification notice" means a notice sent by the county auditor or secretary of state to a voter registration applicant and is used to verify or collect information about the applicant in order to complete the registration. The verification notice must be designed to include a postage prepaid, preaddressed return form by which the applicant may verify or send information.

(2) "Acknowledgment notice" means a notice sent by nonforwardable mail by the county auditor or secretary of state to a registered voter to acknowledge a voter registration transaction, which can include initial registration, transfer, or reactivation of an inactive registration. An acknowledgment notice may be a voter registration card.

(3) "Identification notice" means a notice sent to a provisionally registered voter to confirm the applicant's identity.

(4) "Confirmation notice" means a notice sent to a registered voter by first-class forwardable mail at the address indicated on the voter's permanent registration record and to any other address at which the county auditor or secretary of state could reasonably expect mail to be received by the voter in order to confirm the voter's residence address. The confirmation notice must be designed to include a postage prepaid, preaddressed return form by which the registrant may verify the address information.

(5) "Automatic voter registration acknowledgment notice" or "AVR acknowledgment notice" means a notice sent by nonforwardable mail by the county auditor or secretary of state to a registered voter to acknowledge an automatic voter registration transaction, which can include initial registration, transfer, or reactivation of an inactive registration. An automatic voter registration acknowledgment notice may be a voter registration card. The automatic voter registration acknowledgment notice must be designed to include a postage prepaid, preaddressed return form by which the registrant may decline the voter registration transaction or provide any additional information requested in the notice.

(6) "Driver's license transaction" means an application, renewal application, duplicate application, and replacement application for a driver's license, permit, or identification card under chapter 46.20 RCW, and a notification to the department of licensing of a change of address for a driver's license, permit, or identification card under RCW 46.08.195.

**Sec.**  RCW 29A.08.110 and 2020 c 208 s 14 are each amended to read as follows:

(1) For persons registering under RCW 29A.08.120, 29A.08.123, 29A.08.170, 29A.08.330, 29A.08.340, 29A.08.362, and 29A.08.365, an application is considered complete only if it contains the information required by RCW 29A.08.010. The applicant is considered to be registered to vote as of:

(a) The original date of receipt;

(b) When the person will be at least eighteen years old by the next election; or

(c) When the person will be at least seventeen years old by the next primary election or presidential primary election and eighteen years old by the general election, whichever is applicable.

(2) As soon as practicable, the auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list. The secretary of state shall, pursuant to RCW 29A.04.611, establish procedures to enable new or updated voter registrations to be recorded on an expedited basis. Any mailing address provided shall be used only for mail delivery purposes, and not for precinct assignment or residency purposes. ((~~Within sixty~~)) For applications or transfers other than those applications received as provided in sections 3 and 4 of this act and RCW 29A.08.362 and 29A.08.365, within 60 days after the receipt of an application or transfer, the auditor shall send to the applicant, by first-class nonforwardable mail, an acknowledgment notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The postal service shall be instructed not to forward a voter registration card to any other address and to return to the auditor any card which is not deliverable.

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

(4) Once a future voter is no longer in pending status, as described in RCW 29A.08.615, his or her application to sign up to register to vote is no longer pending and is subject to this section.

**Sec.**  RCW 29A.08.125 and 2018 c 109 s 7 are each amended to read as follows:

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

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

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

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

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

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

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

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

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

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

(b) Identify duplicate voter registrations;

(c) Identify suspected duplicate voters;

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

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

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

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

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

(i) Provide for the storage of pending registration records for all future voters who have not yet reached eighteen years of age in a manner that these records will not appear on the official list of registered voters until the future registrant is no longer in pending status as defined under RCW 29A.08.615;

(j) Allow the department of licensing to determine, at the time of an individual's driver's license transaction, whether the individual is currently registered to vote in the state; and

(k) Allow for the processing of information about individuals transmitted to the secretary as provided by sections 2, 3, and 4 of this act and RCW 29A.08.350, 29A.08.362, and 29A.08.365 as electronic applications and updates. This includes, but is not limited to:

(i) Providing for a comparison between the voter registration database and the information transmitted about an individual to determine whether an individual is currently registered to vote in the state, and if the individual is currently registered to vote, whether the information indicates that the individual has moved or that individual has changed their name; and

(ii) Facilitating the mailing of an automatic voter registration acknowledgment notice and the processing of any such notices returned by the individual or returned as undeliverable by the postal service.

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

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

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

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

**Sec.**  RCW 29A.08.370 and 2018 c 110 s 203 are each amended to read as follows:

(1) If a person who is ineligible to vote becomes, in the rare occasion, registered to vote under RCW ((~~29A.08.355~~)) 29A.08.340 or 29A.08.362 or section 4 of this act in the absence of a knowing violation by that person of RCW 29A.84.140, that person shall be deemed to have performed an authorized act of registration and such act may not be considered as evidence of a claim to citizenship.

(2) Unless a person willfully and knowingly votes or attempts to vote knowing that he or she is not entitled to vote, a person who is ineligible to vote and becomes registered to vote under RCW ((~~29A.08.355~~)) 29A.08.340 or 29A.08.362 or section 4 of this act, and subsequently votes or attempts to vote in an election held after the effective date of the person's registration, is not guilty of violating RCW 29A.84.130, and shall be deemed to have performed an authorized act, and such act may not be considered as evidence of a claim to citizenship.

(3) A person who is ineligible to vote, who successfully completes the voter registration process under RCW ((~~29A.08.355~~)) 29A.08.340 or 29A.08.362 or section 4 of this act or votes in an election, must have their voter registration, or record of vote, removed from the voter registration database and any other application records.

(4) Should an ineligible individual become registered to vote, the office of the secretary of state and the relevant agency shall jointly determine the cause.

**Sec.**  RCW 29A.08.375 and 2018 c 110 s 207 are each amended to read as follows:

The office of the secretary of state may adopt rules to implement automatic voter registration under ((~~chapter 110, Laws of 2018~~)) this act.

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

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

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

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

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

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

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

**Sec.**  RCW 29A.84.140 and 2018 c 109 s 13 are each amended to read as follows:

A person who knows that he or she does not possess the legal qualifications of a voter and who registers to vote is guilty of a class C felony. This section does not apply to persons age sixteen or seventeen signing up to register to vote as authorized under RCW 29A.08.170 or section 2 of this act.

**Sec.**  RCW 29A.84.140 and 2020 c 208 s 20 are each amended to read as follows:

A person who knows that he or she does not possess the legal qualifications of a voter and who registers to vote is guilty of a class C felony. This section does not apply to persons age sixteen or seventeen signing up to register to vote as authorized under RCW 29A.08.170 or ((~~29A.08.355(2)~~)) section 2 of this act.

**Sec.**  RCW 46.08.195 and 2017 c 147 s 2 are each amended to read as follows:

(1) The name, residence address, and mailing address (if different) submitted by an applicant for a driver's license or other permit, identicard, certificate of title, or vehicle or vessel registration is the name and address of record for the person.

(2)(a) If an applicant for or the holder of a driver's license, permit, identicard, certificate of title, or vehicle or vessel registration changes his or her name or address, he or she must notify the department of the change in writing on a form provided by the department. The written notification, or other means as designated by rule of the department, is the exclusive means by which the name or address of record maintained by the department concerning the person may be changed.

(b) ((~~The form must contain a place for the person to indicate that an address change is not for voting purposes.~~)) The department must notify the secretary of state by the means described in ((~~RCW 29A.08.350~~)) section 3 of this act of all change of address information for ((~~natural persons~~)) a driver's license, permit, or identicard received by means of this form ((~~except information on persons indicating that the change is not for voting purposes~~)).

(3) Any notice regarding the refusal, cancellation, suspension, revocation, disqualification, probation, or nonrenewal of the driver's license, commercial driver's license, permit, driving privilege, identicard, certificate of title, or vehicle or vessel registration mailed to the address of record of the applicant or holder is effective notwithstanding the applicant or holder's failure to receive the notice.

(4) The department may not change the name of record of a person who is the holder of a driver's license, other driving permit, or identicard under this section unless the person has again satisfied the department regarding his or her identity in the manner provided under RCW 46.20.035.

**Sec.**  RCW 29A.08.630 and 2009 c 369 s 31 are each amended to read as follows:

The county auditor shall return an inactive voter to active voter status if, prior to the passage of two federal general elections, the voter:

(1) Notifies the auditor of a change of address;

(2) Responds to a confirmation notice with information that he or she continues to reside at the registration address; ((~~or~~))

(3) Engages in a driver's license transaction or other agency transaction and provides information indicating that the voter has not moved; or

(4) Votes or attempts to vote in a primary, special election, or general election. If the inactive voter fails to provide such a notice or take such an action within that period, the auditor shall cancel the person's voter registration.

**Sec.**  RCW 46.20.207 and 2018 c 110 s 107 are each amended to read as follows:

(1) The department is authorized to cancel any driver's license upon determining that the licensee was not entitled to the issuance of the license, or that the licensee failed to give the required or correct information in his or her application, or that the licensee is incompetent to drive a motor vehicle for any of the reasons under RCW 46.20.031 (4) and (7).

(2) Upon such cancellation, the licensee must surrender the license so canceled to the department.

(3) Upon the cancellation of ((~~an enhanced~~)) a driver's license or identicard for failure of the licensee to give correct information, if such information had been transferred to the secretary of state for purposes of voter registration, the department must immediately notify the office of the secretary of state, and the county auditor of the county of the licensee's address of record, of the cancellation of the license or identicard and identify the incorrect information.

NEW SECTION. **Sec.**  Sections 6 and 17 of this act expire September 1, 2023.

NEW SECTION. **Sec.**  Sections 7 and 18 of this act take effect September 1, 2023.

**--- END ---**