

**SENATE BILL REPORT**

**SJR 8222**

**AS OF FEBRUARY 21, 1991**

**Brief Description:** Clarifying voter qualifications.

**SPONSORS:** Senators Roach and Madsen; by request of Secretary of State.

**SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS**

**Staff:** Martin Lovinger (786-7443)

**Hearing Dates:** February 25, 1991

**BACKGROUND:**

Article VI of the State Constitution sets forth voting requirements for elections. Section 1 requires a voter to reside in the precinct for 30 days prior to election. This conflicts with a statute and the current practice of allowing a voter who has moved less than 30 days prior to an election to vote at the prior polling place. As presently worded the strict enforcement of Article VI, section 1 would result in the disenfranchisement of many voters. There is also no mention of the right to vote by absentee ballot. Since the Constitution makes no mention of the need to own property in order to vote in elections, special district elections in which ownership of land has been established as a prerequisite by the Legislature could be challenged as improper. Finally, there is language in Article VI which is archaic and/or vague.

**SUMMARY:**

Article VI of the State Constitution is amended as follows: Section 1A, which sets forth specific voter qualifications for presidential elections in cases where intended residents do not meet all the requirements of residency to vote in local elections, is repealed.

Section 7, which requires the Legislature to enact a voter registration law, is repealed. However, language is added to Article 1 requiring voters to comply with registration requirements established by the State Legislature.

Section 1 eliminates the requirement of 30 days residency in the precinct prior to election. It also provides for special elections for which ownership of property is a prerequisite to voting. The right to vote by absentee ballot is explicitly stated.

Section 3 is clarified and modernized.

Section 4 is modernized and made gender neutral. Being at sea no longer affects residency for voting purposes.

Section 5 no longer exempts voters from military duty on voting days.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested February 18, 1991