
HOUSE BILL 2539

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Anderson, Veloria, Dunshee, Johanson, Pruitt, King, Conway and Springer; by request of Secretary of State

Read first time 01/17/94. Referred to Committee on State Government.

1 AN ACT Relating to voting; amending RCW 29.01.006, 29.04.040,
2 29.04.070, 29.04.100, 29.04.110, 29.07.010, 29.07.025, 29.07.070,
3 29.07.080, 29.07.090, 29.07.100, 29.07.115, 29.07.120, 29.07.130,
4 29.07.140, 29.07.170, 29.07.180, 29.07.260, 29.07.270, 29.07.300,
5 29.07.400, 29.07.410, 29.08.010, 29.08.050, 29.08.060, 29.10.020,
6 29.10.040, 29.10.051, 29.10.090, 29.10.100, 29.15.050, 29.24.040,
7 29.36.120, 29.36.121, 29.36.122, 29.48.010, and 46.20.205; reenacting
8 and amending RCW 29.10.180; adding a new section to chapter 10.64 RCW;
9 adding a new section to chapter 29.04 RCW; adding new sections to
10 chapter 29.07 RCW; adding new sections to chapter 29.10 RCW; repealing
11 RCW 29.07.015, 29.07.020, 29.07.050, 29.07.060, 29.07.065, 29.07.095,
12 29.07.105, 29.10.095, and 29.10.080; prescribing penalties; and
13 providing an effective date.

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

15 NEW SECTION. **Sec. 1.** A new section is added to chapter 10.64 RCW
16 to read as follows:

17 Within fourteen days of the entry of a judgment of conviction of an
18 individual for a felony, the clerk of the court shall send a notice of
19 the conviction including the full name of the defendant and his or her

1 residential address to the county auditor or custodian of voting
2 records in the county of the defendant's residence.

3 **Sec. 2.** RCW 29.01.006 and 1990 c 59 s 2 are each amended to read
4 as follows:

5 As used in this title:

6 (1) "Ballot" means, as the context implies, either:

7 (a) The issues and offices to be voted upon in a jurisdiction or
8 portion of a jurisdiction at a particular primary, general election, or
9 special election;

10 (b) A facsimile of the contents of a particular ballot whether
11 printed on a paper ballot or ballot card or as part of a voting machine
12 or voting device;

13 (c) A physical or electronic record of the choices of an individual
14 voter in a particular primary, general election, or special election;
15 or

16 (d) The physical document on which the voter's choices are to be
17 recorded;

18 (2) "Paper ballot" means a piece of paper on which the ballot for
19 a particular election or primary has been printed, on which a voter may
20 record his or her choices for any candidate or for or against any
21 measure, and that is to be tabulated manually;

22 (3) "Ballot card" means any type of card or piece of paper of any
23 size on which a voter may record his or her choices for any candidate
24 and for or against any measure and that is to be tabulated on a vote
25 tallying system;

26 (4) "Sample ballot" means a printed facsimile of all the issues and
27 offices on the ballot in a jurisdiction and is intended to give voters
28 notice of the issues, offices, and candidates that are to be voted on
29 at a particular primary, general election, or special election;

30 (5) "Special ballot" means a ballot issued to a voter at the
31 polling place on election day by the precinct election board, for one
32 of the following reasons:

33 (a) The voter's name does not appear in the poll book;

34 (b) There is an indication in the poll book that the voter has
35 requested an absentee ballot, but the voter wishes to vote at the
36 polling place;

37 (c) There is a question on the part of the voter concerning the
38 issues or candidates on which the voter is qualified to vote.

1 **Sec. 3.** RCW 29.04.040 and 1986 c 167 s 2 are each amended to read
2 as follows:

3 (1) No paper ballot precinct may contain more than three hundred
4 active registered voters. The county legislative authority may divide,
5 alter, or combine precincts so that, whenever practicable, over-
6 populated precincts shall contain no more than two hundred fifty active
7 registered voters in anticipation of future growth.

8 (2) Precinct boundaries may be altered at any time as long as
9 sufficient time exists prior to a given election for the necessary
10 procedural steps to be honored. Except as permitted under subsection
11 (5) of this section, no precinct boundaries may be changed during the
12 period starting on the thirtieth day prior to the first day for
13 candidates to file for the primary election and ending with the day of
14 the general election.

15 (3) Precincts in which voting machines or electronic voting devices
16 are used may contain as many as nine hundred active registered voters,
17 but there shall be at least one voting machine or device for each three
18 hundred active registered voters or major fraction thereof when a state
19 primary or general election is held in an even-numbered year.

20 (4) On petition of twenty-five or more voters resident more than
21 ten miles from any place of election, the county legislative authority
22 shall establish a separate voting precinct therefor.

23 (5) The county auditor shall temporarily adjust precinct boundaries
24 when a city annexes county territory to the city. The adjustment shall
25 be made as soon as possible after the approval of the annexation. The
26 temporary adjustment shall be limited to the minimum changes necessary
27 to accommodate the addition of the territory to the city and shall
28 remain in effect only until precinct boundary modifications reflecting
29 the annexation are adopted by the county legislative authority.

30 The county legislative authority may establish by ordinance a
31 limitation on the maximum number of active registered voters in each
32 precinct within its jurisdiction. The limitation may be different for
33 precincts based upon the method of voting used for such precincts and
34 the number may be less than the number established by law, but in no
35 case may the number exceed that authorized by law.

36 The county legislative authority of each county in the state
37 hereafter formed shall, at their first session, divide their respective
38 counties into election precincts with two hundred fifty active
39 registered voters or less and establish the boundaries of the

1 precincts. The county auditor shall thereupon designate the voting
2 place for each such precinct.

3 **Sec. 4.** RCW 29.04.070 and 1965 c 9 s 29.04.070 are each amended to
4 read as follows:

5 The secretary of state through ~~((his))~~ the election division shall
6 be the chief election officer for all federal, state, county, city,
7 town, and district elections and it shall be his or her duty to keep
8 records of such elections held in the state and to make such records
9 available to the public upon request, and to coordinate those state
10 election activities required by federal law.

11 **Sec. 5.** RCW 29.04.100 and 1975-'76 2nd ex.s. c 46 s 1 are each
12 amended to read as follows:

13 All poll books or current lists of registered voters, except
14 original voter registration forms or their images, shall be public
15 records and be made available for inspection under such reasonable
16 rules and regulations as the county auditor may prescribe. The county
17 auditor shall promptly furnish current lists or mailing labels of
18 registered voters in his or her possession, at actual reproduction
19 cost, to any person requesting such information: PROVIDED, That such
20 lists and labels shall not be used for the purpose of mailing or
21 delivering any advertisement or offer for any property, establishment,
22 organization, product, or service or for the purpose of mailing or
23 delivering any solicitation for money, services, or anything of value:
24 PROVIDED, HOWEVER, That such lists and labels may be used for any
25 political purpose. ~~((In the case of political subdivisions which~~
26 ~~encompass portions of more than one county, the request may be directed~~
27 ~~to the secretary of state who shall contact the appropriate county~~
28 ~~auditors and arrange for the timely delivery of the requested~~
29 ~~information.))~~

30 **Sec. 6.** RCW 29.04.110 and 1973 1st ex.s. c 111 s 3 are each
31 amended to read as follows:

32 Except original voter registration forms or their images, a
33 reproduction of any form of data storage, in the custody of the county
34 auditor, ~~((for))~~ including poll books and precinct lists of registered
35 voters, ~~((including))~~ magnetic tapes or discs, punched cards, and any
36 other form of storage of such books and lists, shall at the written

1 request of any person be furnished to him or her by the county auditor
2 pursuant to such reasonable rules and regulations as the county auditor
3 may prescribe, and at a cost equal to the county's actual cost in
4 reproducing such form of data storage. Any data contained in a form of
5 storage furnished under this section shall not be used for the purpose
6 of mailing or delivering any advertisement or offer for any property,
7 establishment, organization, product or service or for the purpose of
8 mailing or delivering any solicitation for money, services or anything
9 of value: PROVIDED, HOWEVER, That such data may be used for any
10 political purpose. Whenever the county auditor furnishes any form of
11 data storage under this section, he or she shall also furnish the
12 person receiving the same with a copy of RCW 29.04.120.

13 NEW SECTION. **Sec. 7.** A new section is added to chapter 29.04 RCW
14 to read as follows:

15 Each county auditor shall maintain for at least two years and shall
16 make available for public inspection and copying all records concerning
17 the implementation of programs and activities conducted for the purpose
18 of insuring the accuracy and currency of official lists of eligible
19 voters. These records must include lists of the names and addresses of
20 all persons to whom notices are sent and information concerning whether
21 or not each person has responded to the notices. These records must
22 contain lists of all persons removed from the list of eligible voters
23 and the reasons why the voters were removed.

24 **Sec. 8.** RCW 29.07.010 and 1984 c 211 s 3 are each amended to read
25 as follows:

26 (1) In all counties, the county auditor shall be the chief
27 registrar of voters for every precinct within the county. (~~He or she~~
28 ~~shall~~) The auditor may appoint a (~~deputy registrar~~) registration
29 assistant for each precinct or group of precincts and shall appoint
30 city or town clerks as (~~deputy registrars~~) registration assistants to
31 assist in registering persons residing in cities, towns, and rural
32 precincts within the county.

33 (2) In addition, the auditor (~~shall~~) may appoint a (~~deputy~~
34 ~~registrar~~) registration assistant for each common school. (~~A deputy~~
35 ~~registrar in a common school shall be a school official or school~~
36 ~~employee.~~) The auditor (~~shall~~) may appoint a (~~deputy registrar~~)
37 registration assistant for each fire station (~~that he or she finds is~~

1 convenient to the public for registration purposes and is adequately
2 staffed so that registration would not be a great inconvenience for the
3 fire station personnel. A fire station appointee shall be a person
4 employed at the station)). All common schools, fire stations, and
5 libraries shall make voter registration application forms available.

6 (3) ((The auditor shall also appoint deputy registrars to provide
7 voter registration services for each state office providing voter
8 registration under RCW 29.07.025.

9 (4) A deputy registrar shall)) A registration assistant must be a
10 registered voter. Except for city and town clerks, each ((registrar
11 shall)) registration assistant holds office at the pleasure of the
12 county auditor.

13 ((+5)) (4) The county auditor shall be the custodian of the
14 official registration records of ((each precinct within)) that county.

15 NEW SECTION. Sec. 9. A new section is added to chapter 29.07 RCW
16 to read as follows:

17 "Information required for voter registration" means the minimum
18 information provided on a voter registration application that is
19 required by the county auditor in order to place a voter registration
20 applicant on the voter registration rolls. This information includes
21 the applicant's name, complete residence address, date of birth, and a
22 signature attesting to the truth of the information provided on the
23 application. All other information supplied is ancillary and not to be
24 used as grounds for not registering an applicant to vote.

25 Sec. 10. RCW 29.07.025 and 1984 c 211 s 2 are each amended to read
26 as follows:

27 (1) ((The director or chief administrative officer of)) Each state
28 agency designated under section 26 of this act shall provide voter
29 registration services for employees and the public within each office
30 of that agency ((which is convenient to the public for registration
31 purposes except where, or during such times as, the director or officer
32 finds that there would be a great inconvenience to the public or to the
33 operation of the agency due to inadequate staff time for this
34 purpose)).

35 (2) The secretary of state shall design and provide a standard
36 notice informing the public of the availability of voter registration,

1 which notice shall be posted in each state agency where such services
2 are available.

3 (3) The secretary of state shall design and provide standard voter
4 registration forms for use by these state agencies.

5 **Sec. 11.** RCW 29.07.070 and 1990 c 143 s 7 are each amended to read
6 as follows:

7 Except as provided under RCW 29.07.260, an applicant for voter
8 registration shall ~~((provide a voter registrar with))~~ complete an
9 application providing the following information concerning his or her
10 qualifications as a voter in this state:

11 (1) The address of the last former registration of the applicant as
12 a voter in the state;

13 (2) The applicant's full name;

14 (3) The applicant's date of birth;

15 (4) The address of the applicant's residence for voting purposes;

16 (5) The mailing address of the applicant if that address is not the
17 same as the address in subsection (4) of this section;

18 (6) The sex of the applicant;

19 (7) A declaration that the applicant is a citizen of the United
20 States; and

21 (8) Any other information that the secretary of state determines is
22 necessary to establish the identity of the applicant and prevent
23 duplicate or fraudulent voter registrations.

24 This information shall be recorded on a single registration form to
25 be prescribed by the secretary of state.

26 If the applicant fails to provide the information required for
27 voter registration, the auditor shall send the applicant a verification
28 notice. The auditor shall not register the applicant until the
29 required information is provided. If a verification notice is returned
30 as undeliverable or the applicant fails to respond to the notice within
31 forty-five days, the auditor shall not register the applicant to vote.

32 The following warning shall appear in a conspicuous place on the
33 voter registration form:

34 "If you knowingly ((providing)) provide false information on this
35 voter registration form or knowingly ~~((making))~~ make a false
36 declaration about your qualifications for voter registration ~~((is))~~ you
37 will have committed a class C felony that is punishable by imprisonment

1 for up to five years, or by a fine (~~((not to exceed))~~) of up to ten
2 thousand dollars, or (~~((by))~~) both (~~((such))~~) imprisonment and fine."

3 **Sec. 12.** RCW 29.07.080 and 1990 c 143 s 8 are each amended to read
4 as follows:

5 For voter registrations executed under this section, the
6 (~~((registrar))~~) registrant shall (~~((require the applicant to))~~) sign the
7 following oath:

8 "I declare that the facts (~~((relating to my qualifications as a~~
9 ~~voter recorded))~~) on this voter registration form are true. I am a
10 citizen of the United States, I am not presently denied my civil rights
11 as a result of being convicted of (~~((an infamous crime))~~) a felony, I
12 will have lived in Washington at this (~~((state, county, and precinct))~~)
13 address for thirty days immediately (~~((preceding))~~) before the next
14 election at which I (~~((offer to))~~) vote, and I will be at least eighteen
15 years (~~((of age at the time of voting))~~) old when I vote."

16 (~~((The registration officer shall attest and date this oath in the~~
17 ~~following form:~~

18 "Subscribed and sworn to before me this day of,
19 19. . . ., Registration Officer.")

20 **Sec. 13.** RCW 29.07.090 and 1973 1st ex.s. c 21 s 5 are each
21 amended to read as follows:

22 At the time of registering (~~((any))~~), a voter (~~((, each registration~~
23 ~~officer))~~) shall (~~((require him to))~~) sign his or her name upon a
24 signature card (~~((containing spaces for his surname))~~) to be transmitted
25 to the secretary of state. The voter shall also provide his or her
26 first name followed by (~~((his given))~~) the last name or names and the
27 name of the county (~~((and city or town, with post office and street~~
28 ~~address, and the name or number of the precinct,))~~) in which (~~((the~~
29 ~~voter))~~) he or she is registered.

30 **Sec. 14.** RCW 29.07.100 and 1971 ex.s. c 202 s 13 are each amended
31 to read as follows:

32 (~~((Registration officers in incorporated))~~) In cities and towns,
33 clerks shall (~~((keep their respective offices open for registration of~~
34 ~~voters during the days and hours when the same are open for the~~
35 ~~transaction of public business: PROVIDED, That in cities of the first~~

1 class, the county auditor shall establish on a permanent basis at least
2 one registration office in each legislative district that lies wholly
3 or partially within the city limits by appointing persons as deputy
4 registrars who may register any eligible elector of such city.

5 Each such deputy registrar, except for city and town clerks, shall
6 hold office at the pleasure of the county auditor and shall maintain a
7 fixed place, conveniently located, for the registration of voters but
8 nothing in this section shall preclude door-to-door registration
9 including registration from a portable office as in a trailer)) provide
10 voter registration assistance during the normal business hours of the
11 office.

12 **Sec. 15.** RCW 29.07.115 and 1971 ex.s. c 202 s 23 are each amended
13 to read as follows:

14 A person or organization collecting voter registration application
15 forms must transmit the forms to the secretary of state or a designee
16 at least once weekly((, the deputy registrars shall transmit all
17 registration records properly completed to the county auditor)).

18 **Sec. 16.** RCW 29.07.120 and 1971 ex.s. c 202 s 16 are each amended
19 to read as follows:

20 On each Monday next following the registration of any voter each
21 county auditor shall transmit all cards required by RCW 29.07.090
22 ((which have been executed and)) received in ((his)) the auditor's
23 office during the prior week to the secretary of state for filing ((in
24 his office. Each lot must be accompanied by the certificate of the
25 registrar that the cards so transmitted are the original cards, that
26 they were signed by the voters whose names appear thereon and that the
27 voters are registered in the precincts and from the addresses shown
28 thereon)). The secretary of state may exempt a county auditor who is
29 providing electronic voter registration and electronic voter signature
30 information to the secretary of state from the requirements of this
31 section.

32 **Sec. 17.** RCW 29.07.130 and 1991 c 81 s 21 are each amended to read
33 as follows:

34 (1) The cards required by RCW 29.07.090 shall be kept on file in
35 the office of the secretary of state in such manner as will be most
36 convenient for, and for the sole purpose of, checking initiative and

1 referendum petitions. The secretary may maintain an automated file of
2 voter registration information for any county or counties in lieu of
3 filing or maintaining these voter registration cards if the automated
4 file includes all of the information from the cards including, but not
5 limited to, a retrievable facsimile of the signature of each voter of
6 that county or counties. Such an automated file may be used only for
7 the purpose authorized for the use of the cards.

8 (2) The county auditor shall have custody of the voter registration
9 records for each county. The original voter registration form, as
10 established by RCW 29.07.070, shall be filed alphabetically without
11 regard to precinct and shall be considered confidential and unavailable
12 for public inspection and copying. An automated file of all registered
13 voters shall be maintained pursuant to RCW 29.07.220. An auditor may
14 maintain the automated file in lieu of filing or maintaining the
15 original voter registration forms if the automated file includes all of
16 the information from the original voter registration forms including,
17 but not limited to, a retrievable facsimile of each voter's signature.

18 (3) The following information contained in voter registration
19 records or files regarding a voter or a group of voters is available
20 for public inspection and copying: The voter's name, gender, voting
21 record, date of registration, and registration number. The address of
22 a registered voter or addresses of a group of voters are available for
23 public inspection and copying except to the extent that the address of
24 a particular voter is not so available under RCW 42.17.310(1)(bb). The
25 political jurisdictions within which a voter or group of voters reside
26 are also available for public inspection and copying except that the
27 political jurisdictions within which a particular voter resides are not
28 available for such inspection and copying if the address of the voter
29 is not so available under RCW 42.17.310(1)(bb). No other information
30 from voter registration records or files is available for public
31 inspection or copying.

32 **Sec. 18.** RCW 29.07.140 and 1990 c 143 s 9 are each amended to read
33 as follows:

34 (1) The secretary of state shall specify by rule the ~~((form))~~
35 format of ~~((the))~~ all voter registration ~~((records required under RCW~~
36 ~~29.07.070 and 29.07.260))~~ applications. These ~~((forms))~~ applications
37 shall be compatible with existing voter registration records. An
38 applicant for voter registration shall be required to complete only one

1 ((form)) application and to provide the required information other than
2 his or her signature no more than one time.

3 These ((forms)) applications shall also contain information for the
4 voter to transfer his or her registration.

5 (2) The secretary of state shall adopt by rule a uniform data
6 format for transferring voter registration records on machine-readable
7 media.

8 (3) All registration ((forms)) applications required under RCW
9 29.07.070 and 29.07.260 shall be produced and furnished by the
10 secretary of state to the county auditors and the department of
11 licensing.

12 (4) The secretary of state shall produce and distribute any
13 instructional material and other supplies needed to implement RCW
14 29.07.260 through 29.07.300 and 46.20.155.

15 **Sec. 19.** RCW 29.07.170 and 1971 ex.s. c 202 s 21 are each amended
16 to read as follows:

17 ((Immediately)) Upon closing ((his)) of the registration files
18 preceding an election, the county auditor shall ((insert therein his
19 certificate as to the authenticity thereof. He shall then)) deliver
20 the ((registration records for each precinct thus certified)) precinct
21 lists of registered voters to the inspector or one of the judges
22 ((thereof at the proper)) of each precinct or group of precincts
23 located at the polling place before the polls open.

24 **Sec. 20.** RCW 29.07.180 and 1971 ex.s. c 202 s 22 are each amended
25 to read as follows:

26 The ((registration records of)) precinct list of registered voters
27 for each precinct or group of precincts delivered to the precinct
28 election officers for use on the day of an election held in that
29 precinct shall be returned by them to the county auditor upon the
30 completion of the count of the votes cast in the precinct at that
31 election. While in possession of the county auditor they shall be open
32 to public inspection under such reasonable rules and regulations as may
33 be prescribed therefor.

34 **Sec. 21.** RCW 29.07.260 and 1990 c 143 s 1 are each amended to read
35 as follows:

1 (1) A person may register to vote or transfer a voter registration
2 when he or she applies for or renews a driver's license or
3 identification card under chapter 46.20 RCW.

4 (2) To register to vote or transfer a voter registration under this
5 section, the applicant shall provide the following:

6 (a) His or her full name;

7 (b) Whether the address in the driver's license file is the same as
8 his or her residence for voting purposes;

9 (c) The address of the residence for voting purposes if it is
10 different from the address in the driver's license file;

11 (d) His or her mailing address if it is not the same as the address
12 in (c) of this subsection;

13 (e) Additional information on the ~~((physical))~~ geographic location
14 of that voting residence if it is only identified by route or box;

15 (f) The last address at which he or she was registered to vote in
16 this state;

17 (g) A declaration that he or she is a citizen of the United States;
18 and

19 (h) Any other information that the secretary of state determines is
20 necessary to establish the identity of the applicant and to prevent
21 duplicate or fraudulent voter registrations.

22 (3) The following warning shall appear in a conspicuous place on
23 the voter registration form:

24 "If you knowingly ~~((providing))~~ provide false information on this
25 voter registration form or knowingly ~~((making))~~ make a false
26 declaration about your qualifications for voter registration ~~((is))~~ you
27 will have committed a class C felony that is punishable by imprisonment
28 for up to five years, or by a fine ~~((not to exceed))~~ of up to ten
29 thousand dollars, or ~~((by))~~ both ~~((such))~~ imprisonment and fine."

30 (4) The applicant shall sign a portion of the form that can be used
31 as an initiative signature card for the verification of petition
32 signatures by the secretary of state and shall sign and attest to the
33 following oath:

34 "I declare that the facts ~~((relating to my qualifications as a~~
35 ~~voter recorded))~~ on this voter registration form are true. I am a
36 citizen of the United States, I am not presently denied my civil rights
37 as a result of being convicted of ~~((an infamous crime))~~ a felony, I
38 will have lived in ~~((this state, county, and precinct))~~ Washington at

1 this address for thirty days ((immediately preceding)) before the next
2 election at which I ((offer to)) vote, and I will be at least eighteen
3 years ((of age at the time of voting)) old when I vote."

4 (5) The driver licensing agent shall record that the applicant has
5 requested to register to vote or transfer a voter registration.

6 (6) The following statement must appear in a conspicuous place on
7 the voter registration form:

8 "If you decline to register to vote, the fact that you have chosen
9 not to register will remain confidential and will be used only for
10 voter registration purposes. If you choose to register to vote, the
11 location of this office will remain confidential and be used only for
12 voter registration purposes."

13 **Sec. 22.** RCW 29.07.270 and 1990 c 143 s 2 are each amended to read
14 as follows:

15 (1) The secretary of state shall provide for the voter registration
16 forms submitted under RCW 29.07.260 to be collected from each driver's
17 licensing facility ((at least once each week)) within five days of
18 their completion.

19 (2) The department of licensing shall produce and transmit to the
20 secretary of state a machine-readable file containing the following
21 information from the records of each individual who requested a voter
22 registration or transfer at a driver's license facility during each
23 period for which forms are transmitted under subsection (1) of this
24 section: The name, address, date of birth, and sex of the applicant
25 and the driver's license number, the date on which the application for
26 voter registration or transfer was submitted, and the location of the
27 office at which the application was submitted.

28 (3) The department of licensing shall provide information on all
29 persons changing their address on change of address forms submitted to
30 the department unless the voter has indicated that the address change
31 is not for voting purposes. This information will be transmitted to
32 the secretary of state each week in a machine-readable file containing
33 the following information on persons changing their address: The name,
34 address, date of birth, and sex of the applicant, the applicant's
35 driver's license number, the applicant's former address, the county
36 code for the applicant's former address, and the date that the request
37 for address change was received.

1 (4) The secretary of state shall forward this information to the
2 appropriate county each week. When the information indicates that the
3 voter has moved within the county, the county auditor shall use the
4 change of address information to transfer the voter's registration and
5 send the voter an acknowledgement notice of the transfer. If the
6 information indicates that the new address is outside the voter's
7 original county, the county auditor shall send the voter a registration
8 by mail form at the voter's new address and advise the voter of the
9 need to reregister in the new county. The auditor shall then place the
10 voter on inactive status pending notification of a new registration in
11 the new county.

12 **Sec. 23.** RCW 29.07.300 and 1990 c 143 s 5 are each amended to read
13 as follows:

14 (1) The secretary of state shall deliver the files and lists of
15 voter registration information produced under RCW 29.07.290 to the
16 county auditors no later than ten days after the date on which that
17 information was to be transmitted under RCW 29.07.270(1). The county
18 auditor shall process these records in the same manner as voter
19 registrations executed under RCW 29.07.080.

20 (2) If a registrant has indicated on the voter registration
21 application form that he or she was previously registered in
22 Washington, the auditor shall send a notice of cancellation to the
23 auditor of the county in which the voter was previously registered.

24 **Sec. 24.** RCW 29.07.400 and 1991 c 81 s 11 are each amended to read
25 as follows:

26 If any (~~registrar or deputy registrar~~) county auditor or
27 registration assistant:

28 (1) Willfully neglects or refuses to perform any duty required by
29 law in connection with the registration of voters; or

30 (2) Willfully neglects or refuses to perform such duty in the
31 manner required by voter registration law; or

32 (3) Enters or causes or permits to be entered on the voter
33 registration records the name of any person in any other manner or at
34 any other time than as prescribed by voter registration law or enters
35 or causes or permits to be entered on such records the name of any
36 person not entitled to be thereon; or

1 (4) Destroys, mutilates, conceals, changes, or alters any
2 registration record in connection therewith except as authorized by
3 voter registration law,
4 he or she is guilty of a gross misdemeanor punishable to the same
5 extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

6 **Sec. 25.** RCW 29.07.410 and 1991 c 81 s 12 are each amended to read
7 as follows:

8 Any person who:

9 (1) Knowingly provides false information on an application for
10 voter registration under any provision of this title;

11 (2) Knowingly makes or attests to a false declaration as to his or
12 her qualifications as a voter;

13 (3) Knowingly causes or permits himself or herself to be registered
14 using the name of another person;

15 (4) Knowingly causes himself or herself to be registered under two
16 or more different names; ((or))

17 (5) Knowingly causes himself or herself to be registered in two or
18 more counties;

19 (6) Offers to pay another person to assist in registering voters,
20 where payment is based on a fixed amount of money per voter
21 registration;

22 (7) Accepts payment for assisting in registering voters, where
23 payment is based on a fixed amount of money per voter registration; or

24 (8) Knowingly causes any person to be registered or causes any
25 registration to be transferred or canceled except as authorized under
26 this title,

27 is guilty of a class C felony punishable under RCW 9A.20.021.

28 NEW SECTION. **Sec. 26.** A new section is added to chapter 29.07 RCW
29 to read as follows:

30 The governor, in consultation with the secretary of state, shall
31 designate agencies to provide voter registration services in compliance
32 with federal statutes.

33 NEW SECTION. **Sec. 27.** A new section is added to chapter 29.07 RCW
34 to read as follows:

35 (1) A person may register to vote or transfer a voter registration
36 when he or she applies for service or assistance and with each renewal,

1 recertification, or change of address at agencies designated under
2 section 26 of this act.

3 (2) A prospective applicant shall initially be offered a form
4 adopted by the secretary of state that is designed to determine whether
5 the person wishes to register to vote. The form must comply with all
6 applicable state and federal statutes regarding content.

7 The form shall also contain a box that may be checked by the
8 applicant to indicate that he or she declines to register.

9 If the person indicates an interest in registering or has made no
10 indication as to a desire to register or not register to vote, the
11 person shall be given a mail-in voter registration application or a
12 prescribed agency application as provided by section 28 of this act.

13 NEW SECTION. **Sec. 28.** A new section is added to chapter 29.07 RCW
14 to read as follows:

15 (1) The secretary of state shall prescribe the method of voter
16 registration for each designated agency. The agency shall use either
17 the state voter registration by mail form with a separate declination
18 form for the applicant to indicate that he or she declines to register
19 at this time, or the agency may use a separate form approved for use by
20 the secretary of state.

21 (2) The person providing service at the agency shall offer voter
22 registration services to every client whenever he or she applies for
23 service or assistance and with each renewal, recertification, or change
24 of address. The person providing service shall give the applicant the
25 same level of assistance with the voter registration application as is
26 offered to fill out the agency's forms and documents.

27 (3) If an agency uses a computerized application process, it may,
28 in consultation with the secretary of state, develop methods to
29 simultaneously capture the information required for voter registration
30 during a person's computerized application process.

31 (4) Each designated agency shall provide for the voter registration
32 application forms to be collected from each agency office at least once
33 each week. The agency shall then forward the application forms to the
34 secretary of state each week. The secretary of state shall forward the
35 forms to the county in which the applicant has registered to vote no
36 later than ten days after the date on which the forms were received by
37 the secretary of state.

1 NEW SECTION. Sec. 29. A new section is added to chapter 29.07 RCW
2 to read as follows:

3 The secretary of state shall:

4 (1) Coordinate with the designated agencies and county auditors on
5 the implementation of sections 27 and 28 of this act;

6 (2) Adopt rules governing the delivery and processing of voter
7 registration application forms submitted under sections 27 and 28 of
8 this act and ensuring the integrity of the voter registration process
9 and of the integrity and confidentiality of data on registered voters
10 collected under sections 27 and 28 of this act.

11 **Sec. 30.** RCW 29.08.010 and 1993 c 434 s 1 are each amended to read
12 as follows:

13 The definitions set forth in this section apply throughout this
14 chapter, unless the context clearly requires otherwise((7)).

15 (1) "By mail" means delivery of a completed original voter
16 registration ((form)) application by mail((7)) or by personal
17 delivery((7) or by courier to a county auditor)). The secretary of
18 state, in consultation with the county auditors, may adopt rules to
19 develop a process to receive and distribute these applications.

20 (2) For voter registration applicants, "date of mailing" means the
21 date of the postal cancellation on the voter registration application.
22 This date will also be used as the date of application for the purpose
23 of meeting the registration cutoff deadline. If the postal
24 cancellation date is illegible then the date of receipt by the
25 elections official is considered the date of application. If an
26 application is received by the elections official by the close of
27 business on the fifth day after the cutoff date for voter registration
28 and the postal cancellation date is illegible, the application will be
29 considered to have arrived by the cutoff date for voter registration.

30 **Sec. 31.** RCW 29.08.050 and 1993 c 434 s 5 are each amended to read
31 as follows:

32 In addition to the information required under RCW 29.07.070, when
33 registering to vote by mail under this chapter, the applicant shall
34 sign a portion of the form that can be used as an initiative signature
35 card for the verification of petition signatures by the secretary of
36 state and shall sign and attest to the following oath: "I declare that
37 the facts ((relating to my qualifications as a voter recorded)) on this

1 voter registration form are true. I am a citizen of the United States,
2 I am not presently denied my civil rights as a result of being
3 convicted of ~~((an infamous crime))~~ a felony, I will have lived in
4 ~~((this state, county, and precinct))~~ Washington at this address for
5 thirty days immediately ~~((preceding))~~ before the next election at which
6 I ~~((offer to))~~ vote, and I will be at least eighteen years ~~((of age at~~
7 ~~the time of voting))~~ old when I vote."

8 The voter registration by mail form shall provide, in a conspicuous
9 place, the following warning: "If you knowingly ~~((providing))~~ provide
10 false information on this voter registration form or knowingly
11 ~~((making))~~ make a false declaration about your qualifications for voter
12 registration ~~((is))~~ you will have committed a class C felony that is
13 punishable by imprisonment for up to five years, or by a fine ~~((not to~~
14 ~~exceed))~~ of up to ten thousand dollars, or ~~((by))~~ both ~~((such))~~
15 imprisonment and fine."

16 **Sec. 32.** RCW 29.08.060 and 1993 c 434 s 6 are each amended to read
17 as follows:

18 (1) On receipt of an application for voter registration under this
19 chapter, the county auditor shall review the application to determine
20 whether the information supplied is complete. An application that
21 contains the applicant's name, complete valid residence address, date
22 of birth, and signature is complete. If it is not complete, the
23 auditor shall promptly ~~((send))~~ mail a verification notice of the
24 deficiency to the applicant. This verification notice shall require
25 the applicant to provide the missing information. If the verification
26 notice is not returned by the applicant or is returned as undeliverable
27 the auditor shall not place the name of the applicant on the county
28 voter list. If the applicant provides the required information, the
29 applicant shall be registered to vote as of the date of mailing of the
30 original voter registration application.

31 (2) If the information is complete, the applicant is considered to
32 be registered to vote as of the date of ~~((the application's postmark.~~
33 ~~If there is no postmark or if the postmark is illegible, the applicant~~
34 ~~is registered on the date the complete and correct application was~~
35 ~~received by the auditor))~~ mailing. The auditor shall record the
36 appropriate precinct identification, taxing district identification,
37 and date of registration on the voter's record. Within forty-five days
38 after the receipt of an application but no later than seven days before

1 the next primary, special election, or general election, the auditor
2 shall send to the applicant, by first class mail, (~~(a voter~~
3 ~~registration card~~) an acknowledgement notice identifying the
4 registrant's precinct and containing such other information as may be
5 required by the secretary of state. The postal service shall be
6 instructed not to forward a voter registration card to any other
7 address and to return to the auditor any card which is not deliverable.
8 If the applicant has indicated that he or she was registered previously
9 in this state, the auditor shall notify the auditor of the county where
10 the applicant was previously registered so that the previous
11 registration may be canceled.

12 (3) If (~~(a voter registration)~~) an acknowledgement notice card is
13 properly mailed as required by this section to the address listed by
14 the (~~(applicant)~~) voter as being the (~~(applicant's)~~) voter's mailing
15 address and the (~~(card)~~) notice is subsequently returned to the auditor
16 by the postal service as being undeliverable to the (~~(applicant)~~) voter
17 at that address, the auditor shall (~~(immediately cancel the voter~~
18 ~~registration of the applicant. The auditor shall)~~) promptly send the
19 (~~(applicant)~~) voter a confirmation notice (~~(and explanation of the~~
20 ~~cancellation, and a registration application form. The postal service~~
21 ~~shall be requested to forward this notice as applicable)~~). The auditor
22 shall place the voter's registration on inactive status pending a
23 response from the voter to the confirmation notice.

24 NEW SECTION. Sec. 33. A new section is added to chapter 29.10 RCW
25 to read as follows:

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

28 (1) "Verification notice" means a notice sent by the county auditor
29 to a voter registration applicant and is used to verify or collect
30 information about the applicant in order to complete the registration.

31 (2) "Acknowledgement notice" means a notice sent by nonforwardable
32 mail by the county auditor to a registered voter to acknowledge a voter
33 registration transaction, which can include initial registration,
34 transfer, or reactivation of an inactive registration. An
35 acknowledgement notice may be a voter registration card.

36 (3) "Confirmation notice" means a notice sent to a registered voter
37 by first class forwardable mail at the address indicated on the voter's
38 permanent registration record and to any other address at which the

1 county auditor could reasonably expect mail to be received by the voter
2 in order to confirm the voter's residence address. The confirmation
3 notice must be designed so that the voter may update his or her current
4 residence address.

5 NEW SECTION. **Sec. 34.** A new section is added to chapter 29.10 RCW
6 to read as follows:

7 Registered voters are divided into two categories, "active" and
8 "inactive." All registered voters are classified as active, unless
9 assigned to inactive status by the county auditor.

10 **Sec. 35.** RCW 29.10.020 and 1991 c 81 s 23 are each amended to read
11 as follows:

12 To maintain a valid voter registration, a registered voter who
13 changes his or her residence from one address to another within the
14 same county shall(~~(, to maintain a valid voter registration,)~~) transfer
15 his or her registration to the new address in one of the following
16 ways: (1) Sending to the county auditor a signed request stating the
17 voter's present address (~~((and precinct))~~) and the address (~~((and~~
18 ~~precinct))~~) from which the voter was last registered; (2) appearing in
19 person before the auditor and signing such a request; (3) transferring
20 the registration in the manner provided by RCW 29.10.170; or (4)
21 telephoning the county auditor to transfer the registration. The
22 telephone call transferring a registration by telephone must be
23 received by the auditor before the precinct registration files are
24 closed to new registrations for the next primary or special or general
25 election in which the voter participates.

26 The secretary of state (~~((shall))~~) may adopt rules facilitating the
27 transfer of a registration by telephone authorized by this section.
28 (~~((The rules shall include, but need not be limited to, those~~
29 ~~establishing the form which must be signed by a voter subsequent to~~
30 ~~transferring a registration by telephone.))~~)

31 **Sec. 36.** RCW 29.10.040 and 1991 c 81 s 24 are each amended to read
32 as follows:

33 (~~((Except as provided in RCW 29.10.170,))~~) A registered voter who
34 changes his or her residence from one county to another county, shall
35 be required to register anew. Before registering anew, the voter shall
36 sign an authorization to cancel his or her present registration. The

1 authorization shall be on a form prescribed by the secretary of state
2 by rule. The authorization shall be forwarded promptly to the county
3 auditor of the county in which the voter was previously registered.
4 The county auditor of the county where the previous registration was
5 made shall cancel the registration of the voter if it appears that the
6 signatures in the registration record and on the cancellation
7 authorization form were made by the same person.

8 **Sec. 37.** RCW 29.10.051 and 1991 c 81 s 25 are each amended to read
9 as follows:

10 To maintain a valid voter registration, a person who changes his or
11 her name shall notify the county auditor regarding the name change in
12 one of the following ways: (1) By sending the auditor a notice clearly
13 identifying the name under which he or she is registered to vote, the
14 voter's new name, and the voter's residence. Such a notice must be
15 signed by the voter using both this former name and the voter's new
16 name; (2) by appearing in person before the auditor or a (~~deputy~~
17 ~~registrar~~) registration assistant and signing such a change-of-name
18 notice; (~~or~~) (3) by signing such a change-of-name notice at the
19 voter's precinct polling place on the day of a primary or special or
20 general election; (4) by properly executing a name change on a mail-in
21 registration application or a prescribed state agency application.

22 A properly registered voter who files a change-of-name notice at
23 the voter's precinct polling place during a primary or election and who
24 desires to vote at that primary or election shall sign the poll book
25 using the voter's former and new names in the same manner as is
26 required for the change-of-name notice.

27 The secretary of state may adopt rules facilitating the
28 implementation of this section.

29 NEW SECTION. **Sec. 38.** A new section is added to chapter 29.10 RCW
30 to read as follows:

31 A county auditor shall assign a registered voter to inactive status
32 if any of the following documents are returned by the postal service as
33 undeliverable:

- 34 (1) An acknowledgement of registration;
35 (2) An acknowledgement of transfer to a new address;
36 (3) A vote-by-mail ballot, absentee ballot, or application for a
37 ballot;

1 (4) Notification to a voter after precinct reassignment;

2 (5) Notification to serve on jury duty;

3 (6) Whenever change of address information received from the
4 department of licensing under RCW 29.07.270, or by any other agency
5 designated to provide voter registration services under section 26 of
6 this act, indicates that the voter has moved to an address outside the
7 county;

8 (7) The auditor receives postal change of address information under
9 RCW 29.10.180, indicating that the voter has moved out of the county;
10 or

11 (8) Any document other than a confirmation notice, required by
12 statute, to be mailed by the county auditor to the voter.

13 NEW SECTION. **Sec. 39.** A new section is added to chapter 29.10 RCW
14 to read as follows:

15 The county auditor shall return an inactive voter to active status
16 if the voter notifies the auditor of a change of address, votes,
17 responds to a confirmation notice with information indicating that the
18 voter continues to reside at the listed address, or signs any petition
19 authorized by statute, except for those petitions required by law to be
20 verified by the secretary of state.

21 NEW SECTION. **Sec. 40.** A new section is added to chapter 29.10 RCW
22 to read as follows:

23 Election officials shall not include inactive voters in the count
24 of registered voters for the purpose of dividing precincts, creating
25 vote-by-mail precincts, determining voter turnout, or other purposes in
26 law for which the determining factor is the number of registered
27 voters.

28 **Sec. 41.** RCW 29.10.090 and 1983 c 110 s 1 are each amended to read
29 as follows:

30 The local registrar of vital statistics in cities of the first
31 class shall submit monthly to the county auditor a list of the names
32 and addresses, if known, of all persons over eighteen years of age who
33 have died.

34 The registrar of vital statistics of the state shall supply such
35 monthly lists for each county of the state, exclusive of cities of the
36 first class, to the county auditor thereof. The county auditors shall

1 compare such lists with the registration records and cancel the
2 registrations of deceased voters. The county auditor may also use
3 newspaper obituary articles as a source of information in order to
4 cancel a voter's registration. The auditor must verify the identity of
5 the voter by matching the voter's date of birth or an address. The
6 auditor shall record the date and source of the obituary in the
7 cancellation records.

8 In addition to the above manner of canceling registration records
9 of deceased voters, any registered voter may sign a statement, subject
10 to the penalties of perjury, to the effect that to his or her personal
11 knowledge or belief another registered voter is deceased. This
12 statement may be filed with (~~any registration officer and the deputy~~
13 ~~registrar shall promptly forward such statement to~~) the county
14 auditor. Upon the receipt of such signed statement, the county auditor
15 shall cancel the registration records concerned and so notify the
16 secretary of state. Upon receipt of such notice, the secretary of
17 state shall in turn cancel his or her copy of said registration record.

18 The secretary of state as chief elections officer shall cause such
19 form to be designed to carry out the provisions of this section. The
20 county auditors shall have such forms available for public use.
21 Further, each such public officer having jurisdiction of an election
22 shall make available a reasonable supply of such forms for the use of
23 the precinct election officers at each polling place on the day of an
24 election.

25 NEW SECTION. Sec. 42. A new section is added to chapter 29.10 RCW
26 to read as follows:

27 Upon receiving official notice of a person's conviction of a felony
28 in either state or federal court, if the convicted person is a
29 registered voter in the county, the county auditor or custodian of
30 voting records shall strike the name of the defendant from the roll of
31 registered voters.

32 Sec. 43. RCW 29.10.100 and 1971 ex.s. c 202 s 31 are each amended
33 to read as follows:

34 On the Monday next following the (~~transfer or~~) cancellation of
35 the registration of any voter or the change of name of a voter, each
36 county auditor must certify to all (~~transfers or~~) cancellations or
37 name changes made during the prior week to the secretary of state. The

1 certificate shall set forth the name of each voter whose registration
2 has been (~~((transferred or))~~) canceled or whose name was changed, and the
3 county, city or town, and precinct in which (~~((he))~~) the voter was
4 registered (~~((and, in case of a transfer, also the name of the county~~
5 ~~and city or town, the name or number of the precinct and the post~~
6 ~~office address (including street and number) to which the registration~~
7 ~~of the voter was transferred))~~).

8 **Sec. 44.** RCW 29.10.180 and 1993 c 434 s 10 and 1993 c 417 s 8 are
9 each reenacted and amended to read as follows:

10 The county auditor shall establish a general program of voter
11 registration list maintenance. This program must be applied uniformly
12 throughout the county and must be nondiscriminatory in its application.
13 Any program established must be completed not later than ninety days
14 before the date of a primary or general election for federal office.
15 The county may fulfill its obligations under this section in one of the
16 following ways:

17 (1) The county auditor may enter into one or more contracts with
18 the United States postal service, or its licensee, which permit the
19 auditor to use postal service change-of-address information. If the
20 auditor (~~((finds that information received under such a contract gives~~
21 ~~the appearance))~~) receives change of address information from the United
22 States postal service that indicates that a voter has changed his or
23 her residence address((, the auditor shall notify the voter concerning
24 the requirements of state and federal laws governing voter registration
25 and residence)) within the county, the auditor shall transfer the
26 registration of that voter and send an acknowledgement notice of the
27 transfer to the new address. If the auditor receives postal change of
28 address information indicating that the voter has moved out of the
29 county, the auditor shall send a confirmation notice to the voter. The
30 auditor shall place the voter's registration on inactive status pending
31 the voter's response to the confirmation notice;

32 (2) (~~((Whenever any vote by mail ballot, notification to voters~~
33 ~~following reprecincting of the county, notification to voters of~~
34 ~~selection to serve on jury duty, notification under subsection (1) of~~
35 ~~this section, or voter identification card other than a voter~~
36 ~~identification card issued under RCW 29.08.060 is returned by the~~
37 ~~postal service as undeliverable, the county auditor shall, in every~~
38 ~~instance, inquire into the validity of the registration of that voter.~~

1 ~~(3) The county auditor shall initiate his or her inquiry by~~
2 ~~sending, by first class mail, a written notice to the challenged voter~~
3 ~~at the address indicated on the voter's permanent registration record~~
4 ~~and to any other address at which the county auditor could reasonably~~
5 ~~expect mail to be received by the voter. The county auditor shall not~~
6 ~~request any restriction on the forwarding of such notice by the postal~~
7 ~~service. The notice shall contain the nature of the inquiry and~~
8 ~~provide a suitable form for reply. The notice shall also contain a~~
9 ~~warning that the county auditor must receive a response within ninety~~
10 ~~days from the date of mailing the notice of inquiry in a case resulting~~
11 ~~from a returned vote by mail ballot or forty five days from the date of~~
12 ~~mailing in all other cases or the individual's voter registration will~~
13 ~~be canceled.~~

14 ~~(4) The voter, in person or in writing, may state that the~~
15 ~~information on the permanent voter registration record is correct or~~
16 ~~may request a change in the address information on the permanent~~
17 ~~registration record no later than the ninetieth day or forty fifth day,~~
18 ~~as appropriate, after the date of mailing the inquiry.~~

19 ~~(5) Upon the timely receipt of a response signed by the voter, the~~
20 ~~county auditor shall consider the inquiry satisfied and will make any~~
21 ~~address corrections requested by the voter on the permanent~~
22 ~~registration record. The county auditor shall cancel the registration~~
23 ~~of a voter who fails to respond to the notice of inquiry within ninety~~
24 ~~days after the date of mailing the notice in a case resulting from a~~
25 ~~returned vote by mail ballot, or, in all other cases, within forty five~~
26 ~~days after the date of mailing.~~

27 ~~(6) The county auditor shall notify any voter whose registration~~
28 ~~has been canceled by sending, by first class mail, a written notice to~~
29 ~~the address indicated on the voter's permanent registration record and~~
30 ~~to any other address to which the original inquiry was sent. Upon~~
31 ~~receipt of a satisfactory voter response, the auditor shall reinstate~~
32 ~~the voter.~~

33 ~~(7) A voter whose registration has been canceled under this section~~
34 ~~and who offers to vote at the next ensuing election shall be issued a~~
35 ~~questioned ballot. Upon receipt of such a questioned ballot the~~
36 ~~auditor shall investigate the circumstances surrounding the original~~
37 ~~cancellation. If he or she determines that the cancellation was in~~
38 ~~error, the voter's registration shall be immediately reinstated, and~~
39 ~~the voter's questioned ballot shall be counted. If the original~~

1 ~~cancellation was not in error, the voter shall be afforded the~~
2 ~~opportunity to reregister at his or her correct address, and the~~
3 ~~voter's questioned ballot shall not be counted.))~~ A direct,
4 nonforwardable, first-class, return if undeliverable, address
5 correction requested, mailing to every registered voter within the
6 county. If address correction information for a voter is received by
7 the county auditor after this mailing, the auditor shall place that
8 voter on inactive status and shall send to the voter a confirmation
9 notice;

10 (3) Any other method approved by the secretary of state.

11 NEW SECTION. Sec. 45. A new section is added to chapter 29.10 RCW
12 to read as follows:

13 Whenever a vote-by-mail ballot, notification to voters following
14 reprecincting of the county, notification to voters of selection to
15 serve on jury duty, notification under section 44 of this act, or voter
16 identification card is returned by the postal service as undeliverable,
17 the county auditor shall send the voter a confirmation notice and place
18 the voter on inactive status pending the voter's response to the
19 confirmation notice.

20 NEW SECTION. Sec. 46. A new section is added to chapter 29.10 RCW
21 to read as follows:

22 Confirmation notices must be on a form prescribed by, or approved
23 by, the secretary of state and must request that the voter confirm that
24 he or she continues to reside at the address of record and desires to
25 continue to use that address for voting purposes. The notice must
26 inform the voter that if the voter does not return the form or does not
27 vote in either of the next two federal elections, his or her voter
28 registration will be canceled.

29 NEW SECTION. Sec. 47. A new section is added to chapter 29.10 RCW
30 to read as follows:

31 If the response to the confirmation notice provides the county
32 auditor with the information indicating that the voter has moved within
33 the county, the auditor shall transfer the voter's registration. If
34 the response indicates that the voter has left the county, the auditor
35 shall cancel the voter's registration.

1 NEW SECTION. **Sec. 48.** A new section is added to chapter 29.10 RCW
2 to read as follows:

3 (1) A voter whose registration has been made inactive under this
4 chapter and who offers to vote at an ensuing election before two
5 federal elections have been held shall be allowed to vote a regular
6 ballot and the voter's registration restored to active status.

7 (2) A voter whose registration has been properly canceled under
8 this chapter shall vote a special ballot. The voter shall mark the
9 special ballot in secrecy, the ballot shall be placed in a security
10 envelope, the security envelope placed in a special ballot envelope,
11 and the reasons for the use of the special ballot noted.

12 (3) Upon receipt of such a special ballot the auditor shall
13 investigate the circumstances surrounding the original cancellation.
14 If he or she determines that the cancellation was in error, the voter's
15 registration shall be immediately reinstated, and the voter's special
16 ballot shall be counted. If the original cancellation was not in
17 error, the voter shall be afforded the opportunity to reregister at his
18 or her correct address, and the voter's special ballot shall not be
19 counted.

20 **Sec. 49.** RCW 29.15.050 and 1990 c 59 s 85 are each amended to read
21 as follows:

22 A filing fee of one dollar shall accompany each declaration of
23 candidacy for precinct committee officer; a filing fee of ten dollars
24 shall accompany the declaration of candidacy for any office with a
25 fixed annual salary of one thousand dollars or less; a filing fee equal
26 to one percent of the annual salary of the office at the time of filing
27 shall accompany the declaration of candidacy for any office with a
28 fixed annual salary of more than one thousand dollars per annum. No
29 filing fee need accompany a declaration of candidacy for any office for
30 which compensation is on a per diem or per meeting attended basis, nor
31 for the filing of any declaration of candidacy by a write-in candidate.

32 A candidate who lacks sufficient assets or income at the time of
33 filing to pay the filing fee required by this section shall submit with
34 his or her declaration of candidacy a nominating petition. The
35 petition shall contain not less than a number of signatures of active
36 or inactive registered voters equal to the number of dollars of the
37 filing fee. The signatures shall be of voters registered to vote

1 within the jurisdiction of the office for which the candidate is
2 filing.

3 When the candidacy is for:

4 (1) A legislative or judicial office that includes territory from
5 more than one county, the fee shall be paid to the secretary of state
6 for equal division between the treasuries of the counties comprising
7 the district.

8 (2) A city or town office, the fee shall be paid to the county
9 auditor who shall transmit it to the city or town clerk for deposit in
10 the city or town treasury.

11 **Sec. 50.** RCW 29.24.040 and 1989 c 215 s 4 are each amended to read
12 as follows:

13 A certificate evidencing nominations made at a convention must:

14 (1) Be in writing;

15 (2) Contain the name of each person nominated, his or her
16 residence, and the office for which he or she is named, and if the
17 nomination is for the offices of president and vice-president of the
18 United States, a sworn statement from both nominees giving their
19 consent to the nomination;

20 (3) Identify the minor political party or the independent candidate
21 on whose behalf the convention was held;

22 (4) Be verified by the oath of the presiding officer and secretary;

23 (5) Be accompanied by a nominating petition or petitions bearing
24 the signatures and addresses of active or inactive registered voters
25 equal in number to that required by RCW 29.24.030;

26 (6) Contain proof of publication of the notice of calling the
27 convention; and

28 (7) Be submitted to the appropriate filing officer not later than
29 one week following the adjournment of the convention at which the
30 nominations were made. If the nominations are made only for offices
31 whose jurisdiction is entirely within one county, the certificate and
32 nominating petitions must be filed with the county auditor. If a minor
33 party or independent candidate convention nominates any candidates for
34 offices whose jurisdiction encompasses more than one county, all
35 nominating petitions and the convention certificates must be filed with
36 the secretary of state.

1 **Sec. 51.** RCW 29.36.120 and 1993 c 417 s 1 are each amended to read
2 as follows:

3 At any primary or election, general or special, the county auditor
4 may, in any precinct having fewer than two hundred active registered
5 voters at the time of closing of voter registration as provided in RCW
6 29.07.160, conduct the voting in that precinct by mail ballot. For any
7 precinct having fewer than two hundred active registered voters where
8 voting at a primary or a general election is conducted by mail ballot,
9 the county auditor shall, not less than fifteen days prior to the date
10 of that primary or general election, mail or deliver to each active and
11 inactive registered voter within that precinct a notice that the voting
12 in that precinct will be by mail ballot, an application form for a mail
13 ballot, and a postage prepaid envelope, preaddressed to the issuing
14 officer. A mail ballot shall be issued to each voter who returns a
15 properly executed application to the county auditor no later than the
16 day of that primary or general election. (~~Such application is valid~~)
17 For all subsequent mail ballot elections in that precinct the
18 application is valid so long as the voter remains active and qualified
19 to vote.

20 At any nonpartisan special election not being held in conjunction
21 with a state primary or general election, the county, city, town, or
22 district requesting the election pursuant to RCW 29.13.010 or 29.13.020
23 may also request that the election be conducted by mail ballot. The
24 county auditor may honor the request or may determine that the election
25 is not to be conducted by mail ballot. The decision of the county
26 auditor in this regard is final.

27 In no instance shall any special election be conducted by mail
28 ballot in any precinct with two hundred or more active registered
29 voters if candidates for partisan office are to be voted upon.

30 For all special elections not being held in conjunction with a
31 state primary or state general election where voting is conducted by
32 mail ballot, the county auditor shall, not less than fifteen days prior
33 to the date of such election, mail or deliver to each active registered
34 voter a mail ballot and an envelope, preaddressed to the issuing
35 officer. If the inactive voter returns a voted ballot, the ballot
36 shall be counted and the voter's status restored to active. If the
37 inactive voter completes and returns an application, a ballot shall be
38 sent and the voter's status restored to active.

1 **Sec. 52.** RCW 29.36.121 and 1993 c 417 s 2 are each amended to read
2 as follows:

3 (1) At any nonpartisan special election not being held in
4 conjunction with a state primary or general election, the county, city,
5 town, or district requesting the election pursuant to RCW 29.13.010 or
6 29.13.020 may also request that the election be conducted by mail
7 ballot. The county auditor may honor the request or may determine that
8 the election is not to be conducted by mail ballot. The decision of
9 the county auditor in this regard is final.

10 (2) In an odd-numbered year, the county auditor may conduct by mail
11 ballot a primary or a special election concurrently with the primary:

12 (a) For any office or ballot measure of a special purpose district
13 which is entirely within the county;

14 (b) For any office or ballot measure of a special purpose district
15 which lies in the county and one or more other counties if the auditor
16 first secures the concurrence of the county auditors of those other
17 counties to conduct the primary in this manner district-wide; and

18 (c) For any ballot measure or nonpartisan office of a county, city,
19 or town if the auditor first secures the concurrence of the legislative
20 authority of the county, city, or town involved.

21 A primary in an odd-numbered year may not be conducted by mail
22 ballot in any precinct with two hundred or more active registered
23 voters if a partisan office or state office or state ballot measure is
24 to be voted upon at that primary in the precinct.

25 (3) For all special elections not being held in conjunction with a
26 state primary or state general election where voting is conducted by
27 mail ballot, the county auditor shall, not less than fifteen days
28 before the date of such election, mail or deliver to each registered
29 voter a mail ballot and an envelope, preaddressed to the issuing
30 officer. The county auditor shall notify an election jurisdiction for
31 which a primary is to be held that the primary will be conducted by
32 mail ballot.

33 (4) To the extent they are not inconsistent with subsections (1)
34 through (3) of this section, the laws governing the conduct of mail
35 ballot special elections apply to nonpartisan primaries conducted by
36 mail ballot.

37 **Sec. 53.** RCW 29.36.122 and 1993 c 417 s 3 are each amended to read
38 as follows:

1 For any special election conducted by mail, the county auditor
2 shall send a mail ballot with a return identification envelope to each
3 active registered voter of the district in which the special election
4 is being conducted not sooner than the twenty-fifth day before the date
5 of the election and not later than the fifteenth day before the date of
6 the election. The envelope in which the ballot is mailed must clearly
7 indicate that the ballot is not to be forwarded and is to be returned
8 to the sender with return postage guaranteed. The auditor shall send
9 an application to receive a ballot to all inactive voters of the
10 district. Upon receipt of a completed application the auditor shall
11 send a ballot and restore the voter's status to active.

12 **Sec. 54.** RCW 29.48.010 and 1990 c 59 s 35 are each amended to read
13 as follows:

14 The county auditor shall provide in each polling place a sufficient
15 number of voting booths or voting devices along with any supplies
16 necessary to enable the voter to mark or register his or her choices on
17 the ballot and within which the voters may cast their votes in secrecy.
18 Where paper ballots are used for voting, the number of voting booths
19 shall be at least one for every fifty active registered voters in the
20 precinct.

21 **Sec. 55.** RCW 46.20.205 and 1989 c 337 s 6 are each amended to read
22 as follows:

23 Whenever any person after applying for or receiving a driver's
24 license or identicard moves from the address named in the application
25 or in the license or identicard issued to him or her or when the name
26 of a licensee or holder of an identicard is changed by marriage or
27 otherwise, the person shall within ten days thereafter notify the
28 department in writing on a form provided by the department of his or
29 her old and new addresses or of such former and new names and of the
30 number of any license then held by him or her. The written
31 notification is the exclusive means by which the address of record
32 maintained by the department concerning the licensee or identicard
33 holder may be changed. The form must contain a place for the person to
34 indicate that the address change is not for voting purposes. The
35 department of licensing shall notify the secretary of state by the
36 means described in RCW 29.07.270(3) of all change of address
37 information received by means of this form except information on

1 persons indicating that the change is not for voting purposes. Any
2 notice regarding the cancellation, suspension, revocation, probation,
3 or nonrenewal of the driver's license, driving privilege, or identicard
4 mailed to the address of record of the licensee or identicard holder is
5 effective notwithstanding the licensee's or identicard holder's failure
6 to receive the notice.

7 NEW SECTION. **Sec. 56.** The following acts or parts of acts are
8 each repealed:

9 (1) RCW 29.07.015 and 1985 c 205 s 15;

10 (2) RCW 29.07.020 and 1971 ex.s. c 202 s 5 & 1965 c 9 s 29.07.020;

11 (3) RCW 29.07.050 and 1971 ex.s. c 202 s 7 & 1965 c 9 s 29.07.050;

12 (4) RCW 29.07.060 and 1973 1st ex.s. c 21 s 1, 1971 ex.s. c 202 s
13 8, & 1965 c 9 s 29.07.060;

14 (5) RCW 29.07.065 and 1986 c 167 s 4 & 1973 1st ex.s. c 21 s 2;

15 (6) RCW 29.07.095 and 1973 1st ex.s. c 21 s 6, 1971 ex.s. c 202 s
16 12, & 1965 c 9 s 29.07.095;

17 (7) RCW 29.07.105 and 1971 ex.s. c 202 s 14 & 1965 c 9 s 29.07.105;

18 and

19 (8) RCW 29.10.095 and 1971 ex.s. c 202 s 30 & 1965 c 9 s 29.10.095.

20 NEW SECTION. **Sec. 57.** RCW 29.10.080 and 1977 ex.s. c 361 s 27,
21 1971 ex.s. c 202 s 28, 1967 ex.s. c 109 s 3, & 1965 c 9 s 29.10.080 are
22 each repealed.

23 NEW SECTION. **Sec. 58.** If any provision of this act or its
24 application to any person or circumstance is held invalid, the
25 remainder of the act or the application of the provision to other
26 persons or circumstances is not affected.

27 NEW SECTION. **Sec. 59.** Sections 1 through 3, 7, 10 through 12, 21,
28 22, 25, 27, 28, 31 through 34, 37 through 40, 42, 44 through 55, and 57
29 of this act take effect January 1, 1995.

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