
HOUSE BILL 2388

State of Washington

58th Legislature

2004 Regular Session

By Representatives Carrell, McMahan, Ahern, Cox, Hinkle, Boldt, Mielke, Talcott, Pearson, Orcutt, Anderson, Campbell, Nixon and Clements

Read first time 01/13/2004. Referred to Committee on State Government.

1 AN ACT Relating to ensuring persons who vote are United States
2 citizens; amending RCW 29A.08.010, 29A.08.110, 29A.08.210, 29A.08.220,
3 29A.08.250, and 46.20.155; adding a new section to chapter 29A.08 RCW;
4 repealing RCW 29A.08.230; and providing an effective date.

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

6 **Sec. 1.** RCW 29A.08.010 and 2003 c 111 s 201 are each amended to
7 read as follows:

8 As used in this chapter: "Information required for voter
9 registration" or "required information" means the minimum information
10 provided on a voter registration application that is required by the
11 county auditor in order to place a voter registration applicant on the
12 voter registration rolls. This information includes proof that the
13 applicant is a United States citizen, the applicant's name, complete
14 residence address, date of birth, and a signature attesting to the
15 truth of the information provided on the application. Proof of
16 citizenship is not required if an applicant is transferring his or her
17 voter registration within a county or between counties in this state.
18 All other information supplied is ancillary and not to be used as
19 grounds for not registering an applicant to vote.

1 **Sec. 2.** RCW 29A.08.110 and 2003 c 111 s 206 are each amended to
2 read as follows:

3 (1) On receipt of an application for voter registration under this
4 chapter, the county auditor shall review the application to determine
5 whether the information supplied is complete. An application that
6 contains proof that the applicant is a United States citizen, the
7 applicant's name, complete valid residence address, date of birth, and
8 signature attesting to the truth of the information provided on the
9 application is complete. Proof of citizenship is not required if an
10 applicant is transferring his or her voter registration within a county
11 or between counties in this state. If it is not complete, the auditor
12 shall promptly mail a verification notice of the deficiency to the
13 applicant. This verification notice shall require the applicant to
14 provide the missing information. If the verification notice is not
15 returned by the applicant or is returned as undeliverable the auditor
16 shall not place the name of the applicant on the county voter list. If
17 the applicant provides the required information, the applicant shall be
18 registered to vote as of the date of mailing of the original voter
19 registration application.

20 (2) If the information is complete, the applicant is considered to
21 be registered to vote as of the date of mailing. The auditor shall
22 record the appropriate precinct identification, taxing district
23 identification, and date of registration on the voter's record. Within
24 forty-five days after the receipt of an application but no later than
25 seven days before the next primary, special election, or general
26 election, the auditor shall send to the applicant, by first class mail,
27 an acknowledgement notice identifying the registrant's precinct and
28 containing such other information as may be required by the secretary
29 of state. The postal service shall be instructed not to forward a
30 voter registration card to any other address and to return to the
31 auditor any card which is not deliverable. If the applicant has
32 indicated that he or she is registered to vote in another county in
33 Washington but has also provided an address within the auditor's county
34 that is for voter registration purposes, the auditor shall send, on
35 behalf of the registrant, a registration cancellation notice to the
36 auditor of that other county and the auditor receiving the notice shall
37 cancel the registrant's voter registration in that other county. If
38 the registrant has indicated on the form that he or she is registered

1 to vote within the county but has provided a new address within the
2 county that is for voter registration purposes, the auditor shall
3 transfer the voter's registration.

4 (3) If an acknowledgement notice card is properly mailed as
5 required by this section to the address listed by the voter as being
6 the voter's mailing address and the notice is subsequently returned to
7 the auditor by the postal service as being undeliverable to the voter
8 at that address, the auditor shall promptly send the voter a
9 confirmation notice. The auditor shall place the voter's registration
10 on inactive status pending a response from the voter to the
11 confirmation notice.

12 **Sec. 3.** RCW 29A.08.210 and 2003 c 111 s 216 are each amended to
13 read as follows:

14 (1) An applicant for voter registration shall complete an
15 application providing the following information concerning his or her
16 qualifications as a voter in this state:

17 ~~((1))~~ (a) Proof that the applicant is a United States citizen;

18 (b) The address of the last former registration of the applicant as
19 a voter in the state;

20 ~~((2))~~ (c) The applicant's full name;

21 ~~((3))~~ (d) The applicant's date of birth;

22 ~~((4))~~ (e) The address of the applicant's residence for voting
23 purposes;

24 ~~((5))~~ (f) The mailing address of the applicant if that address is
25 not the same as the address in (e) of this subsection ~~((4) of this~~
26 ~~section));~~

27 ~~((6))~~ (g) The sex of the applicant;

28 ~~((7) A declaration that the applicant is a citizen of the United~~
29 ~~States;~~

30 ~~((8))~~ (h) The applicant's signature; and

31 ~~((9))~~ (i) Any other information that the secretary of state
32 determines is necessary to establish the identity of the applicant and
33 prevent duplicate or fraudulent voter registrations.

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

36 If the applicant fails to provide the information required for
37 voter registration, the auditor shall send the applicant a verification

1 notice. The auditor shall not register the applicant until the
2 required information is provided. If a verification notice is returned
3 as undeliverable or the applicant fails to respond to the notice within
4 forty-five days, the auditor shall not register the applicant to vote.

5 (2) The applicant shall sign and attest to the following
6 declaration:

7 "I declare that the facts on this voter registration form are true.
8 I am a citizen of the United States, I am not presently denied my civil
9 rights as a result of being convicted of a felony, I will have lived in
10 Washington at this address for thirty days before the next election at
11 which I vote, and I will be at least eighteen years old when I vote."

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

14 "If you knowingly provide false information on this voter
15 registration form or knowingly make a false declaration about your
16 qualifications for voter registration you will have committed a class
17 C felony that is punishable by imprisonment for up to five years, or by
18 a fine of up to ten thousand dollars, or both imprisonment and fine."

19 **Sec. 4.** RCW 29A.08.220 and 2003 c 111 s 217 are each amended to
20 read as follows:

21 (1) The secretary of state shall specify by rule the format of all
22 voter registration applications. These applications shall be
23 compatible with existing voter registration records. An applicant for
24 voter registration shall be required to complete only one application
25 and to provide the required information other than his or her signature
26 no more than one time. If an applicant transfers his or her voter
27 registration within a county or between counties of this state, he or
28 she is not required to provide proof of citizenship. These
29 applications shall also contain information for the voter to transfer
30 his or her registration.

31 Any application format specified by the secretary for use in
32 registering to vote in state and local elections shall satisfy the
33 requirements of the National Voter Registration Act of 1993 (P.L. 103-
34 31) for registering to vote in federal elections.

35 (2) The secretary of state shall adopt by rule a uniform data

1 format for transferring voter registration records on machine-readable
2 media.

3 (3) All registration applications required under RCW 29A.08.210 and
4 29A.08.340 shall be produced and furnished by the secretary of state to
5 the county auditors and the department of licensing.

6 (4) The secretary of state shall produce and distribute any
7 instructional material and other supplies needed to implement RCW
8 29A.08.340 and 46.20.155.

9 (5) Any notice or statement that must be provided under the
10 National Voter Registration Act of 1993 (P.L. 103-31) to prospective
11 registrants concerning registering to vote in federal elections shall
12 also be provided to prospective registrants concerning registering to
13 vote under this title in state and local elections as well as federal
14 elections.

15 **Sec. 5.** RCW 29A.08.250 and 2003 c 111 s 220 are each amended to
16 read as follows:

17 The secretary of state shall furnish registration forms necessary
18 to carry out the registration of voters as provided by this chapter
19 without cost to the respective counties. All voter registration forms
20 must include clear and conspicuous language, designed to draw an
21 applicant's attention, stating that the applicant must ~~((be a))~~ provide
22 proof that the applicant is a United States citizen in order to
23 register to vote.

24 **Sec. 6.** RCW 46.20.155 and 2001 c 41 s 14 are each amended to read
25 as follows:

26 (1) Before issuing an original license or identification card or
27 renewing a license or identification card under this chapter, the
28 licensing agent shall determine if the applicant wants to register to
29 vote or transfer his or her voter registration by asking the following
30 question:

31 "Do you want to register to vote or transfer your voter
32 registration?"

33 (2) If the applicant chooses to register or transfer a
34 registration, the agent shall state the following:

1 "~~(I would like to remind you that)~~ You must be a United States
2 citizen and at least eighteen years of age in order to vote. Are you
3 a United States citizen?"

4 (3) If the applicant responds in the affirmative that he or she is
5 a United States citizen, the agent shall then provide the applicant
6 with a voter registration form and instructions and shall record that
7 the applicant has requested to register to vote or transfer a voter
8 registration.

9 NEW SECTION. Sec. 7. A new section is added to chapter 29A.08 RCW
10 to read as follows:

11 A person may prove that he or she is a United States citizen with
12 an original or copy of any one of the following:

- 13 (1) A United States passport;
- 14 (2) A certified birth certificate issued by the city, county, or
15 state. A certified birth certificate has a registrar's raised,
16 embossed, impressed, or multicolored seal, registrar's signature, and
17 the date the certificate was filed with the registrar's office, which
18 must be within one year of birth;
- 19 (3) A consular report of birth abroad or certification of birth;
- 20 (4) A naturalization certificate; or
- 21 (5) A certificate of citizenship.

22 NEW SECTION. Sec. 8. RCW 29A.08.230 (Oath of applicant) and 2003
23 c 111 s 218, 1994 c 57 s 12, 1990 c 143 s 8, 1973 1st ex.s. c 21 s 4,
24 1971 ex.s. c 202 s 10, & 1965 c 9 s 29.07.080 are each repealed.

25 NEW SECTION. Sec. 9. If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 remainder of the act or the application of the provision to other
28 persons or circumstances is not affected.

29 NEW SECTION. Sec. 10. This act takes effect July 1, 2004.

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