

# HOUSE BILL REPORT

## HB 1363

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**As Reported by House Committee On:**  
State Government & Tribal Affairs

**Title:** An act relating to voter registration at state agencies.

**Brief Description:** Making voter registration available at state agencies.

**Sponsors:** Representatives Miloscia, Chase, Hasegawa, McDermott, Pettigrew, Uptegrove, Roberts, Darneille and Goodman.

**Brief History:**

**Committee Activity:**

State Government & Tribal Affairs: 1/31/07, 2/16/07 [DPS].

**Brief Summary of Substitute Bill**

- Requires the Employment Security Department and the Department of Social and Health Services to provide voter registration services when an individual applies in person for public assistance, disability services, or makes an in-person report of an address change.

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### HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Hunt, Chair; Appleton, Vice Chair; Green, McDermott, Miloscia and Ormsby.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member and Kretz.

**Staff:** Colleen Kerr (786-7168).

**Background:**

In 1992, Washington began offering voter registration services through the state Department of Licensing (DOL). Washington's voter registration policy through the DOL was part of the impetus behind the 1993 federal National Voter Registration Act (NVRA). In 1994, the Legislature then enacted the state Motor Voter statute to meet the requirements of the NVRA.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The NVRA requires states to provide the opportunity to register to vote for federal elections by three means:

- at the same time a person applies for a driver's license or seeks to renew a driver's license;
- at all offices that provide public assistance, and at all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities; and
- by mail using mail-in-forms developed by each state and the Election Assistance Commission.

In Washington, the Motor Voter statute requires the DOL to provide voter registration services when a person applies for or renews a driver's license or state identification card. It also allows the Governor, in consultation with the Secretary of State, to designate agencies to offer voter registration services and prescribes a procedure for registration at those agencies. Institutions of higher education are required to place an active prompt of their course registration websites that links to the Secretary of State's voter registration website and ask the student if they would like to register to vote.

In addition to the DOL, the following agencies and programs offer voter registration as required by the NVRA:

- the Department of Health's Women-Infants-Children Program;
- the Department of Social and Health Services (DSHS) Community Services Offices;
- the DSHS's Division of Vocational Rehabilitation;
- the DSHS's Mental Health Division;
- the DSHS's Ageing and Disabilities Service Administration; and
- the Department of Services for the Blind.

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### **Summary of Substitute Bill:**

The Employment Security Department and the Department of Social and Health Services are required to provide voter registration services when an individual applies in-person for public assistance, disability services, or makes an in-person report of an address change. On a biennial basis, the Governor must designate new agencies as appropriate to offer voter registration services. All state agency websites are required to have a link to the Secretary of State's voter registration webpage.

Data collection requirements are created for the purpose of establishing performance measures that shall go to improving the number of registered voters as a reflection of the population of eligible voters. State agencies providing voter registration services are required to keep records of the number of people who request, apply, or receive an in-person public service; who register to vote, transfer a voter registration, or decline to do either; and who request an application, but do not turn it in to the agency. The Secretary of State is required to produce an annual report, with performance measures, using this data in aggregate form to show the number of registered voters as a reflection of the total voting population for each county. This

report must also identify challenges in increasing voter registration and recommend action for increasing the percentage of registered voters.

**Substitute Bill Compared to Original Bill:**

Changes the requirement that all state agencies must provide voter registration services when providing an in-person public service to requiring the Employment Security Department and the Department of Social and Health Services to provide voter registration services when an individual applies in person for public assistance, disability services, or makes an in-person report of an address change. The Governor shall appoint additional agencies as appropriate on a biennial basis to expand the program.

The language is clarified so that the data collected reflects the numbers of people served and not actual names of people.

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**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) There is no right more fundamental than the right to vote. It is the duty of the state to both encourage and facilitate voter registration to the greatest extent possible, for all eligible individuals in Washington. It should be a goal of this state to have the highest percentage of eligible voters of that eligible population. The Legislature should work to make voter registration services available at state agencies where people go to seek public services.

(With concerns) It is important to encourage agencies to offer voter registration services, but equally important that the process not become overly bureaucratic. Agencies are already volunteering to offer voter registration services. The Secretary of State is concerned that people will think they must go to those agencies to register to vote, rather than that they offer those services. County Auditors are concerned about the timely return of voter registration forms. An appropriate deadline would be that agencies must turn in forms once a week to ensure that voters are registered to vote in a timely fashion. It is not clear whether this expansion of voter registration services will assist people with disabilities to register to vote. The relevant agencies should work with the Secretary of State around this issue to make sure there are improved services for the disabled.

(Opposed) None.

**Persons Testifying:** (In support) Representative Miloscia, prime sponsor.

(In support with concerns) David Lord, Washington Protection and Advocacy System; Katie Blinn, Office of the Secretary of State; and Suzanne Sinclair, Washington State Association of County Auditors.

**Persons Signed In To Testify But Not Testifying:** None.