

SENATE BILL REPORT

SB 5561

As Passed Senate, March 13, 2007

Title: An act relating to allowing voter registration up to and on election day.

Brief Description: Allowing voter registration up to and on election day.

Sponsors: Senators Oemig, Fairley, Hobbs, Brown, Spanel, Franklin, Kline, Jacobsen and McAuliffe.

Brief History:

Committee Activity: Government Operations & Elections: 2/15/07, 2/20/07 [DP, DNP].
Passed Senate: 3/13/07, 28-19.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline and Pridemore.

Minority Report: Do not pass.

Signed by Senators Roach, Ranking Minority Member; Benton and Swecker.

Staff: Sharon Swanson (786-7447)

Background: A person seeking to vote at any primary, special, or general election must register to vote at least 30 days before the election. State law provides a late voter registration period that starts after the close of regular registration and ends on the 15th day before the election. During this late registration period, a voter must register in person at the county auditor's office, or at a location specifically designated for late registration by the auditor or Secretary of State (OSOS), and must vote an absentee ballot.

Upon receiving a voter registration application, the OSOS and the county auditor are required to review the application. If the OSOS cannot match the applicant's license, identification, or social security number, then the OSOS or county auditor must correspond with the applicant to resolve the discrepancy. Similarly, if the application is not complete, the county auditor must correspond with the applicant to address the deficiency. In either instance, if the applicant fails to respond, the applicant must not be registered to vote.

Summary of Bill: The late registration period ends on the day of the election. If a voter registration submitted during this late registration period is not complete or if the information cannot be matched by the OSOS, and the deficiency or discrepancy has not been resolved prior to certification, the ballot submitted by the late registrant must not be counted.

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 OSOS is given specific authority to develop rules to address voter registration challenges filed against a person who registered to vote less than 14 days before the day of the election.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is easy to understand. As elections approach, voters take an interest and want to vote, but they are disenfranchised if they miss the registration deadline. Voters shouldn't be disenfranchised simply because they miss the registration deadline. The state should encourage voter participation, not put up impediments to voting. The state needs to remove barriers to voting.

CON: The logistics of a program to register voters on election day is difficult in the vote by mail environment of the state. Ballots have been out for over two weeks by election day, and there is a concern that an individual may register on election day and receive and vote a second ballot. The reality is that registration materials will be processed after the ballots for the election are processed and that is a concern.

OTHER: Voter registration access shouldn't be blocked through deadlines, however, there is a concern that the voter registration system can't handle same day registration yet.

Persons Testifying: PRO: Senator Oemig, prime sponsor; Steve Zemke, Taxpayers for Washington's Future; Michael Temple, Association of Community Organizations for Reform Now.

CON: Katie Blinn, Office of the Secretary of State.

OTHER: Karen Flynn, Kitsap County Auditor.