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SENATE BILL 6862

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State of Washington

60th Legislature

2008 Regular Session

By Senator Roach

Read first time 01/29/08. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to voter registration; amending RCW 29A.08.010,  
2 29A.08.110, and 29A.08.210; and adding new sections to chapter 29A.08  
3 RCW.

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

5 **Sec. 1.** RCW 29A.08.010 and 2006 c 320 s 2 are each amended to read  
6 as follows:

7 As used in this chapter: "Information required for voter  
8 registration" means the minimum information provided on a voter  
9 registration application that is required by the county auditor in  
10 order to place a voter registration applicant on the voter registration  
11 rolls. This information includes:

12 (1) Name;

13 (2) Residential address;

14 (3) Date of birth;

15 (4) Washington state driver's license number or Washington state  
16 identification card number, or the last four digits of the applicant's  
17 Social Security number if the applicant does not have a Washington  
18 state driver's license or Washington state identification card;

1 (5) A signature attesting to the truth of the information provided  
2 on the application; and

3 (6) A (~~check or indication in the box confirming the individual is~~  
4 ~~a United States citizen~~) statement that the applicant shall submit  
5 evidence of United States citizenship with the application and that the  
6 auditor shall reject the application if no evidence of citizenship is  
7 attached.

8 The residential address provided must identify the actual physical  
9 residence of the voter in Washington, as defined in RCW 29A.04.151,  
10 with detail sufficient to allow the voter to be assigned to the proper  
11 precinct and to locate the voter to confirm his or her residence for  
12 purposes of verifying qualification to vote under Article VI, section  
13 1 of the state Constitution. A residential address may be either a  
14 traditional address or a nontraditional address. A traditional address  
15 consists of a street number and name, optional apartment number or unit  
16 number, and city or town, as assigned by a local government, which  
17 serves to identify the parcel or building of residence and the unit if  
18 a multiunit residence. A nontraditional address consists of a  
19 narrative description of the location of the voter's residence, and may  
20 be used when a traditional address has not been assigned to the voter's  
21 residence. If the postal service does not deliver mail to the voter's  
22 residential address, or the voter prefers to receive mail at a  
23 different address, the voter may separately provide the mailing address  
24 at which they receive mail. Any mailing address provided shall be used  
25 only for mail delivery purposes and not for precinct assignment or  
26 confirmation of residence for voter qualification purposes.

27 If the individual does not have a driver's license, state  
28 identification card, or Social Security number, the registrant must be  
29 issued a unique voter registration number in order to be placed on the  
30 voter registration rolls. All other information supplied is ancillary  
31 and not to be used as grounds for not registering an applicant to vote.  
32 Modification of the language of the official Washington state voter  
33 registration form by the voter will not be accepted and will cause the  
34 rejection of the registrant's application.

35 **Sec. 2.** RCW 29A.08.110 and 2005 c 246 s 5 are each amended to read  
36 as follows:

37 (1) An application is considered complete only if it contains the

1 applicant's name, complete valid residence address, date of birth,  
2 signature attesting to the truth of the information provided, (~~a mark~~  
3 ~~in the check-off box confirming~~) satisfactory evidence of United  
4 States citizenship, and an indication that the provided driver's  
5 license number, state identification card number, or Social Security  
6 number has been confirmed by the secretary of state. If it is not  
7 complete, the auditor shall promptly mail a verification notice of the  
8 deficiency to the applicant. This verification notice shall require  
9 the applicant to provide the missing information. If the verification  
10 notice is not returned by the applicant within forty-five days or is  
11 returned as undeliverable, the name of the applicant shall not be  
12 placed on the official list of registered voters. If the applicant  
13 provides the required verified information, the applicant shall be  
14 registered to vote as of the original date of mailing or date of  
15 delivery, whichever is applicable.

16 (2) If the information required in subsection (1) of this section  
17 is complete, the applicant is considered to be registered to vote as of  
18 the original date of mailing or date of delivery, whichever is  
19 applicable. The auditor shall record the appropriate precinct  
20 identification, taxing district identification, and date of  
21 registration on the voter's record in the state voter registration  
22 list. Within forty-five days after the receipt of an application but  
23 no later than seven days before the next primary, special election, or  
24 general election, the auditor shall send to the applicant, by first-  
25 class mail, an acknowledgment notice identifying the registrant's  
26 precinct and containing such other information as may be required by  
27 the secretary of state. The postal service shall be instructed not to  
28 forward a voter registration card to any other address and to return to  
29 the auditor any card which is not deliverable.

30 (3) If an acknowledgment notice card is properly mailed as required  
31 by this section to the address listed by the voter as being the voter's  
32 mailing address and the notice is subsequently returned to the auditor  
33 by the postal service as being undeliverable to the voter at that  
34 address, the auditor shall promptly send the voter a confirmation  
35 notice. The auditor shall place the voter's registration on inactive  
36 status pending a response from the voter to the confirmation notice.

1           **Sec. 3.** RCW 29A.08.210 and 2005 c 246 s 11 are each amended to  
2 read as follows:

3           An applicant for voter registration shall complete an application  
4 providing the following information concerning his or her  
5 qualifications as a voter in this state:

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

8           (2) The applicant's full name;

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

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

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

13          (6) The sex of the applicant;

14          (7) The applicant's Washington state driver's license number or  
15 Washington state identification card number, or the last four digits of  
16 the applicant's Social Security number if he or she does not have a  
17 Washington state driver's license or Washington state identification  
18 card;

19          (8) A check box for the applicant to indicate that he or she does  
20 not have a Washington state driver's license, Washington state  
21 identification card, or Social Security number;

22          (9) A check box allowing the applicant to indicate that he or she  
23 is a member of the armed forces, national guard, or reserves, or that  
24 he or she is an overseas voter;

25          (10) A check box allowing the applicant to confirm that he or she  
26 is at least eighteen years of age;

27          (11) Clear and conspicuous language, designed to draw the  
28 applicant's attention, stating that the applicant must be a United  
29 States citizen in order to register to vote;

30          (12) A ~~((check box and declaration confirming that the applicant is  
31 a citizen of the United States))~~ statement that the applicant shall  
32 submit satisfactory evidence of United States citizenship with the  
33 application and that the auditor shall reject the application if  
34 satisfactory evidence of citizenship is not attached;

35          (13) The following warning:

36          "If you knowingly provide false information on this voter  
37 registration form or knowingly make a false declaration about your

1 qualifications for voter registration you will have committed a class  
2 C felony that is punishable by imprisonment for up to five years, a  
3 fine of up to ten thousand dollars, or both."

4 (14) The following affirmation by the applicant:

5 "By signing this document, I hereby assert, under penalty of  
6 perjury, that I am legally eligible to vote. If I am found to have  
7 voted illegally, I may be prosecuted and/or fined for this illegal act.  
8 In addition, I hereby acknowledge that my name and last known address  
9 will be forwarded to the appropriate state and/or federal authorities  
10 if I am found to have voted illegally."

11 (15) The oath required by RCW 29A.08.230 and a space for the  
12 applicant's signature; and

13 (16) Any other information that the secretary of state determines  
14 is necessary to establish the identity of the applicant and prevent  
15 duplicate or fraudulent voter registrations.

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

18 If the applicant fails to provide the information required for  
19 voter registration, the auditor shall send the applicant a verification  
20 notice. The applicant may not be registered until the required  
21 information is provided. If a verification notice is returned as  
22 undeliverable or the applicant fails to respond to the notice within  
23 forty-five days, the applicant shall not be registered to vote.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.08 RCW  
25 to read as follows:

26 Satisfactory evidence of United States citizenship includes the  
27 following:

28 (1) A legible photocopy of the applicant's birth certificate that  
29 verifies citizenship to the satisfaction of the county auditor;

30 (2) A legible photocopy of pertinent pages of the applicant's  
31 United States passport identifying the applicant and the applicant's  
32 passport number or presentation to the county auditor of the  
33 applicant's United States passport;

34 (3) A presentation to the county auditor of the applicant's United  
35 States naturalization documents or the number of the certificate of  
36 naturalization. If only the number of the certificate of  
37 naturalization is provided, the applicant shall not be included in the

1 registration rolls until the number of the certificate of  
2 naturalization is verified with the United States citizenship and  
3 immigration services by the county auditor;

4 (4) Other documents or methods of proof that are established  
5 pursuant to the immigration reform and control act of 1986 (100 Stat.  
6 3359); or

7 (5) The applicant's bureau of Indian affairs card number, tribal  
8 treaty card number, or tribal enrollment number.

9 NEW SECTION. **Sec. 5.** A new section is added to chapter 29A.08 RCW  
10 to read as follows:

11 (1) Proof of citizenship is required for those who submit a voter  
12 registration application after the effective date of this act.

13 (2) Proof of voter registration from another state or county is not  
14 satisfactory evidence of citizenship.

15 (3) A person who modifies voter registration records with a new  
16 residence shall not be required to submit evidence of citizenship if  
17 the new residence is in the same county.

18 (4) After citizenship has been demonstrated to the county auditor,  
19 the person is not required to resubmit satisfactory evidence of  
20 citizenship in that county.

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