**1513-S.E AMS SGOV S2213.3 - NOT FOR FLOOR USE**

**ESHB 1513** - S COMM AMD

By Committee on State Government

**OUT OF ORDER 02/28/2018**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  The legislature is committed to granting equal access to voter registration for all voters. The legislature recognizes the importance of fostering lifelong civic participation. In Washington, according to 2016 United States census bureau statistics, only twenty-one percent of eligible citizens between the ages of eighteen and twenty-four are registered to vote. Studies show that young adults who vote are likely to continue to do so throughout adulthood. The legislature recognizes that these representational disparities in registration rates and voting rates within the youth electorate will improve by enacting election policies that engage all young citizens. Therefore, the legislature declares that this act is intended to increase voter turnout in young adults.

**Sec.**  RCW 28A.230.150 and 1969 ex.s. c 223 s 28A.02.090 are each amended to read as follows:

(1) On January 16th of each year or the preceding Friday when January 16th falls on a nonschool day, there shall be observed within each public school "Temperance and Good Citizenship Day". Annually the state superintendent of public instruction shall duly prepare and publish for circulation among the teachers of the state a program for use on such day embodying topics pertinent thereto and may from year to year designate particular laws for special observance.

(2) Each year on "Temperance and Good Citizenship Day," social studies teachers must, as resources allow, coordinate a voter registration event in each history or social studies class attended by high school seniors. Teachers must make voter registration available to eligible students.

(3) County auditors may, as resources allow, help coordinate and participate in voter registration events for students on "Temperance and Good Citizenship Day."

(4) Each temperance and good citizenship day event must encourage students who will be eighteen years of age or older by the time of the next general election to register to vote online from the classroom. Students who do not possess a state identicard or driver's license must be provided a paper registration form. The event must include adequate time for students to complete the registration process in class.

(5) The superintendent of public instruction, in consultation with the secretary of state, must update and distribute youth voter registration materials annually, by December 1st, for eligible students to register to vote at school. Electronic notification of the availability of the materials must be distributed to high school principals and secondary social studies and history teachers.

(6) The superintendent of public instruction must consult with the secretary of state to provide registration methods that enable the electronic collection of information on the number of students who registered to vote on "Temperance and Good Citizenship Day," with the goal of achieving at least fifty thousand new voter registrations for seventeen and eighteen year olds annually, beginning in January 2018.

(7) Beginning March 1, 2019, and annually thereafter, the superintendent of public instruction must report on yearly progress toward the goal established in subsection (5) of this section, including the number of seventeen and eighteen year olds registered to vote by county and recommendations for increasing youth voter registration, to the governor, the secretary of state, and the appropriate standing committees of the legislature in accordance with RCW 43.01.036.

**Sec.**  RCW 42.56.230 and 2015 c 224 s 2 and 2015 c 47 s 1 are each reenacted and amended to read as follows:

The following personal information is exempt from public inspection and copying under this chapter:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients;

(2)(a) Personal information:

(i) For a child enrolled in licensed child care in any files maintained by the department of early learning;

(ii) For a child enrolled in a public or nonprofit program serving or pertaining to children, adolescents, or students, including but not limited to early learning or child care services, parks and recreation programs, youth development programs, and after-school programs; or

(iii) For the family members or guardians of a child who is subject to the exemption under this subsection (2) if the family member or guardian has the same last name ((~~of [as]~~)) as the child or if the family member or guardian resides at the same address ((~~of [as]~~)) as the child and disclosure of the family member's or guardian's information would result in disclosure of the personal information exempted under (a)(i) and (ii) of this subsection.

(b) Emergency contact information under this subsection (2) may be provided to appropriate authorities and medical personnel for the purpose of treating the individual during an emergency situation;

(3) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;

(4) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, 84.40.340, or any ordinance authorized under RCW 35.102.145; or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer;

(5) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information as defined in RCW 9.35.005 including social security numbers, except when disclosure is expressly required by or governed by other law;

(6) Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093;

(7)(a) Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicard.

(b) Information provided under RCW 46.20.111 that indicates that an applicant declined to register with the selective service system.

(c) Any record pertaining to a vehicle license plate, driver's license, or identicard issued under RCW 46.08.066 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity. This exemption does not prevent the release of the total number of vehicle license plates, drivers' licenses, or identicards that, under RCW 46.08.066, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse.

(d) Any record pertaining to a vessel registration issued under RCW 88.02.330 that, alone or in combination with any other records, may reveal the identity of an individual, or reveal that an individual is or was, performing an undercover or covert law enforcement activity. This exemption does not prevent the release of the total number of vessel registrations that, under RCW 88.02.330, an agency or department has applied for, been issued, denied, returned, destroyed, lost, and reported for misuse; ((~~and~~))

(8) All information related to individual claims resolution structured settlement agreements submitted to the board of industrial insurance appeals under RCW 51.04.063, other than final orders from the board of industrial insurance appeals.

Upon request by the legislature, the department of licensing shall provide a report to the legislature containing all of the information in subsection (7)(c) and (d) of this section that is subject to public disclosure((~~.~~));

(9) Voluntarily submitted information contained in a database that is part of or associated with enhanced 911 emergency communications systems, or information contained or used in emergency notification systems as provided under RCW 38.52.575 and 38.52.577; and

(10) Information contained in voter registration applications of persons under eighteen years of age until such time as the person reaches eighteen years of age.

**Sec.**  RCW 29A.08.710 and 2005 c 246 s 17 are each amended to read as follows:

(1) The county auditor shall have custody of the original voter registration records for each county. The original voter registration form must be filed without regard to precinct and is considered confidential and unavailable for public inspection and copying. An automated file of all registered voters must be maintained pursuant to RCW 29A.08.125. An auditor may maintain the automated file in lieu of filing or maintaining the original voter registration forms if the automated file includes all of the information from the original voter registration forms including, but not limited to, a retrievable facsimile of each voter's signature.

(2) The following information contained in voter registration records or files regarding a voter or a group of voters is available for public inspection and copying, except as provided in RCW 40.24.060: The voter's name, address, political jurisdiction, gender, date of birth, voting record, date of registration, and registration number. No other information from voter registration records or files is available for public inspection or copying.

(3) The information contained in voter registration applications of persons under eighteen years of age is exempt from public inspection and copying requirements under chapter 42.56 RCW until the person reaches eighteen years of age.

**Sec.**  RCW 29A.08.720 and 2011 c 10 s 18 are each amended to read as follows:

(1) In the case of voter registration records received through the department of licensing or an agency designated under RCW 29A.08.310, the identity of the office or agency at which any particular individual registered to vote is not available for public inspection and shall not be disclosed to the public. Any record of a particular individual's choice not to register to vote at an office of the department of licensing or a state agency designated under RCW 29A.08.310 is not available for public inspection and any information regarding such a choice by a particular individual shall not be disclosed to the public. The information contained in voter registration applications for persons registering to vote prior to age eighteen is exempt from public inspection and copying until the applicant reaches age eighteen.

(2) Subject to the restrictions of RCW 29A.08.710 and 40.24.060, precinct lists and current lists of registered voters are public records and must be made available for public inspection and copying under such reasonable rules and regulations as the county auditor or secretary of state may prescribe. The county auditor or secretary of state shall promptly furnish current lists of registered voters in his or her possession, at actual reproduction cost, to any person requesting such information. The lists shall not be used for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value. However, the lists and labels may be used for any political purpose. The county auditor or secretary of state must provide a copy of RCW 29A.08.740 to the person requesting the material that is released under this section.

(3) For the purposes of this section, "political purpose" means a purpose concerned with the support of or opposition to any candidate for any partisan or nonpartisan office or concerned with the support of or opposition to any ballot proposition or issue. "Political purpose" includes, but is not limited to, such activities as the advertising for or against any candidate or ballot measure or the solicitation of financial support.

**Sec.**  RCW 29A.08.760 and 2011 1st sp.s. c 43 s 813 are each amended to read as follows:

The secretary of state shall provide a duplicate copy of the master statewide computer file or electronic data file of registered voters to the consolidated technology services agency for purposes of creating the jury source list without cost. The information contained in voter registration applications for persons registering to vote prior to age eighteen is exempt from inclusion until the applicant reaches age eighteen. Restrictions as to the commercial use of the information on the statewide computer tape or data file of registered voters, and penalties for its misuse, shall be the same as provided in RCW 29A.08.720 and 29A.08.740.

**Sec.**  RCW 29A.84.140 and 2005 c 246 s 22 are each amended to read as follows:

A person who knows that he or she does not possess the legal qualifications of a voter and who registers to vote is guilty of a class C felony. This section does not apply to persons under eighteen who register to vote as authorized under RCW 28A.230.150.

**Sec.**  RCW 29A.08.125 and 2009 c 369 s 12 are each amended to read as follows:

(1) The office of the secretary of state shall maintain a statewide voter registration database. This database must be a centralized, uniform, interactive computerized statewide voter registration list that contains the name and registration information of every registered voter in the state.

(2) The statewide list is the official list of registered voters for the conduct of all elections.

(3) The statewide list must include, but is not limited to, the name, date of birth, residence address, signature, gender, and date of registration of every legally registered voter in the state.

(4) A unique identifier must be assigned to each registered voter in the state.

(5) The database must be coordinated with other government databases within the state including, but not limited to, the department of corrections, the department of licensing, the department of health, the administrative office of the courts, and county auditors. The database may also be coordinated with the databases of election officials in other states.

(6) Authorized employees of the secretary of state and each county auditor must have immediate electronic access to the information maintained in the database.

(7) Voter registration information received by each county auditor must be electronically entered into the database. The office of the secretary of state must provide support, as needed, to enable each county auditor to enter and maintain voter registration information in the state database.

(8) The secretary of state has data authority over all voter registration data.

(9) The voter registration database must be designed to accomplish at a minimum, the following:

(a) Comply with the help America vote act of 2002 (P.L. 107-252);

(b) Identify duplicate voter registrations;

(c) Identify suspected duplicate voters;

(d) Screen against any available databases maintained by other government agencies to identify voters who are ineligible to vote due to a felony conviction, lack of citizenship, or mental incompetence;

(e) Provide images of voters' signatures for the purpose of checking signatures on initiative and referendum petitions;

(f) Provide for a comparison between the voter registration database and the department of licensing change of address database;

(g) Provide access for county auditors that includes the capability to update registrations and search for duplicate registrations; ((~~and~~))

(h) Provide for the cancellation of registrations of voters who have moved out of state; and

(i) Provide for the storage of pending registration records for persons under eighteen years of age in a manner that these records will not appear on the official list of registered voters until the future registrant is eligible to vote.

(10) The secretary of state may, upon agreement with other appropriate jurisdictions, screen against any available databases maintained by election officials in other states and databases maintained by federal agencies including, but not limited to, the federal bureau of investigation, the federal court system, the federal bureau of prisons, and the bureau of citizenship and immigration services.

(11) The database shall retain information regarding previous successful appeals of proposed cancellations of registrations in order to avoid repeated cancellations for the same reason.

(12) Each county auditor shall maintain a list of all registered voters within the county that are contained on the official statewide voter registration list. In addition to the information maintained in the statewide database, the county database must also maintain the applicable taxing district and precinct codes for each voter in the county, and a list of elections in which the individual voted.

(13) Each county auditor shall allow electronic access and information transfer between the county's voter registration system and the official statewide voter registration list.

**Sec.**  RCW 29A.08.615 and 2003 c 111 s 238 are each amended to read as follows:

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

(2) Persons registering to vote who have not yet reached eighteen years of age are classified as "pending" until attaining eighteen years of age.

NEW SECTION. **Sec.**  This act takes effect January 1, 2018."

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**OUT OF ORDER 02/28/2018**

On page 1, line 2 of the title, after "information;" strike the remainder of the title and insert "amending RCW 28A.230.150, 29A.08.710, 29A.08.720, 29A.08.760, 29A.84.140, 29A.08.125, and 29A.08.615; reenacting and amending RCW 42.56.230; creating a new section; and providing an effective date."

EFFECT: Eliminates provision for persons who will not be 18 years of age by the next general election to sign up to register to vote. Requires that the Superintendent of Public Instruction provide a copy of the report on voter registrations on Temperance and Good Citizenship Day to the Secretary of State.