

SSB 6021 - S AMD 343
By Senator Zeiger

NOT ADOPTED 01/17/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.08.140 and 2011 c 10 s 15 are each amended to
4 read as follows:

5 (1) In order to vote in any primary, special election, or general
6 election, a person who is not registered to vote in Washington must:

7 (a) Submit a registration application no later than (~~twenty-~~
8 ~~nine~~) twenty-eight days before the day of the primary, special
9 election, or general election; or

10 (b) Register in person at the county auditor's office in his or
11 her county of residence no later than eight days before the day of
12 the primary, special election, or general election.

13 (2) A person who is already registered to vote in Washington may
14 update his or her registration no later than (~~twenty-nine~~) twenty-
15 eight days before the day of the primary, special election, or
16 general election to be in effect for that primary, special election,
17 or general election. A registered voter who fails to transfer his or
18 her residential address by this deadline may vote according to his or
19 her previous registration address.

20 (3) A person registering to vote at a county auditor's office or
21 other location designated by a county auditor must appear in person
22 at either the county auditor's office or designated location in the
23 county in which the person resides at a time when the registration
24 facility is open to the public. The registrant must complete a voter
25 registration application by providing the information required by RCW
26 29A.08.010 and 29A.08.107.

27 (4) If a voter registration deadline falls on a state or federal
28 holiday, the deadline is moved to the next business day after the
29 holiday.

30 Sec. 2. RCW 29A.08.140 and 2011 c 10 s 15 are each amended to
31 read as follows:

1 (1) In order to vote in any primary, special election, or general
2 election, a person who is not registered to vote in Washington must:

3 (a) Submit a registration application pursuant to RCW 29A.08.115,
4 29A.08.120, 29A.08.123, 29A.08.310, 29A.08.320, 29A.08.330, or
5 29A.08.340, received by election officials no later than (~~twenty-~~
6 ~~nine~~) eleven days before the day of the primary, special election,
7 or general election; or

8 (b) Register in person at the county auditor's office in his or
9 her county of residence no later than eight days before the day of
10 the primary, special election, or general election.

11 (2) A person who is already registered to vote in Washington may
12 update his or her registration no later than (~~twenty-nine~~) twenty-
13 eight days before the day of the primary, special election, or
14 general election to be in effect for that primary, special election,
15 or general election. A registered voter who fails to transfer his or
16 her residential address by this deadline may vote according to his or
17 her previous registration address.

18 (3) A person registering to vote at a county auditor's office or
19 other location designated by a county auditor must appear in person
20 at either the county auditor's office or designated location in the
21 county in which the person resides at a time when the registration
22 facility is open to the public. The registrant must complete a voter
23 registration application by providing the information required by RCW
24 29A.08.010 and 29A.08.107.

25 (4) If a voter registration deadline falls on a state or federal
26 holiday, the deadline is moved to the next business day after the
27 holiday.

28 **Sec. 3.** RCW 29A.08.140 and 2011 c 10 s 15 are each amended to
29 read as follows:

30 (1) In order to vote in any primary, special election, or general
31 election, a person who is not registered to vote in Washington must:

32 (a) Submit a registration application pursuant to RCW 29A.08.115,
33 29A.08.120, 29A.08.123, 29A.08.310, 29A.08.320, 29A.08.330, or
34 29A.08.340, received by election officials no later than (~~twenty-~~
35 ~~nine~~) eleven days before the day of the primary, special election,
36 or general election; or

37 (b) Register in person at the county auditor's office in his or
38 her county of residence (~~no later than eight days before the day of~~

1 ~~the primary, special election, or general election)), or an alternate~~
2 location designated by the county auditor.

3 (2) A person who is already registered to vote in Washington may
4 update his or her registration no later than (~~twenty-nine~~) twenty-
5 eight days before the day of the primary, special election, or
6 general election to be in effect for that primary, special election,
7 or general election. A registered voter who fails to transfer his or
8 her residential address by this deadline may vote according to his or
9 her previous registration address.

10 (3) A person registering to vote at a county auditor's office or
11 other location designated by a county auditor must appear in person
12 at either the county auditor's office or designated location in the
13 county in which the person resides at a time when the registration
14 facility is open to the public. The registrant must complete a voter
15 registration application by providing the information required by RCW
16 29A.08.010 and 29A.08.107.

17 (4) For in-person voter registration on the day of a special
18 election, primary, or general election, a person may register to vote
19 and receive a ballot up to 8:00 p.m. at the county auditor's office
20 or designated location.

21 (5) If a voter registration deadline falls on a state or federal
22 holiday, the deadline is moved to the next business day after the
23 holiday.

24 **Sec. 4.** RCW 29A.08.125 and 2009 c 369 s 12 are each amended to
25 read as follows:

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

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

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

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

38 (5) The database must be coordinated with other government
39 databases within the state including, but not limited to, the

1 department of corrections, the department of licensing, the
2 department of health, the administrative office of the courts, and
3 county auditors. The database may also be coordinated with the
4 databases of election officials in other states.

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

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

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

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

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

18 (b) Identify duplicate voter registrations;

19 (c) Identify suspected duplicate voters;

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

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

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

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

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

32 (i) Provide for the change of residence address for a voter from
33 one county to another.

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

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

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

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

13 **Sec. 5.** RCW 29A.08.410 and 2009 c 369 s 22 are each amended to
14 read as follows:

15 A registered voter who changes his or her residence from one
16 address to another within (~~the same county~~) this state may transfer
17 his or her registration to the new address in one of the following
18 ways:

19 (1) Sending the county auditor a request stating both the voter's
20 present address and the address from which the voter was last
21 registered;

22 (2) Appearing in person before the county auditor and making such
23 a request;

24 (3) Telephoning or emailing the county auditor to (~~transfer~~
25 ~~the~~) change the residence address for voter registration; or

26 (4) Submitting a voter registration application.

27 **Sec. 6.** RCW 29A.08.620 and 2011 c 10 s 17 are each amended to
28 read as follows:

29 (1) Each county auditor must request change of address
30 information from the postal service for all mail ballots.

31 (2) The county auditor shall transfer the registration of a voter
32 and send an acknowledgment notice to the new address informing the
33 voter of the transfer if change of address information received by
34 the county auditor from the postal service, the department of
35 licensing, or another agency designated to provide voter registration
36 services indicates that the voter has moved within the (~~county~~)
37 state.

1 (3) (~~The county auditor shall place a voter on inactive status~~
2 ~~and send to all known addresses a confirmation notice and a voter~~
3 ~~registration application if change of address information received by~~
4 ~~the county auditor from the postal service, the department of~~
5 ~~licensing, or another agency designated to provide voter registration~~
6 ~~services indicates that the voter has moved from one county to~~
7 ~~another.~~

8 (4)) The county auditor shall place a voter on inactive status
9 and send to all known addresses a confirmation notice if any of the
10 following occur:

11 (a) Any document mailed by the county auditor to a voter is
12 returned by the postal service as undeliverable without address
13 correction information; or

14 (b) Change of address information received from the postal
15 service, the department of licensing, or another state agency
16 designated to provide voter registration services indicates that the
17 voter has moved out of the state.

18 **Sec. 7.** RCW 29A.04.611 and 2011 c 10 s 13 are each amended to
19 read as follows:

20 The secretary of state as chief election officer shall make
21 reasonable rules in accordance with chapter 34.05 RCW not
22 inconsistent with the federal and state election laws to effectuate
23 any provision of this title and to facilitate the execution of its
24 provisions in an orderly, timely, and uniform manner relating to any
25 federal, state, county, city, town, and district elections. To that
26 end the secretary shall assist local election officers by devising
27 uniform forms and procedures.

28 In addition to the rule-making authority granted otherwise by
29 this section, the secretary of state shall make rules governing the
30 following provisions:

31 (1) The maintenance of voter registration records;

32 (2) The preparation, maintenance, distribution, review, and
33 filing of precinct maps;

34 (3) Standards for the design, layout, and production of ballots;

35 (4) The examination and testing of voting systems for
36 certification;

37 (5) The source and scope of independent evaluations of voting
38 systems that may be relied upon in certifying voting systems for use
39 in this state;

- 1 (6) Standards and procedures for the acceptance testing of voting
2 systems by counties;
- 3 (7) Standards and procedures for testing the programming of vote
4 tallying software for specific primaries and elections;
- 5 (8) Standards and procedures for the preparation and use of each
6 type of certified voting system including procedures for the
7 operation of counting centers where vote tallying systems are used;
- 8 (9) Standards and procedures to ensure the accurate tabulation
9 and canvassing of ballots;
- 10 (10) Consistency among the counties of the state in the
11 preparation of ballots, the operation of vote tallying systems, and
12 the canvassing of primaries and elections;
- 13 (11) Procedures to ensure the secrecy of a voter's ballot when a
14 small number of ballots are counted;
- 15 (12) The use of substitute devices or means of voting when a
16 voting device is found to be defective, the counting of votes cast on
17 the defective device, the counting of votes cast on the substitute
18 device, and the documentation that must be submitted to the county
19 auditor regarding such circumstances;
- 20 (13) Procedures for the transportation of sealed containers of
21 voted ballots or sealed voting devices;
- 22 (14) The acceptance and filing of documents via electronic
23 transmission;
- 24 (15) Voter registration applications and records;
- 25 (16) The use of voter registration information in the conduct of
26 elections;
- 27 (17) The coordination, delivery, and processing of voter
28 registration records accepted by driver licensing agents or the
29 department of licensing;
- 30 (18) The coordination, delivery, and processing of voter
31 registration records accepted by agencies designated by the governor
32 to provide voter registration services;
- 33 (19) Procedures to receive and distribute voter registration
34 applications by mail;
- 35 (20) Procedures for a voter to change his or her voter
36 registration address within a county by telephone;
- 37 (21) Procedures for a voter to change the name under which he or
38 she is registered to vote;

1 (22) Procedures for canceling dual voter registration records and
2 for maintaining records of persons whose voter registrations have
3 been canceled;

4 (23) Procedures for the electronic transfer of voter registration
5 records between county auditors and the office of the secretary of
6 state;

7 (24) Procedures for processing in-person voter registration and
8 issuance of ballots and provisional ballots by county auditors;

9 (25) Procedures and forms for declarations of candidacy;

10 ~~((+25+))~~ (26) Procedures and requirements for the acceptance and
11 filing of declarations of candidacy by electronic means;

12 ~~((+26+))~~ (27) Procedures for the circumstance in which two or
13 more candidates have a name similar in sound or spelling so as to
14 cause confusion for the voter;

15 ~~((+27+))~~ (28) Filing for office;

16 ~~((+28+))~~ (29) The order of positions and offices on a ballot;

17 ~~((+29+))~~ (30) Sample ballots;

18 ~~((+30+))~~ (31) Independent evaluations of voting systems;

19 ~~((+31+))~~ (32) The testing, approval, and certification of voting
20 systems;

21 ~~((+32+))~~ (33) The testing of vote tallying software programming;

22 ~~((+33+))~~ (34) Standards and procedures to prevent fraud and to
23 facilitate the accurate processing and canvassing of ballots,
24 including standards for the approval and implementation of hardware
25 and software for automated signature verification systems;

26 ~~((+34+))~~ (35) Standards and procedures to guarantee the secrecy
27 of ballots;

28 ~~((+35+))~~ (36) Uniformity among the counties of the state in the
29 conduct of elections;

30 ~~((+36+))~~ (37) Standards and procedures to accommodate overseas
31 voters and service voters;

32 ~~((+37+))~~ (38) The tabulation of paper ballots;

33 ~~((+38+))~~ (39) The accessibility of voting centers;

34 ~~((+39+))~~ (40) The aggregation of precinct results if reporting
35 the results of a single precinct could jeopardize the secrecy of a
36 person's ballot;

37 ~~((+40+))~~ (41) Procedures for conducting a statutory recount;

38 ~~((+41+))~~ (42) Procedures for filling vacancies in congressional
39 offices if the general statutory time requirements for availability

1 of ballots, certification, canvassing, and related procedures cannot
2 be met;

3 ~~((42))~~ (43) Procedures for the statistical sampling of
4 signatures for purposes of verifying and canvassing signatures on
5 initiative, referendum, and recall election petitions;

6 ~~((43))~~ (44) Standards and deadlines for submitting material to
7 the office of the secretary of state for the voters' pamphlet;

8 ~~((44))~~ (45) Deadlines for the filing of ballot titles for
9 referendum bills and constitutional amendments if none have been
10 provided by the legislature;

11 ~~((45))~~ (46) Procedures for the publication of a state voters'
12 pamphlet;

13 ~~((46))~~ (47) Procedures for conducting special elections
14 regarding nuclear waste sites if the general statutory time
15 requirements for availability of ballots, certification, canvassing,
16 and related procedures cannot be met;

17 ~~((47))~~ (48) Procedures for conducting partisan primary
18 elections;

19 ~~((48))~~ (49) Standards and procedures for the proper conduct of
20 voting on accessible voting devices;

21 ~~((49))~~ (50) Standards for voting technology and systems used by
22 the state or any political subdivision to be accessible for
23 individuals with disabilities, including nonvisual accessibility for
24 the blind and visually impaired, in a manner that provides the same
25 opportunity for access and participation, including privacy and
26 independence, as other voters;

27 ~~((50))~~ (51) All data formats for transferring voter
28 registration data on electronic or machine-readable media for the
29 purpose of administering the statewide voter registration list
30 required by the Help America Vote Act (P.L. 107-252);

31 ~~((51))~~ (52) Defining the interaction of electronic voter
32 registration election management systems employed by each county
33 auditor to maintain a local copy of each county's portion of the
34 official state list of registered voters;

35 ~~((52))~~ (53) Provisions and procedures to implement the state-
36 based administrative complaint procedure as required by the Help
37 America Vote Act (P.L. 107-252);

38 ~~((53))~~ (54) Facilitating the payment of local government grants
39 to local government election officers or vendors; and

1 (~~(54)~~) (55) Standards for the verification of signatures on
2 ballot declarations.

3 **Sec. 8.** RCW 29A.40.160 and 2017 c 327 s 1 are each amended to
4 read as follows:

5 (1) Each county auditor shall open a voting center each primary,
6 special election, and general election. The voting center shall be
7 open during business hours during the voting period, which begins
8 eighteen days before, and ends at 8:00 p.m. on the day of, the
9 primary, special election, or general election.

10 (2) The voting center must provide voter registration materials,
11 ballots, provisional ballots, disability access voting units, sample
12 ballots, instructions on how to properly vote the ballot, a ballot
13 drop box, and voters' pamphlets, if a voters' pamphlet has been
14 published.

15 (3) The voting center must be accessible to persons with
16 disabilities. Each state agency and entity of local government shall
17 permit the use of any of its accessible facilities as voting centers
18 when requested by a county auditor.

19 (4) The voting center must provide at least one voting unit
20 certified by the secretary of state that provides access to
21 individuals who are blind or visually impaired, enabling them to vote
22 with privacy and independence.

23 (5) No person may interfere with a voter attempting to vote in a
24 voting center. Interfering with a voter attempting to vote is a
25 violation of RCW 29A.84.510.

26 (6) Before opening the voting center, the voting equipment shall
27 be inspected to determine if it has been properly prepared for
28 voting. If the voting equipment is capable of direct tabulation of
29 each voter's choices, the county auditor shall verify that no votes
30 have been registered for any issue or office, and that the device has
31 been sealed with a unique numbered seal at the time of final
32 preparation and logic and accuracy testing. A log must be made of all
33 device numbers and seal numbers.

34 (7) The county auditor shall require any person desiring to vote
35 at a voting center to either sign a ballot declaration or provide
36 identification.

37 (a) The signature on the declaration must be compared to the
38 signature on the voter registration record before the ballot may be
39 counted. If the voter registered using a mark, or can no longer sign

1 his or her name, the election officers shall require the voter to be
2 identified by another registered voter.

3 (b) The identification must be valid photo identification, such
4 as a driver's license, state identification card, student
5 identification card, tribal identification card, or employer
6 identification card. Any individual who desires to vote in person but
7 cannot provide identification shall be issued a provisional ballot,
8 which shall be accepted if the signature on the declaration matches
9 the signature on the voter's registration record.

10 (8) Provisional ballots must be accompanied by a declaration and
11 security envelope, as required by RCW 29A.40.091, and space for the
12 voter's name, date of birth, current and former registered address,
13 reason for the provisional ballot, and disposition of the provisional
14 ballot. The voter shall vote and return the provisional ballot at the
15 voting center. The voter must be provided information on how to
16 ascertain whether the provisional ballot was counted and, if
17 applicable, the reason why the vote was not counted.

18 (9) Any voter may take printed or written material into the
19 voting device to assist in casting his or her vote. The voter shall
20 not use this material to electioneer and shall remove it when he or
21 she leaves the voting center.

22 (10) If any voter states that he or she is unable to cast his or
23 her votes due to a disability, the voter may designate a person of
24 his or her choice, or two election officers, to enter the voting
25 booth and record the votes as he or she directs.

26 (11) No voter is entitled to vote more than once at a primary,
27 special election, or general election. If a voter incorrectly marks a
28 ballot, he or she may be issued a replacement ballot.

29 (12) A voter who has already returned a ballot but requests to
30 vote at a voting center shall be issued a provisional ballot. The
31 canvassing board shall not count the provisional ballot if it finds
32 that the voter has also voted a regular ballot in that primary,
33 special election, or general election.

34 (13) The county auditor must prevent overflow of each ballot drop
35 box to allow a voter to deposit his or her ballot securely. Ballots
36 must be removed from a ballot drop box by at least two people, with a
37 record kept of the date and time ballots were removed, and the names
38 of people removing them. Ballots from drop boxes must be returned to
39 the counting center in secured transport containers. A copy of the
40 record must be placed in the container, and one copy must be

1 transported with the ballots to the counting center, where the seal
2 number must be verified by the county auditor or a designated
3 representative. All ballot drop boxes must be secured at 8:00 p.m. on
4 the day of the primary, special election, or general election.

5 (14) Any voter who is inside or in line at the voting center at
6 8:00 p.m. on the day of the primary, special election, or general
7 election must be allowed to vote.

8 (15) For each primary, special election, and general election,
9 the county auditor may provide election services at locations in
10 addition to the voting center. The county auditor has discretion to
11 establish which services will be provided at the additional
12 locations, and which days and hours the locations will be open(~~(7~~
13 ~~except that the county auditor must establish a minimum of one ballot~~
14 ~~drop box per fifteen thousand registered voters in the county and a~~
15 ~~minimum of one ballot drop box in each city, town, and census-~~
16 ~~designated place in the county with a post office)).~~

17 (16) Each county auditor must establish a minimum of one ballot
18 drop box per fifteen thousand registered voters in the county and a
19 minimum of one ballot drop box in each city, town, and census-
20 designated place in the county with a post office.

21 NEW SECTION. Sec. 9. Section 1 of this act expires January 1,
22 2019.

23 NEW SECTION. Sec. 10. Section 2 of this act takes effect
24 January 1, 2019.

25 NEW SECTION. Sec. 11. (1) Sections 3, 5, and 6 of this act take
26 effect when the statewide voter registration database operated by the
27 secretary of state is compliant with RCW 29A.08.125, as amended by
28 this act, is fully implemented and installed in the office of the
29 secretary of state and in all county elections departments. Section 2
30 of this act expires if section 3 of this act takes effect.

31 (2) The secretary of state must provide notice to the appropriate
32 committees of the legislature of the estimated date of installation
33 by December 1, 2018.

34 (3) The secretary of state's office must provide written notice
35 to the code reviser's office when the statewide voter registration
36 database is compliant with RCW 29A.08.125, as amended by this act,

1 and is fully implemented and installed in the office of the secretary
2 of state and in all county elections departments."

SSB 6021 - S AMD 343
By Senator Zeiger

NOT ADOPTED 01/17/2018

3 On page 1, line 1 of the title, after "registration;" strike the
4 remainder of the title and insert "amending RCW 29A.08.140,
5 29A.08.140, 29A.08.140, 29A.08.125, 29A.08.410, 29A.08.620,
6 29A.04.611, and 29A.40.160; providing an effective date; providing a
7 contingent effective date; providing an expiration date; and
8 providing a contingent expiration date."

EFFECT: (1) Moves the deadline to update an existing voter registration or submit an electronic application or application at a state agency to 28 days before an election.

(2) On January 1, 2019, moves the deadline to submit an electronic application or application at a state agency to 11 days before an election.

(3) Upon implementation of a new statewide voter registration database, moves the deadline to submit a voter registration application in person at the county auditor's office or alternate location designated by the auditor to 8 pm election night.

(4) Requires the voter registration database to provide for the change of a voter's address from one county to another.

(5) Removes requirement that the county auditor establish a voting center in any city with over 100,000 people that does not have the auditor's office or the division of elections.

(6) Moves voter registration deadlines to the following day if the deadline falls on a holiday.

(7) Removes requirement that the 2018 general election voter's pamphlet contain information on updates to voter registration deadlines.

--- END ---