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HOUSE BILL 2595

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State of Washington

65th Legislature

2018 Regular Session

By Representatives Hudgins, Dolan, Appleton, Gregerson, Pellicciotti, Jinkins, Senn, Wylie, Peterson, Sawyer, Fitzgibbon, Valdez, Stanford, Pollet, Doglio, Goodman, Ormsby, Macri, Riccelli, Robinson, and Stonier; by request of Governor Inslee

Read first time 01/10/18. Referred to Committee on State Govt, Elections & IT.

1 AN ACT Relating to increasing opportunities for citizens to  
2 participate in elections by streamlining procedures in order to  
3 automatically register citizens to vote; amending RCW 29A.08.110,  
4 29A.08.350, 29A.08.410, 29A.08.420, 29A.08.720, and 42.56.230; adding  
5 new sections to chapter 29A.08 RCW; adding a new section to chapter  
6 46.20 RCW; adding new sections to chapter 29A.04 RCW; adding a new  
7 section to chapter 29A.84 RCW; creating new sections; prescribing  
8 penalties; providing effective dates; and providing expiration dates.

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

10 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
11 automatic voter registration act of 2018.

12 NEW SECTION. **Sec. 2.** (1) The legislature finds that:

13 (a) The right to vote is enshrined as one of the greatest virtues  
14 of our democracy and that an engaged citizenry is essential at each  
15 level of government to ensure that all voices are heard; and

16 (b) State and local governments should take every step possible  
17 to make it easier to vote in Washington state and ensure that  
18 fundamental values of a true democracy with full participation  
19 remains one of our most important functions. Providing additional  
20 opportunities for people to register to vote and helping them make

1 their own choices about who represents them in this democracy and  
2 about important issues that are central to their lives and  
3 communities are essential to upholding these values.

4 (2) Therefore, the legislature intends to increase the  
5 opportunity to register to vote for persons qualified under Article  
6 VI of the Washington state Constitution by expanding the streamlined  
7 voter registration process that will increase opportunities for voter  
8 registration without placing new undue burdens on government  
9 agencies.

10 **PART I**

11 **AUTOMATIC VOTER REGISTRATION FOR ENHANCED DRIVER'S LICENSE**

12 **Sec. 101.** RCW 29A.08.110 and 2009 c 369 s 10 are each amended to  
13 read as follows:

14 (1) For persons registering under RCW 29A.08.120, 29A.08.123,  
15 29A.08.330, and 29A.08.340, an application is considered complete  
16 only if it contains the information required by RCW 29A.08.010. The  
17 applicant is considered to be registered to vote as of the original  
18 date of mailing or date of delivery, whichever is applicable. The  
19 auditor shall record the appropriate precinct identification, taxing  
20 district identification, and date of registration on the voter's  
21 record in the state voter registration list. Any mailing address  
22 provided shall be used only for mail delivery purposes, and not for  
23 precinct assignment or residency purposes. Within sixty days after  
24 the receipt of an application or transfer, the auditor shall send to  
25 the applicant, by first-class nonforwardable mail, an acknowledgment  
26 notice identifying the registrant's precinct and containing such  
27 other information as may be required by the secretary of state. The  
28 postal service shall be instructed not to forward a voter  
29 registration card to any other address and to return to the auditor  
30 any card which is not deliverable.

31 (2) If an application is not complete, the auditor shall promptly  
32 mail a verification notice to the applicant. The verification notice  
33 shall require the applicant to provide the missing information. If  
34 the applicant provides the required information within forty-five  
35 days, the applicant shall be registered to vote as of the original  
36 date of application. The applicant shall not be placed on the  
37 official list of registered voters until the application is complete.

1        NEW SECTION.    **Sec. 102.**    A new section is added to chapter 29A.08  
2    RCW to read as follows:

3        A person age eighteen years or older who is a citizen of the  
4    United States applying for or renewing an enhanced driver's license  
5    or identicard issued under RCW 46.20.202 may be registered to vote or  
6    update voter registration information at the time of registration or  
7    renewal, by automated process if the department of licensing record  
8    associated with the applicant verifies United States citizenship,  
9    contains the data required for voter registration under RCW  
10   29A.08.010, and includes a signature image. The person must be  
11   informed that his or her record will be used for voter registration,  
12   and offered an opportunity to decline to register.

13       NEW SECTION.    **Sec. 103.**    A new section is added to chapter 29A.08  
14    RCW to read as follows:

15        (1) If the applicant in section 102 of this act does not decline  
16    registration, the application is submitted pursuant to RCW  
17    29A.08.340.

18        (2) For each such application, the secretary of state must obtain  
19    a digital copy of the applicant's signature image from the department  
20    of licensing.

21       NEW SECTION.    **Sec. 104.**    A new section is added to chapter 29A.08  
22    RCW to read as follows:

23        (1)(a) For persons age eighteen years and older registering under  
24    section 102 of this act, an application is considered complete only  
25    if it contains the information required by RCW 29A.08.010 and  
26    citizenship information. The applicant is considered to be registered  
27    to vote as of the original date of application or renewal of an  
28    enhanced driver's license or identicard issued under RCW 46.20.202.  
29    The auditor shall record the appropriate precinct identification,  
30    taxing district identification, and date of registration on the  
31    voter's record in the state voter registration list. Any mailing  
32    address provided shall be used only for mail delivery purposes, and  
33    not for precinct assignment or residency purposes. Within sixty days  
34    after the receipt of an application or transfer, the auditor shall  
35    send to the applicant, by first-class nonforwardable mail, an  
36    acknowledgment notice identifying the registrant's precinct and  
37    containing such other information as may be required by the secretary  
38    of state. The United States postal service shall be instructed not to

1 forward a voter registration card to any other address and to return  
2 to the auditor any card which is not deliverable.

3 (b) An auditor may use other means to communicate with potential  
4 and registered voters such as, but not limited to, email, phone, or  
5 text messaging. The alternate form of communication must not be in  
6 lieu of the first-class mail requirements. The auditor shall act in  
7 compliance with all voter notification processes established in  
8 federal law.

9 (2) If an application is not complete, the auditor shall promptly  
10 mail a verification notice to the applicant. The verification notice  
11 must require the applicant to provide the missing information. If the  
12 applicant provides the required information within forty-five days,  
13 the applicant must be registered to vote as of the original date of  
14 application. The applicant must not be placed on the official list of  
15 registered voters until the application is complete.

16 (3) If the prospective registration applicant declines to  
17 register to vote or the information provided by the department of  
18 licensing does not indicate citizenship, the information must not be  
19 included on the list of registered voters.

20 NEW SECTION. **Sec. 105.** A new section is added to chapter 46.20  
21 RCW to read as follows:

22 For persons eighteen years of age or older who the department has  
23 determined are citizens of the United States and who are applying for  
24 or renewing an enhanced driver's license or identicard under RCW  
25 46.20.202, and have not declined to register to vote, the department  
26 shall produce and transmit to the secretary of state the following  
27 information from the records of each individual: The name, address,  
28 date of birth, gender of the applicant, the driver's license number,  
29 signature image, and the date on which the application was submitted.  
30 The department and the secretary of state shall process information  
31 as an automated application on a daily basis.

32 **Sec. 106.** RCW 29A.08.350 and 2013 c 11 s 18 are each amended to  
33 read as follows:

34 The department of licensing shall produce and transmit to the  
35 secretary of state the following information from the records of each  
36 individual who requested a voter registration or update at a driver's  
37 license facility: The name, address, date of birth, gender of the  
38 applicant, the driver's license number, signature image, and the date

1 on which the application for voter registration or update was  
2 submitted. The secretary of state shall process the registrations and  
3 updates as an electronic application.

4 **PART II**

5 **AUTOMATIC VOTER REGISTRATION AT QUALIFIED VOTER REGISTRATION AGENCIES**

6 NEW SECTION. **Sec. 201.** A new section is added to chapter 29A.04  
7 RCW to read as follows:

8 (1) "Qualified voter registration agency" means the health  
9 benefit exchange or an office providing public assistance or services  
10 to persons with disabilities, designated pursuant to RCW  
11 29A.08.310(1), that collects, processes, and stores the following  
12 information as part of providing assistance or services:

13 (a) Names;

14 (b) Traditional or nontraditional residential addresses;

15 (c) Dates of birth;

16 (d) A signature attesting to the truth of the information  
17 provided on the application for assistance or services; and

18 (e) Citizenship information, verified via social security  
19 administration data match or manually verified by the agency during  
20 the client transaction.

21 (2) Qualified voter registration agencies should seek to provide  
22 automatic voter registration services under section 203 of this act  
23 with any or all agency transactions. If a qualified voter  
24 registration agency chooses to provide automatic voter registration  
25 services, the agency:

26 (a) Must consult with the secretary of state's office to  
27 establish automatic voter registration criteria and procedures; and

28 (b) May adopt rules to enable the agency to provide automatic  
29 voter registration services.

30 (3) Qualified voter registration agencies that do not intend to  
31 seek to provide automatic voter registration services shall submit a  
32 report to the governor and appropriate legislative committees no  
33 later than December 1, 2019, detailing the reasons that make  
34 providing automatic voter registration services not feasible.

35 (4) For agencies submitting a report under subsection (3) of this  
36 section, the governor shall consult with the secretary of state's  
37 office to make a decision as to whether the agency should implement

1 automatic voter registration. The governor shall make the final  
2 decision at the governor's sole discretion.

3 (5) Once an agency has implemented automatic voter registration,  
4 it shall continue to provide automatic voter registration unless  
5 legislation is enacted that directs the agency to do otherwise.

6 NEW SECTION. **Sec. 202.** A new section is added to chapter 29A.04  
7 RCW to read as follows:

8 The health benefit exchange shall provide automatic voter  
9 registration services pursuant to section 203 of this act, contingent  
10 on approval from the centers for medicare and medicaid services for  
11 any necessary process changes. If applicable, the exchange shall  
12 report any known barriers or impediments to implementation of  
13 automatic voter registration to the appropriate committees of the  
14 legislature and to the governor no later than December 1, 2019.

15 NEW SECTION. **Sec. 203.** A new section is added to chapter 29A.08  
16 RCW to read as follows:

17 (1) With each application for assistance or services listing the  
18 information described in section 201 of this act, and with each  
19 related recertification, renewal, or change of address, each  
20 qualified voter registration agency that chooses to or is required to  
21 provide automatic voter registration services, as provided in  
22 sections 201 and 202 of this act, shall inform the person of the  
23 following:

24 (a) Unless the person declines to register to vote or update an  
25 existing voter registration, or is found to be ineligible to vote,  
26 the person will be registered to vote or, if applicable, the person's  
27 voter registration will be updated;

28 (b)(i) The qualifications to be registered to vote;

29 (ii) The penalties under chapter 29A.84 RCW for registering to  
30 vote when ineligible or providing false registration information; and

31 (iii) That the person should not register to vote if the person  
32 does not meet the qualifications to register;

33 (c) That voter registration is voluntary, and the person's choice  
34 to register or decline to register to vote will not affect the  
35 availability of agency services or benefits, and that the person's  
36 choice to register or decline to register to vote will not be used  
37 for any other purposes or retained by the agency; and

1 (d) Information about the address confidentiality program  
2 established under chapter 40.24 RCW, including how to register for  
3 the address confidentiality program and how voter registration may  
4 impact participation in the program.

5 (2) Each qualified voter registration agency shall:

6 (a) Ensure that each application for service or assistance, and  
7 each related recertification, renewal, or change of address, cannot  
8 be completed until the person is given the opportunity to decline  
9 being registered to vote;

10 (b) Promptly provide to the secretary of state, in a format to be  
11 determined by the secretary in consultation with the agency, the  
12 following information for each person who does not decline to  
13 register to vote:

14 (i) The person's name;

15 (ii) The person's traditional or nontraditional residential  
16 address;

17 (iii) The person's mailing address, if different from the  
18 person's traditional or nontraditional residential address;

19 (iv) The person's date of birth;

20 (v) Confirmation that the person is a citizen of the United  
21 States;

22 (vi) Except for the health benefit exchange, a digital copy of  
23 the person's signature; and

24 (vii) An affirmation of the person's eligibility to register to  
25 vote; and

26 (c) Offer each person an opportunity to decline to register to  
27 vote or to update an existing registration at each application for  
28 service or assistance, and each related recertification, renewal, or  
29 change of address, regardless of whether the person previously  
30 declined to register to vote or update an existing registration.

31 (3) A qualified voter registration agency shall not use a  
32 person's declination to register to vote to affect the person's  
33 eligibility for services or benefits provided by a qualified voter  
34 registration agency.

35 (4) The secretary of state shall consult with each qualified  
36 voter registration agency to establish a procedure for transmitting  
37 digital copies of signatures of persons who do not decline to  
38 register to vote. The secretary of state shall consult with the  
39 health benefit exchange to ensure that sufficient information for  
40 each person who seeks services or benefits provided by the health

1 benefit exchange and who does not decline to register to vote is  
2 provided to the secretary of state to allow the secretary of state to  
3 obtain a digital copy of the person's signature when available from  
4 the department of licensing.

5 NEW SECTION. **Sec. 204.** A new section is added to chapter 29A.08  
6 RCW to read as follows:

7 (1)(a) Except as provided in (b) of this subsection, upon  
8 receiving the data for, and a digital copy of the signature of, a  
9 person as provided in section 203(2)(b) of this act, the secretary of  
10 state shall determine whether the person is already registered to  
11 vote. If the person is not already registered to vote, the secretary  
12 of state shall provide the information to the county auditor of the  
13 county in which the person may be registered as a voter, and the  
14 auditor shall register the person to vote.

15 (b) If the secretary of state receives information about a person  
16 pursuant to section 203 of this act within eight days of an election  
17 in which that person would otherwise be eligible to vote, the  
18 secretary of state shall wait until after the election to provide the  
19 information to the county auditor of the county in which that person  
20 may be registered as a voter.

21 (2) If the person is already registered to vote, but the  
22 residential address transmitted by the qualified voter registration  
23 agency is different from the residential address on the person's  
24 current registration, the secretary of state shall direct the auditor  
25 of the county in which the person may be registered as a voter to  
26 update the person's voter registration.

27 (3) The county auditor shall promptly send a notification to each  
28 person who is registered to vote or whose existing voter registration  
29 is updated under this section.

30 (4) A voter registration submitted under this section is  
31 otherwise considered an electronic voter registration.

32 NEW SECTION. **Sec. 205.** A new section is added to chapter 29A.08  
33 RCW to read as follows:

34 (1) Each qualified voter registration agency that elects to  
35 provide automatic voter registration services, except for the health  
36 benefit exchange, shall promptly transmit to the secretary of state  
37 the information of each person for whom it retains all the  
38 information listed in section 203(2)(b) (i) through (vi) of this act

1 on July 1, 2020. The health benefit exchange shall promptly transmit  
2 to the secretary of state the information of each new applicant who  
3 has not declined voter registration for whom it retains all the  
4 information listed in section 203(2)(b) (i) through (v) of this act  
5 beginning when the agency implements automatic voter registration.

6 (2) The secretary of state shall:

7 (a) Identify persons whose information is transmitted pursuant to  
8 subsection (1) of this section who are eligible to be, but are not  
9 currently, registered to vote;

10 (b) Promptly send each person identified notice, which must not  
11 identify the agency transmitting the information, but which must  
12 include:

13 (i) An explanation that voter registration is voluntary, but that  
14 if the person does not decline to register within sixty days, the  
15 person will be registered to vote;

16 (ii) A statement offering the opportunity to decline voter  
17 registration through any means determined by the secretary of state  
18 and consistent with this act;

19 (iii) The eligibility criteria for voting in federal and state  
20 elections;

21 (iv) The instruction that the person should decline registration  
22 if ineligible to vote;

23 (v) Instructions for correcting an erroneous registration;

24 (vi) Instructions for providing any additional information  
25 required for voter registration purposes; and

26 (vii) Information about the address confidentiality program  
27 established under chapter 40.24 RCW, including notification that  
28 registration to vote does not affect any existing program  
29 participation;

30 (c) Promptly register to vote any person who does not decline to  
31 register within sixty days of the notification, unless the secretary  
32 of state receives information about a person pursuant to this section  
33 within twenty-one days of an election in which that person would  
34 otherwise be eligible to vote, in which case the secretary of state  
35 shall wait until after the election to register the person to vote.

36 (3) Information transmitted to the secretary of state pursuant to  
37 subsection (1) of this section shall be used for voter registration  
38 purposes, is not available for public inspection, and shall not be  
39 disclosed to the public.

1        NEW SECTION.    **Sec. 206.**    A new section is added to chapter 29A.08  
2    RCW to read as follows:

3        (1) If a person who is ineligible to vote becomes, in the rare  
4    occasion, registered to vote under section 102 or 203 of this act in  
5    the absence of a knowing violation by that person of RCW 29A.84.140,  
6    that person's registration shall be presumed to have been with  
7    official authorization and not the fault of that person.

8        (2) Unless a person willfully and knowingly votes or attempts to  
9    vote knowing that he or she is not entitled to vote, a person who is  
10   ineligible to vote, becomes registered to vote under section 102 or  
11   203 of this act, and votes or attempts to vote in an election held  
12   after the effective date of the person's registration is presumed to  
13   have acted with official authorization and not to be guilty of  
14   violating RCW 29A.84.130.

15       (3) An ineligible voter who successfully completes the voter  
16   registration process must have their voter registration invalidated.

17       (4) Should an ineligible individual become registered to vote,  
18   the office of the secretary of state shall conduct an investigation  
19   to determine the cause. Agencies participating in automatic voter  
20   registration shall cooperate fully with the secretary of state for  
21   the purposes of the investigation. Upon completion of the  
22   investigation, a report detailing the findings of the investigation  
23   must be submitted to the governor and legislature.

24       **Sec. 207.**    RCW 29A.08.410 and 2009 c 369 s 22 are each amended to  
25   read as follows:

26       A registered voter who changes his or her residence from one  
27   address to another within the same county may transfer his or her  
28   registration to the new address in one of the following ways:

29       (1) Sending the county auditor a request stating both the voter's  
30   present address and the address from which the voter was last  
31   registered;

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

34       (3) Telephoning or emailing the county auditor to transfer the  
35   registration; (~~or~~)

36       (4) Submitting a voter registration application;

37       (5) Submitting information to the department of licensing; or

38       (6) Submitting information to a qualified voter registration  
39   agency.

1       **Sec. 208.** RCW 29A.08.420 and 2009 c 369 s 23 are each amended to  
2 read as follows:

3       A registered voter who changes his or her residence from one  
4 county to another county must do so by submitting a voter  
5 registration form or by submitting information to the department of  
6 licensing or a qualified voter registration agency. The county  
7 auditor of the voter's new county shall transfer the voter's  
8 registration from the county of the previous registration.

9       **Sec. 209.** RCW 29A.08.720 and 2011 c 10 s 18 are each amended to  
10 read as follows:

11       (1) In the case of voter registration records received through  
12 qualified voter registration agencies, the department of licensing,  
13 or an agency designated under RCW 29A.08.310, the identity of the  
14 office or agency at which any particular individual registered to  
15 vote must be used only for voter registration purposes, is not  
16 available for public inspection, and shall not be disclosed to the  
17 public. Any record of a particular individual's choice not to  
18 register to vote at an office of the department of licensing or a  
19 state agency designated under RCW 29A.08.310 is not available for  
20 public inspection and any information regarding such a choice by a  
21 particular individual shall not be disclosed to the public.

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

37       (3) For the purposes of this section, "political purpose" means a  
38 purpose concerned with the support of or opposition to any candidate  
39 for any partisan or nonpartisan office or concerned with the support

1 of or opposition to any ballot proposition or issue. "Political  
2 purpose" includes, but is not limited to, such activities as the  
3 advertising for or against any candidate or ballot measure or the  
4 solicitation of financial support.

5 NEW SECTION. **Sec. 210.** A new section is added to chapter 29A.84  
6 RCW to read as follows:

7 An employee of a qualified voter registration agency is guilty of  
8 a gross misdemeanor, if he or she willfully:

9 (1) Neglects or refuses to perform any duty required by law in  
10 connection with the registration of voters;

11 (2) Neglects or refuses to perform such duty in the manner  
12 required by voter registration law;

13 (3) Enters or causes or permits to be entered on the voter  
14 registration records the name of any person in any other manner or at  
15 any other time than as prescribed by voter registration law, or  
16 enters or causes or permits to be entered on such records the name of  
17 any person not entitled to be thereon; or

18 (4) Destroys, mutilates, conceals, changes, or alters any  
19 registration record in connection therewith except as authorized by  
20 voter registration law.

21 **PART III**  
22 **PENDING VOTER REGISTRATION AT BIRTH AND TASKFORCE**

23 NEW SECTION. **Sec. 301.** The legislature finds that advances in  
24 database integration and technology can create streamlined, less  
25 bureaucratic, and more efficient processes for citizens in the voter  
26 registration system. Information from certificates of birth filed  
27 with the state should be automatically integrated into the existing  
28 voter registration process in preparation for those citizens'  
29 participation in voting. Voter registration should not be an  
30 impediment or hurdle to participation in the election process, but  
31 rather a function of properly administered elections. Continued  
32 improvement in database integration across state and local agencies  
33 should be applied to a modernized voter registration process and  
34 database in order to facilitate eligible citizens' participation in  
35 future elections. Voter registration should automatically occur at  
36 birth when a certificate of live birth has been filed with the state,  
37 bringing that new state citizen a step closer to fulfilling the

1 current registration requirements, without changing those existing  
2 regulations. A task force should facilitate proper implementation of  
3 this streamlining technology integration project.

4 NEW SECTION. **Sec. 302.** A new section is added to chapter 29A.08  
5 RCW to read as follows:

6 (1) Beginning January 1, 2020, any person born in the state of  
7 Washington whose certificate of birth is filed with the state  
8 registrar of vital statistics after January 1, 2002, shall be  
9 preregistered to vote in the state pending that person reaching  
10 eighteen years of age and becoming eligible to vote.

11 (2) The personal information included in any birth certificate  
12 filed with the state registrar of vital statistics must be forwarded  
13 to the office of the secretary of state to be maintained in a  
14 database of pending voter registration records for all persons under  
15 the age of eligibility. The database must include the name,  
16 birthdate, and residential address for each pending registrant.

17 (3) The name and personal information of any person must be  
18 removed from the pending voter registration database promptly upon  
19 request of the registrant, or his or her parent or legal guardian.  
20 The parent or legal guardian must be provided an option to decline to  
21 have a child included in the pending voter registration database  
22 before the filing of a certificate of the child's birth with the  
23 state registrar of vital statistics.

24 (4) Any pending registrant becomes an active registered voter  
25 upon reaching eighteen years of age once the office of the secretary  
26 of state, county auditor, or other certified election official has  
27 confirmed the registrant's residential address at that time.

28 (5) The information contained in the pending voter registration  
29 database may not be disclosed or shared with any person, including  
30 any federal, state, or local agency, however any person may request  
31 his or her own personal information in the database. The information  
32 contained in the pending voter registration database is exempt from  
33 public disclosure under chapter 42.56 RCW.

34 (6) The office of the secretary of state must update the personal  
35 information on any pending voter registration record, including  
36 change of name or address, by using information in existing state  
37 databases and upon request of the registrant. Such updates must be  
38 made as often as is practicable, but not less than twice per calendar  
39 year. The office of the secretary of state may make rules for

1 gathering information and updating pending voter registration  
2 records, and may use a private vendor to facilitate this process,  
3 including gathering reliable address information.

4 (7) The secretary of state must develop and facilitate a process  
5 for collecting personally identifiable information from pending  
6 registrants that is substantially similar to the active voter  
7 registration process to the extent that it can be used to reliably  
8 confirm the identity of a registered voter who votes in an election.  
9 Such personally identifiable information may include, but not be  
10 limited to, a signature. The secretary may develop rules for  
11 accepting signatures transferred from other state databases.

12 (8) The voter registration process established in this section  
13 does not restrict or otherwise limit the ability of any eligible  
14 person from registering to vote through any other voter registration  
15 process permitted by law.

16 NEW SECTION. **Sec. 303.** A new section is added to chapter 29A.08  
17 RCW to read as follows:

18 (1) The legislature shall convene a task force on voter  
19 registration to facilitate the implementation and administration of  
20 section 302 of this act, regarding the mandated automatic voter  
21 registration for all persons born in the state. The task force shall  
22 include the following members:

23 (a) One member from each of the two largest caucuses of the  
24 senate, appointed by the president of the senate;

25 (b) One member from each of the two largest caucuses in the house  
26 of representatives, appointed by the speaker of the house of  
27 representatives;

28 (c) A representative from the office of the governor;

29 (d) A representative from the office of the secretary of state;

30 (e) A representative from the Washington association of county  
31 auditors;

32 (f) A representative from the department of health;

33 (g) A representative of the office of the chief information  
34 officer; and

35 (h) A member of the public appointed by the governor's office.

36 (2) The task force may invite other individuals from public or  
37 private entities or agencies to join in deliberations that help  
38 advance the implementation of section 302 of this act.

1 (3) Staff support for the task force shall be provided by the  
2 office of the secretary of state.

3 (4) Legislative members of the task force are reimbursed for  
4 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
5 members are not entitled to be reimbursed for travel expenses if they  
6 are elected officials or are participating on behalf of an employer,  
7 government entity, or other organization. Any reimbursement for other  
8 nonlegislative members is subject to chapter 43.03 RCW.

9 (5) The secretary of state shall set the initial meeting of the  
10 task force. The task force shall choose two cochairs from among its  
11 legislative members at the initial meeting. Additional meetings shall  
12 be set by the task force cochairs. The task force must hold at least  
13 three meetings. The secretary of state may set any meeting to meet  
14 the minimum required number of annual meetings if the cochairs fail  
15 to agree on setting at least three meetings in any year. All meetings  
16 of the task force must be scheduled and conducted in accordance with  
17 the requirements of both the senate and the house of representatives.

18 (6) The task force may request such information, recordings, and  
19 other records from agencies as the task force deems appropriate for  
20 it to effectuate this section. The task force should consult with  
21 relevant state agencies that collect and maintain records containing  
22 personal information of individuals and consider ways for  
23 transferring and sharing such information with voter registration  
24 databases.

25 (7) The task force shall submit a report to the governor and the  
26 appropriate committees of the legislature by December 1, 2018. The  
27 report must include findings and recommendations on how to implement  
28 and administer the requirements under section 302 of this act,  
29 including any proposed legislation necessary for implementation and  
30 estimated funding and revenue sources for such costs. Such proposed  
31 legislation may include data-sharing agreements and procedures,  
32 coordination among state and local agencies for updating voting  
33 registration records, address confirmation procedures, methods and  
34 procedures for collecting and verifying personally identifiable  
35 information, public notice and opt-out procedures, cybersecurity  
36 measures or standards, and delegation of authority necessary for  
37 implementation. Any legislation proposed by the task force must be  
38 considered by each appropriate legislative committee during the  
39 legislative session immediately following the submission of the  
40 report.

1 (8) This section expires June 30, 2019.

2 **Sec. 304.** RCW 42.56.230 and 2017 3rd sp.s. c 6 s 222 are each  
3 amended to read as follows:

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

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

9 (2)(a) Personal information:

10 (i) For a child enrolled in licensed child care in any files  
11 maintained by the department of children, youth, and families;

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

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

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

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

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

37 (5) Credit card numbers, debit card numbers, electronic check  
38 numbers, card expiration dates, or bank or other financial  
39 information as defined in RCW 9.35.005 including social security

1 numbers, except when disclosure is expressly required by or governed  
2 by other law;

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

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

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

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

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

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

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

37 (9) Voluntarily submitted information contained in a database  
38 that is part of or associated with enhanced 911 emergency  
39 communications systems, or information contained or used in emergency

1 notification systems as provided under RCW 38.52.575 and 38.52.577;  
2 and

3 (10) The information maintained in the pending voter registration  
4 database, pursuant to section 302 of this act, unless the request is  
5 made by a person for his or her own personal information in the  
6 database. The disclosure of information maintained in the pending  
7 voter registration database is subject to the requirements of section  
8 302 of this act.

9 **PART IV**

10 **STUDY FOR AUTOMATIC VOTER REGISTRATION OF NATURALIZED CITIZENS**

11 NEW SECTION. Sec. 401. A new section is added to chapter 29A.08  
12 RCW to read as follows:

13 (1) The office of the secretary of state must conduct a study and  
14 prepare recommendations for creating an automatic voter registration  
15 process for recently naturalized citizens who reside within the  
16 state. The office should consult with federal agencies involved with  
17 naturalization to coordinate and encourage the sharing of information  
18 and resources and to determine the feasibility of options for  
19 developing an automatic voter registration process for recently  
20 naturalized citizens.

21 (2) The office of the secretary of state must prepare a report to  
22 the appropriate legislative standing committees by December 1, 2019,  
23 that includes a summary of the study and proposed recommendations,  
24 including any legislative authority that may be needed to implement  
25 the proposed recommendations.

26 (3) This section expires June 30, 2019.

27 **PART V**

28 **MISCELLANEOUS**

29 NEW SECTION. Sec. 501. Sections 201 through 210 of this act  
30 take effect July 1, 2019.

31 NEW SECTION. Sec. 502. Sections 301 through 304 of this act  
32 take effect July 1, 2018.

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