

SSB 6183 - H COMM AMD

By Committee on State Government & Tribal Relations

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.04  
4 RCW to read as follows:

5 "Digital signature" means the certificate-based digital  
6 identification code issued to qualified personnel by the United  
7 States department of defense as part of the common access card or its  
8 successor.

9 **Sec. 2.** RCW 29A.04.611 and 2011 c 10 s 13 are each amended to  
10 read as follows:

11 The secretary of state as chief election officer shall make  
12 reasonable rules in accordance with chapter 34.05 RCW not  
13 inconsistent with the federal and state election laws to effectuate  
14 any provision of this title and to facilitate the execution of its  
15 provisions in an orderly, timely, and uniform manner relating to any  
16 federal, state, county, city, town, and district elections. To that  
17 end the secretary shall assist local election officers by devising  
18 uniform forms and procedures.

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

- 22 (1) The maintenance of voter registration records;
- 23 (2) The preparation, maintenance, distribution, review, and  
24 filing of precinct maps;
- 25 (3) Standards for the design, layout, and production of ballots;
- 26 (4) The examination and testing of voting systems for  
27 certification;
- 28 (5) The source and scope of independent evaluations of voting  
29 systems that may be relied upon in certifying voting systems for use  
30 in this state;
- 31 (6) Standards and procedures for the acceptance testing of voting  
32 systems by counties;

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

1        ~~(23)~~ (23) Procedures for canceling dual voter registration records and  
2 for maintaining records of persons whose voter registrations have  
3 been canceled;

4        ~~((23))~~ (24) Procedures for the electronic transfer of voter  
5 registration records between county auditors and the office of the  
6 secretary of state;

7        ~~((24))~~ (25) Procedures and forms for declarations of candidacy;

8        ~~((25))~~ (26) Procedures and requirements for the acceptance and  
9 filing of declarations of candidacy by electronic means;

10       ~~((26))~~ (27) Procedures for the circumstance in which two or  
11 more candidates have a name similar in sound or spelling so as to  
12 cause confusion for the voter;

13       ~~((27))~~ (28) Filing for office;

14       ~~((28))~~ (29) The order of positions and offices on a ballot;

15       ~~((29))~~ (30) Sample ballots;

16       ~~((30))~~ (31) Independent evaluations of voting systems;

17       ~~((31))~~ (32) The testing, approval, and certification of voting  
18 systems;

19       ~~((32))~~ (33) The testing of vote tallying software programming;

20       ~~((33))~~ (34) Standards and procedures to prevent fraud and to  
21 facilitate the accurate processing and canvassing of ballots,  
22 including standards for the approval and implementation of hardware  
23 and software for automated signature verification systems;

24       ~~((34))~~ (35) Standards and procedures to guarantee the secrecy  
25 of ballots;

26       ~~((35))~~ (36) Uniformity among the counties of the state in the  
27 conduct of elections;

28       ~~((36))~~ (37) Standards and procedures to accommodate overseas  
29 voters and service voters;

30       ~~((37))~~ (38) The tabulation of paper ballots;

31       ~~((38))~~ (39) The accessibility of voting centers;

32       ~~((39))~~ (40) The aggregation of precinct results if reporting  
33 the results of a single precinct could jeopardize the secrecy of a  
34 person's ballot;

35       ~~((40))~~ (41) Procedures for conducting a statutory recount;

36       ~~((41))~~ (42) Procedures for filling vacancies in congressional  
37 offices if the general statutory time requirements for availability  
38 of ballots, certification, canvassing, and related procedures cannot  
39 be met;

1       ~~((42))~~ (43) Procedures for the statistical sampling of  
2 signatures for purposes of verifying and canvassing signatures on  
3 initiative, referendum, and recall election petitions;  
4       ~~((43))~~ (44) Standards and deadlines for submitting material to  
5 the office of the secretary of state for the voters' pamphlet;  
6       ~~((44))~~ (45) Deadlines for the filing of ballot titles for  
7 referendum bills and constitutional amendments if none have been  
8 provided by the legislature;  
9       ~~((45))~~ (46) Procedures for the publication of a state voters'  
10 pamphlet;  
11       ~~((46))~~ (47) Procedures for conducting special elections  
12 regarding nuclear waste sites if the general statutory time  
13 requirements for availability of ballots, certification, canvassing,  
14 and related procedures cannot be met;  
15       ~~((47))~~ (48) Procedures for conducting partisan primary  
16 elections;  
17       ~~((48))~~ (49) Standards and procedures for the proper conduct of  
18 voting on accessible voting devices;  
19       ~~((49))~~ (50) Standards for voting technology and systems used by  
20 the state or any political subdivision to be accessible for  
21 individuals with disabilities, including nonvisual accessibility for  
22 the blind and visually impaired, in a manner that provides the same  
23 opportunity for access and participation, including privacy and  
24 independence, as other voters;  
25       ~~((50))~~ (51) All data formats for transferring voter  
26 registration data on electronic or machine-readable media for the  
27 purpose of administering the statewide voter registration list  
28 required by the Help America Vote Act (P.L. 107-252);  
29       ~~((51))~~ (52) Defining the interaction of electronic voter  
30 registration election management systems employed by each county  
31 auditor to maintain a local copy of each county's portion of the  
32 official state list of registered voters;  
33       ~~((52))~~ (53) Provisions and procedures to implement the state-  
34 based administrative complaint procedure as required by the Help  
35 America Vote Act (P.L. 107-252);  
36       ~~((53))~~ (54) Facilitating the payment of local government grants  
37 to local government election officers or vendors; and  
38       ~~((54))~~ (55) Standards for the verification of signatures on  
39 ballot declarations.

1       **Sec. 3.** RCW 29A.08.123 and 2019 c 6 s 3 are each amended to read  
2 as follows:

3       (1) A person who has a valid Washington state driver's license,  
4 state identification card, or tribal identification may submit a  
5 voter registration application electronically on the secretary of  
6 state's web site. A person who has a valid tribal identification card  
7 may submit a voter registration electronically on the secretary of  
8 state's web site if the secretary of state is able to obtain a copy  
9 of the applicant's signature from the federal government or the  
10 tribal government. A service or overseas voter may use a digital  
11 signature to submit a voter registration electronically on the  
12 secretary of state's web site, if the secretary of state is able to  
13 obtain a copy of the applicant's signature from the federal  
14 government.

15       (2) The applicant must attest to the truth of the information  
16 provided on the application by affirmatively accepting the  
17 information as true.

18       (3) The applicant must affirmatively assent to use of his or her  
19 driver's license, state identification card, or tribal identification  
20 card signature or digital signature for voter registration purposes.

21       (4) A voter registration application submitted electronically is  
22 otherwise considered a registration by mail.

23       (5) For each electronic application submitted using a Washington  
24 state driver's license or state identification card, the secretary of  
25 state must obtain a digital copy of the applicant's driver's license  
26 or state identification card signature from the department of  
27 licensing or tribal identification issuing authority.

28       (6) The secretary of state may employ additional security  
29 measures to ensure the accuracy and integrity of voter registration  
30 applications submitted electronically."

31       Correct the title.

EFFECT: Specifies that an overseas or service voter may register to vote on the Secretary of State's web site only if the Secretary can obtain physical signatures for such voters from the federal government. Clarifies that rules related to accepting digital signatures for voter registration must provide for registration only

on the Secretary's web site, not any means of electronic transmission.

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