

# SENATE BILL REPORT

## SB 5283

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As of January 30, 2019

**Title:** An act relating to allowing persons who will turn eighteen years of age by the general election to vote in the primary election.

**Brief Description:** Allowing persons who will turn eighteen years of age by the general election to vote in the primary election.

**Sponsors:** Senators Lias, Kuderer, Wellman, Dhingra, Billig, Randall, Das, Saldaña, McCoy, Palumbo, Frockt, Hasegawa, Hunt and Mullet.

**Brief History:**

**Committee Activity:** State Government, Tribal Relations & Elections: 1/30/19.

**Brief Summary of Bill**

- Allows persons who are seventeen years old, but will turn eighteen years old by the general election date, to vote in primary elections.

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### SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

**Staff:** Samuel Brown (786-7470)

**Background:** Registering to Vote. Persons who are age eighteen or older and who are United States citizens that have lived in the state, county, and precinct for 30 days immediately preceding an election, are entitled to vote under the Washington State Constitution. The minimum information on a voter registration application to put an applicant on the voter registration rolls includes:

- the applicant's name, residential address, and date of birth;
- the applicant's signature, attesting to the truth of the information provided; and
- an indication the applicant is a United States citizen.

Any person who will be eighteen years old by the next election may be registered to vote.

Designated Voter Registration Locations. The National Voter Registration Act requires states to provide the opportunity to register to vote for federal elections. Washington State adopted

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

the Motor Voter Act, requiring the Department of Licensing (DOL) provide voter registration services. In addition to DOL, the following agencies and programs offer voter registration by gubernatorial designation:

- the Department of Social and Health Services (DSHS) Community Services Division;
- the DSHS Aging and Long-Term Support Administration;
- the DSHS Division of Vocational Rehabilitation;
- the DSHS Developmental Disabilities Administration;
- the DSHS Aging and Disabilities Service Administration;
- the Department of Services for the Blind;
- the Health Care Authority; and
- the Health Benefit Exchange.

Voting by Persons Under Eighteen. Fifteen states allow seventeen-year olds to vote in congressional primaries if the person will be eighteen by the general election. Seventeen-year olds are allowed to participate in the Democratic Party presidential caucuses in Washington State, but may not participate in the Republican presidential caucus or the presidential primary.

Some cities have allowed minors to vote in certain municipal elections. Berkeley, California allows sixteen and seventeen-year olds to vote in elections for school directors. Sixteen- and seventeen-year olds in the cities of Takoma Park and Hyattsville, Maryland can vote in mayoral and city council elections.

**Summary of Bill:** Persons who are seventeen years old, but will be eighteen years old by the general election, may vote in primary elections. The minimum requirements for voter registration applications and scripts for questions asked by designated state agency employees of voter registration applicants are changed accordingly.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Young voters are demonstrating high levels of participation and civic engagement, and encouraging this dramatically increase the likelihood of developing lifelong, repeat voters. Young voters are voting on candidates in the general election when they have not had the opportunity to weigh in at the primary election. Primary elections are integral. Many other states have addressed this issue. This complements young voter pre-registration passed last year. Our constitution is unclear on this point, and a primary election is just a winnowing of candidates for the general election. This amplifies the voice of our communities. This bill is nonpartisan and will benefit the state as a whole. A third of the states allow this. There are thousands of permutations counties make of ballots and this is a small number of potential voters, so this would not be a great complication.

CON: Measures to increase voter participation must also meet constitutional requirements and protect the personal information of minors. Children should be protected from campaign activity until turning eighteen. Our office believes this measure is not constitutional as explained in an Attorney General opinion.

**Persons Testifying:** PRO: Senator Marko Liias, Prime Sponsor; Alex Hur, Washington Voting Justice Coalition; Isabella Girtz, Aaron Miller, students; Connor Urcuyo, citizen; Salvador Salazar Cano, Progreso Latino Progress.

CON: Jay Jennings, Office of Secretary of State.

**Persons Signed In To Testify But Not Testifying:** No one.