
SENATE BILL 5076

State of Washington

66th Legislature

2019 Regular Session

By Senators Kuderer, Palumbo, Wellman, Hunt, Darneille, Hasegawa, Nguyen, Saldaña, and Pedersen

Prefiled 01/04/19. Read first time 01/14/19. Referred to Committee on State Government, Tribal Relations & Elections.

1 AN ACT Relating to allowing persons complying with conditions of
2 community custody to be registered to vote; and amending RCW
3 29A.08.520.

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

5 **Sec. 1.** RCW 29A.08.520 and 2013 c 11 s 19 are each amended to
6 read as follows:

7 (1) For a felony conviction in a Washington state court, the
8 right to vote is provisionally restored as long as the person is not
9 under the authority of the department of corrections. For a felony
10 conviction in a federal court or any state court other than a
11 Washington state court, the right to vote is restored as long as the
12 person is no longer incarcerated.

13 (2)(a) Once the right to vote has been provisionally restored,
14 the sentencing court may revoke the provisional restoration of voting
15 rights if the sentencing court determines that a person has willfully
16 failed to comply with the terms of his or her order to pay legal
17 financial obligations.

18 (b) If the person has failed to make three payments in a
19 twelve-month period and the county clerk or restitution recipient
20 requests, the prosecutor shall seek revocation of the provisional
21 restoration of voting rights from the court.

1 (c) To the extent practicable, the prosecutor and county clerk
2 shall inform a restitution recipient of the recipient's right to ask
3 for the revocation of the provisional restoration of voting rights.

4 (3) If the court revokes the provisional restoration of voting
5 rights, the revocation shall remain in effect until, upon motion by
6 the person whose provisional voting rights have been revoked, the
7 person shows that he or she has made a good faith effort to pay as
8 defined in RCW 10.82.090.

9 (4) The county clerk shall enter into a database maintained by
10 the administrator for the courts the names of all persons whose
11 provisional voting rights have been revoked, and update the database
12 for any person whose voting rights have subsequently been restored
13 pursuant to subsection (6) of this section.

14 (5) At least twice a year, the secretary of state shall compare
15 the list of registered voters to a list of felons who are not
16 eligible to vote as provided in subsections (1) and (3) of this
17 section. If a registered voter is not eligible to vote as provided in
18 this section, the secretary of state or county auditor shall confirm
19 the match through a date of birth comparison and suspend the voter
20 registration from the official state voter registration list. The
21 secretary of state or county auditor shall send to the person at his
22 or her last known voter registration address and at the department of
23 corrections, if the person is under the authority of the department,
24 a notice of the proposed cancellation and an explanation of the
25 requirements for provisionally and permanently restoring the right to
26 vote and reregistering. To the extent possible, the secretary of
27 state shall time the comparison required by this subsection to allow
28 notice and cancellation of voting rights for ineligible voters prior
29 to a primary or general election.

30 (6) The right to vote may be permanently restored by one of the
31 following for each felony conviction:

32 (a) A certificate of discharge issued by the sentencing court, as
33 provided in RCW 9.94A.637;

34 (b) A court order restoring the right, as provided in RCW
35 9.92.066;

36 (c) A final order of discharge issued by the indeterminate
37 sentence review board, as provided in RCW 9.96.050; or

38 (d) A certificate of restoration issued by the governor, as
39 provided in RCW 9.96.020.

1 (7) For the purposes of this section, a person is under the
2 authority of the department of corrections if the person is((÷
3 ~~(a))~~ serving a sentence of confinement in the custody of the
4 department of corrections(~~(÷~~~~or~~
5 ~~(b) Subject to community custody as defined in RCW 9.94A.030))~~ l
6 including total confinement for a violation of a condition of
7 community custody.

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