

SENATE BILL REPORT

SB 5209

As of January 30, 2023

Title: An act relating to establishing universal civic duty voting.

Brief Description: Establishing universal civic duty voting.

Sponsors: Senators Hunt, Billig, Wellman, Hasegawa, Lovelett, Saldaña, Lias, Conway, Dhingra, Keiser, Kuderer, Nguyen, Valdez and Wilson, C..

Brief History:

Committee Activity: State Government & Elections: 1/31/23.

Brief Summary of Bill

- Requires that every eligible voter either register to vote or obtain a waiver from the obligation to register to vote.
- Provides that no excuse is required for a waiver from the obligation to register to vote.
- Requires that every registered voter return a ballot for each primary and general election, while clarifying that blank ballots may be returned.
- Directs the Secretary of State to implement a plan for expanded voter registration, including a statewide education plan on civic duty voting.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Staff: Samuel Brown (786-7470)

Background: Registering to Vote. Persons who are age 18 or older and who are United States citizens that have lived in the state, county, and precinct for 30 days immediately preceding an election and are not serving a sentence of total confinement, and have not been declared judicially incompetent are entitled to vote. Under the National Voter Registration

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

Act, Washington provides the opportunity to register to vote for federal elections at various state agencies. To register to vote, an eligible individual must provide their name, residential address, date of birth, a signature attesting the truth of the information provided, and an indication that the individual is a United States citizen. Washington does not require any person to register to vote.

Compulsory Voting. Twenty-one countries mandate that adults, with certain varying exceptions, register to vote and participate in elections, a system known as compulsory voting, mandatory voting, or universal civic duty voting. Penalties for failure to participate in an election range from 1.05 Brazilian real—approximately \$0.19—to up to 180 Australian dollars—approximately \$127.81. In practice, fines or other sanctions for failure to comply with compulsory voting requirements are infrequently enforced, particularly in European or Latin American nations.

Summary of Bill: Universal Civic Duty Voting. A program of universal civic duty voting is implemented, where each person eligible to register to vote must either register or obtain a waiver from voter registration requirements. A person may seek the waiver without providing a reason for the waiver. Waivers are permanent unless withdrawn by registering to vote under any allowed method.

The secretary of state (SOS) must create a clear, concise form for waivers which minimizes the risk of errors in submission. Voter registration prompts at state agencies are updated to require the offer of a waiver opportunity.

Each registered voter must return a ballot at each primary and general election. A voter is not required to select any candidates for any office, but must return the ballot. There is no penalty for failure to return a ballot. A statement must be printed atop each ballot informing voters of this requirement.

Outreach Requirements. The SOS must implement a plan for expanded voter registration in the state, including a statewide education plan regarding universal civic duty voting, before the 2026 primary election. The plan must be conducted in multiple languages and in a variety of media sources, and the SOS must work with community partners to ensure the widest possible dissemination of information. The SOS must report the details of the plan and any funding required for implementation to the Legislature by January 1, 2025.

County elections officials, in coordination with the SOS, must mail a notice to each household and provide to each public agency providing voter registration services explaining universal civic duty voting by February 1, 2026.

Penalties. Anyone who intentionally disenfranchises another voter by completing a waiver in the voter's name commits a misdemeanor.

Appropriation: None.

Fiscal Note: Requested on January 25, 2023.

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

Effective Date: The bill contains several effective dates. Please refer to the bill.