CERTIFICATION OF ENROLLMENT

SENATE BILL 5077

Chapter 330, Laws of 2025

69th Legislature
2025 Regular Session

VOTER REGISTRATION SERVICES—GOVERNMENT AGENCIES—EXPANSION

EFFECTIVE DATE: July 27, 2025

Passed by the Senate April 17, 2025
Yeas 30 Nays 19

JOHN LOVICK

President of the Senate

Passed by the House April 11, 2025
Yeas 59 Nays 37

LAURIE JINKINS

Speaker of the House of Representatives

Approved May 17, 2025 3:05 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5077** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 19, 2025

Secretary of State
State of Washington

SENATE BILL 5077

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senators Valdez, Riccelli, Bateman, Frame, Hasegawa, Liias, Nobles, and Salomon

Prefiled 12/18/24. Read first time 01/13/25. Referred to Committee on State Government, Tribal Affairs & Elections.

AN ACT Relating to expansion of voter registration services by government agencies; and amending RCW 29A.08.365, 29A.08.362, 29A.08.310, and 29A.08.123.

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

Sec. 1. RCW 29A.08.365 and 2023 c 466 s 18 are each amended to read as follows:

(1) The governor shall make a decision, in consultation with the office of the secretary of state, as to whether each agency identified in subsection (2) of this section shall implement automatic voter registration. The final decision is at the governor's sole discretion.

(2) This section applies to state agencies, other than the health benefit exchange, providing public assistance or services to persons with disabilities, designated pursuant to RCW 29A.08.310(1), that collect, process, and store the following information as part of providing assistance or services:

(a) Names;

(b) Traditional or nontraditional residential addresses;

(c) Dates of birth;

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

(e) Verification of citizenship information, via social security administration data match or manually verified by the agency during the client transaction.

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

(4) Agencies may not begin verifying citizenship as part of an agency transaction for the sole purpose of providing automatic voter registration.

(5) The governor shall make a decision, in consultation with the office of the secretary of state, as to whether state agencies that collect, possess, and store the information identified in subsection (2) of this section may implement automatic voter registration through a procedure that substantially meets the requirements of RCW 29A.08.359, or as to whether state agencies that collect, possess, and store the information in subsection (2)(a) through (c) of this section may implement automatic updates of existing voter registrations through a procedure that substantially meets the requirements of RCW 29A.08.359. The governor shall make the same decision, in consultation with the office of the secretary of state, as to local, federal, or tribal agencies, including but not limited to federal agencies administering naturalization ceremonies, provided that such agencies consent to implementing automatic voter registration or automatic updates of existing voter registrations. The final decision is at the governor's sole discretion.

(6) After confirming that the application for assistance or services identified in subsection (2) of this section contains a signature attesting to the truth of the information provided on the application, the secretary of state may obtain a digital copy of the applicant's signature image from the department of licensing, if available, for purposes of voter registration.

Sec. 2. RCW 29A.08.362 and 2023 c 466 s 17 are each amended to read as follows:

(1) The health benefit exchange shall provide the following information to the secretary of state's office for consenting Washington healthplanfinder applicants who affirmatively indicate that they are interested in registering to vote, including applicants who file changes of address, who reside in Washington, are age

eighteen years or older, and are verified citizens, for voter registration purposes:

(a) Names;

(b) Traditional or nontraditional residential addresses;

(c) Mailing addresses, if different from the traditional or nontraditional residential address; and

(d) Dates of birth.

(2) The health benefit exchange shall consult with the secretary of state's office to ensure that sufficient information is provided to allow the secretary of state to obtain a digital copy of the person's signature when available from the department of licensing and establish other criteria and procedures that are secure and compliant with federal and state voter registration and privacy laws and rules.

(3)(a) Notwithstanding subsection (1) of this section, the health benefit exchange may provide the information identified in subsection (1)(a) through (d) of this section to the secretary of state's office for Washington healthplanfinder applicants, including applicants who file changes of address, who reside in Washington, who are age 18 years or older, and whose citizenship is reliably verified through an electronic database match as part of the eligibility determination process, if:

(i) The health benefit exchange sends the applicant a notice within five business days of the original application informing the applicant that the health benefit exchange will provide the information identified in subsection (1)(a) through (d) of this section to the secretary of state's office for voter registration purposes unless the applicant declines; and

(ii) The applicant does not respond to the notice identified in (a)(i) of this subsection to decline to provide their information for voter registration within 15 days from the date of mailing.

(b) If the secretary of state provides voter registration data to the health benefit exchange showing that an applicant has an existing voter registration and the information identified in subsection (1)(a) through (d) of this section shows no name change or change of residence or mailing address, the health benefit exchange is not required to send the notice identified in subsection (a)(i) of this subsection or transmit the information identified in subsection (1)(a) through (d) of this section to the secretary of state. The

secretary of state may serve as the agent of the health benefit exchange for purposes of this subsection.

(4) Upon receipt of the information through the procedure identified in subsection (3) of this section, the secretary of state shall implement automatic voter registration through a procedure that substantially meets the requirements of RCW 29A.08.359.

(5) If the health benefit exchange determines, in consultation with the health care authority, that implementation of an automatic voter registration system requires approval from the centers for medicare and medicaid services, then any implementation is contingent on receiving that approval.

Sec. 3. RCW 29A.08.310 and 2019 c 6 s 4 are each amended to read as follows:

(1) The governor, in consultation with the secretary of state, shall designate agencies to provide voter registration services in compliance with federal statutes. The governor, in consultation with the secretary of state, may designate local, federal, or tribal agencies, including but not limited to federal agencies administering naturalization ceremonies, to provide voter registration services, provided that such agencies consent to providing voter registration services.

(2) A federally recognized tribe may request that the governor designate one or more state facilities or state-funded facilities or programs that are located on the lands of the requesting Indian tribe or that are substantially engaged in providing services to Indian tribes, as selected by the tribe, to provide voter registration services. This provision does not alter the state's obligations under the national voter registration act.

(3) Each state agency designated shall provide voter registration services for employees and the public within each office of that agency.

(4) The secretary of state shall design and provide a standard notice informing the public of the availability of voter registration, which notice shall be posted in each state agency where such services are available.

(5) Each institution of higher education shall put in place an active prompt on its course registration website, or similar website that students actively and regularly use, that, if selected, will link the student to the secretary of state's voter registration

website. The prompt must ask the student if he or she wishes to register to vote.

(6) If the governor, in consultation with the secretary of state, designates the department of corrections to provide voter registration services under this section, a county auditor shall process a voter registration application from a person transmitted by the department of corrections as an application to sign up to register to vote. A person who signs up to register to vote under this subsection is classified as pending until such time as he or she will be eligible to vote in the next election. An acknowledgment notice shall not be sent prior to receipt of notice from the department of corrections that a person is released from, or transferred to partial confinement from, total confinement under the jurisdiction of the department of corrections.

Sec. 4. RCW 29A.08.123 and 2023 c 363 s 1 are each amended to read as follows:

(1) A person qualified to vote who has a valid:

(a) Washington state driver's license;

(b) Washington state identification card;

(c) Washington state learner's permit;

(d) Current Washington tribal identification; or

(e) Social security number,

may submit a voter registration application electronically on the secretary of state's website, and provide either the state issued identification number, the tribal identification number, or the last four digits of the person's social security number.

(2) The applicant must attest to the truth of the information provided on the application and confirm the applicant's United States citizenship by reviewing the registration oath online and affirmatively accepting the information as true.

(3) For applicants using Washington state issued identification, the applicant must affirmatively assent to use of the applicant's driver's license or state identification card signature for voter registration purposes.

(4) For applicants who are not using Washington state issued identification, the applicant must submit a signature image by either submitting a signature image to the secretary of state, or submitting a signature image as part of the confirmation notice process.

(5) A voter registration application submitted electronically is otherwise considered a registration by mail.

(6) For each electronic application, the secretary of state must obtain a digital copy of the applicant's driver's license or state identification card signature from the department of licensing, the voter, or tribal identification issuing authority.

(7) The secretary of state may employ additional security measures to ensure the accuracy and integrity of voter registration applications submitted electronically.

(8) The secretary of state may employ an application programming interface to allow a person to securely submit a voter registration application electronically to the secretary of state through the website of a government agency or institution of higher learning. In order to facilitate an electronic application under this subsection, a government agency or institution of higher learning must be approved under a process designed by the secretary of state.

Passed by the Senate April 17, 2025.
Passed by the House April 11, 2025.
Approved by the Governor May 17, 2025.
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