
SENATE BILL 5283

State of Washington

66th Legislature

2019 Regular Session

By Senators Lias, Kuderer, Wellman, Dhingra, Billig, Randall, Das, Saldaña, McCoy, and Palumbo

1 AN ACT Relating to allowing persons who will turn eighteen years
2 of age by the general election to vote in the primary election; and
3 amending RCW 29A.08.210, 29A.08.230, 29A.08.330, and 29A.08.810.

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

5 **Sec. 1.** RCW 29A.08.210 and 2018 c 109 s 8 are each amended to
6 read as follows:

7 An applicant for voter registration shall complete an application
8 providing the following information concerning his or her
9 qualifications as a voter in this state:

10 (1) The former address of the applicant if previously registered
11 to vote;

12 (2) The applicant's full name;

13 (3) The applicant's date of birth;

14 (4) The address of the applicant's residence for voting purposes;

15 (5) The mailing address of the applicant if that address is not
16 the same as the address in subsection (4) of this section;

17 (6) The sex of the applicant;

18 (7) The applicant's Washington state driver's license number,
19 Washington state identification card number, or the last four digits
20 of the applicant's social security number if he or she does not have

1 a Washington state driver's license or Washington state
2 identification card;

3 (8) A check box allowing the applicant to indicate that he or she
4 is a member of the armed forces, national guard, or reserves, or that
5 he or she is an overseas voter;

6 (9) A check box allowing the applicant to acknowledge that he or
7 she:

8 (a) Is at least eighteen years old ((~~18~~));

9 (b) Is at least sixteen years old and will vote only after he or
10 she reaches the age of eighteen; or

11 (c) If the next election is the primary election, will be
12 eighteen years old by the general election;

13 (10) Clear and conspicuous language, designed to draw the
14 applicant's attention, stating that the applicant must be a United
15 States citizen in order to register to vote;

16 (11) A check box and declaration confirming that the applicant is
17 a citizen of the United States;

18 (12) The following warning:

19 "If you knowingly provide false information on this voter
20 registration form or knowingly make a false declaration about your
21 qualifications for voter registration you will have committed a class
22 C felony that is punishable by imprisonment for up to five years, a
23 fine of up to ten thousand dollars, or both."

24 (13) The oath required by RCW 29A.08.230 and a space for the
25 applicant's signature; and

26 (14) Any other information that the secretary of state determines
27 is necessary to establish the identity of the applicant and prevent
28 duplicate or fraudulent voter registrations.

29 This information shall be recorded on a single registration form
30 to be prescribed by the secretary of state.

31 **Sec. 2.** RCW 29A.08.230 and 2013 c 11 s 14 are each amended to
32 read as follows:

33 For all voter registrations, the registrant shall sign the
34 following oath:

35 "I declare that the facts on this voter registration form are
36 true. I am a citizen of the United States, I will have lived at this
37 address in Washington for at least thirty days immediately before the
38 next election at which I vote, I will be at least eighteen years old

1 when I vote or, if I am voting in a primary election, I will be at
2 least eighteen years old by the general election, I am not
3 disqualified from voting due to a court order, and I am not under
4 department of corrections supervision for a Washington felony
5 conviction."

6 **Sec. 3.** RCW 29A.08.330 and 2018 c 109 s 18 are each amended to
7 read as follows:

8 (1) The secretary of state shall prescribe the method of voter
9 registration for each designated agency. The agency shall use either
10 the state voter registration by mail form with a separate declination
11 form for the applicant to indicate that he or she declines to
12 register at this time, or the agency may use a separate form approved
13 for use by the secretary of state.

14 (2) The person providing service at the agency shall offer voter
15 registration services to every client whenever he or she applies for
16 service or assistance and with each renewal, recertification, or
17 change of address. The person providing service shall give the
18 applicant the same level of assistance with the voter registration
19 application as is offered to fill out the agency's forms and
20 documents, including information about age and citizenship
21 requirements for voter registration.

22 (3) The person providing service at the agency shall determine if
23 the prospective applicant wants to register to vote or update his or
24 her voter registration by asking the following question:

25 "Do you want to register or sign up to vote or update your voter
26 registration?"

27 If the applicant chooses to register, sign up, or update a
28 registration, the service agent shall ask the following:

29 (a) "Are you a United States citizen?"

30 (b) (i) If the next election is a special or general election:
31 "Are you at least eighteen years old or are you at least sixteen
32 years old and will you vote only after you turn eighteen?"

33 (ii) If the next election is the primary election: "Are you or
34 will you be eighteen years of age on or before the general election,
35 or are you at least sixteen years old and will you vote only after
36 you turn eighteen?"

1 If the applicant answers in the affirmative to both questions,
2 the agent shall then provide the applicant with a voter registration
3 form and instructions and shall record that the applicant has
4 requested to sign up to vote, register to vote, or update a voter
5 registration. If the applicant answers in the negative to either
6 question, the agent shall not provide the applicant with a voter
7 registration application.

8 (4) If an agency uses a computerized application process, it may,
9 in consultation with the secretary of state, develop methods to
10 capture simultaneously the information required for voter
11 registration during a person's computerized application process.

12 (5) Each designated agency shall transmit the applications to the
13 secretary of state or appropriate county auditor within three
14 business days.

15 (6) Information that is otherwise disclosable under this chapter
16 cannot be disclosed on the future voter until the person reaches
17 eighteen years of age, except for the purpose of processing and
18 delivering ballots.

19 **Sec. 4.** RCW 29A.08.810 and 2011 c 10 s 20 are each amended to
20 read as follows:

21 (1) Registration of a person as a voter is presumptive evidence
22 of his or her right to vote. A challenge to the person's right to
23 vote must be based on personal knowledge of one of the following:

24 (a) The challenged voter has been convicted of a felony and the
25 voter's civil rights have not been restored;

26 (b) The challenged voter has been judicially declared ineligible
27 to vote due to mental incompetency;

28 (c) The challenged voter does not live at the residential address
29 provided, in which case the challenger must either:

30 (i) Provide the challenged voter's actual residence on the
31 challenge form; or

32 (ii) Submit evidence that he or she exercised due diligence to
33 verify that the challenged voter does not reside at the address
34 provided and to attempt to contact the challenged voter to learn the
35 challenged voter's actual residence, including that the challenger
36 personally:

1 (A) Sent a letter with return service requested to the challenged
2 voter's residential address provided, and to the challenged voter's
3 mailing address, if provided;

4 (B) Visited the residential address provided and contacted
5 persons at the address to determine whether the voter resides at the
6 address and, if not, obtained and submitted with the challenge form a
7 signed affidavit subject to the penalties of perjury from a person
8 who owns or manages property, resides, or is employed at the address
9 provided, that to his or her personal knowledge the challenged voter
10 does not reside at the address as provided on the voter registration;

11 (C) Searched local telephone directories, including online
12 directories, to determine whether the voter maintains a telephone
13 listing at any address in the county;

14 (D) Searched county auditor property records to determine whether
15 the challenged voter owns any property in the county; and

16 (E) Searched the statewide voter registration database to
17 determine if the voter is registered at any other address in the
18 state;

19 (d) The challenged voter will not be eighteen years of age by the
20 next election, or if the next election is the primary election, the
21 challenged voter will not be eighteen years of age by the general
22 election; or

23 (e) The challenged voter is not a citizen of the United States.

24 (2) A person's right to vote may be challenged by another
25 registered voter or the county prosecuting attorney.

26 (3) The challenger must file a signed affidavit subject to the
27 penalties of perjury swearing that, to his or her personal knowledge
28 and belief, having exercised due diligence to personally verify the
29 evidence presented, the challenged voter either is not qualified to
30 vote or does not reside at the address given on his or her voter
31 registration record based on one of the reasons allowed in subsection
32 (1) of this section. The challenger must provide the factual basis
33 for the challenge, including any information required by subsection
34 (1)(c) of this section, in the signed affidavit. The challenge may
35 not be based on unsupported allegations or allegations by anonymous
36 third parties. All documents pertaining to the challenge are public
37 records.

1 (4) Challenges based on a felony conviction under RCW 29A.08.520
2 must be heard according to RCW 29A.08.520 and rules adopted by the
3 secretary of state.

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