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SENATE BILL 6200

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State of Washington

65th Legislature

2018 Regular Session

By Senator Llias

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;  
3 amending RCW 29A.08.210, 29A.08.230, 29A.08.330, and 29A.08.810; and  
4 providing a contingent effective date.

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

6 **Sec. 1.** RCW 29A.08.210 and 2009 c 369 s 16 are each amended to  
7 read as follows:

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

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

13 (2) The applicant's full name;

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

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

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

18 (6) The sex of the applicant;

19 (7) The applicant's Washington state driver's license number,  
20 Washington state identification card number, or the last four digits  
21 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 confirm that he or she  
7 is at least eighteen years of age (~~(or)~~), will be eighteen years of  
8 age by the next election, or if the next election is the primary  
9 election, will be eighteen years of age by the general election;

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

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

15 (12) The following warning:

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

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

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

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

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

30 For all voter registrations, the registrant shall sign the  
31 following oath:

32 "I declare that the facts on this voter registration form are  
33 true. I am a citizen of the United States, I will have lived at this  
34 address in Washington for at least thirty days immediately before the  
35 next election at which I vote, I will be at least eighteen years old  
36 when I vote or, if I am voting in a primary election, I will be at  
37 least eighteen years old by the general election, I am not  
38 disqualified from voting due to a court order, and I am not under

1 department of corrections supervision for a Washington felony  
2 conviction."

3 **Sec. 3.** RCW 29A.08.330 and 2013 c 11 s 16 are each amended to  
4 read as follows:

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

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

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

22 "Do you want to register to vote or update your voter  
23 registration?"

24 If the applicant chooses to register or update a registration,  
25 the service agent shall ask the following:

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

27 (b)(i) If the next election is a special or general election:  
28 "Are you or will you be eighteen years of age on or before the next  
29 election?"

30 (ii) If the next election is the primary election: "Are you or  
31 will you be eighteen years of age on or before the general election?"

32 If the applicant answers in the affirmative to both questions,  
33 the agent shall then provide the applicant with a voter registration  
34 form and instructions and shall record that the applicant has  
35 requested to register or update a voter registration. If the  
36 applicant answers in the negative to either question, the agent shall  
37 not provide the applicant with a voter registration form.

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

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

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

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

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

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

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

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

21 (ii) Submit evidence that he or she exercised due diligence to  
22 verify that the challenged voter does not reside at the address  
23 provided and to attempt to contact the challenged voter to learn the  
24 challenged voter's actual residence, including that the challenger  
25 personally:

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

29 (B) Visited the residential address provided and contacted  
30 persons at the address to determine whether the voter resides at the  
31 address and, if not, obtained and submitted with the challenge form a  
32 signed affidavit subject to the penalties of perjury from a person  
33 who owns or manages property, resides, or is employed at the address  
34 provided, that to his or her personal knowledge the challenged voter  
35 does not reside at the address as provided on the voter registration;

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

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

3 (E) Searched the statewide voter registration database to  
4 determine if the voter is registered at any other address in the  
5 state;

6 (d) The challenged voter will not be eighteen years of age by the  
7 next election, or if the next election is the primary election, the  
8 challenged voter will not be eighteen years of age by the general  
9 election; or

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

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

13 (3) The challenger must file a signed affidavit subject to the  
14 penalties of perjury swearing that, to his or her personal knowledge  
15 and belief, having exercised due diligence to personally verify the  
16 evidence presented, the challenged voter either is not qualified to  
17 vote or does not reside at the address given on his or her voter  
18 registration record based on one of the reasons allowed in subsection  
19 (1) of this section. The challenger must provide the factual basis  
20 for the challenge, including any information required by subsection  
21 (1)(c) of this section, in the signed affidavit. The challenge may  
22 not be based on unsupported allegations or allegations by anonymous  
23 third parties. All documents pertaining to the challenge are public  
24 records.

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

28 NEW SECTION. **Sec. 5.** This act takes effect if the proposed  
29 amendment to Article VI, section 1 of the state Constitution allowing  
30 persons who will turn eighteen years of age by the general election  
31 to vote in the primary election, Senate Joint Resolution No. . . . .  
32 (S-0559.1/17) is validly submitted to and is approved and ratified by  
33 the voters at the next general election. If the proposed amendment is  
34 not approved and ratified, this act is void in its entirety.

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