
SENATE BILL 5566

State of Washington

60th Legislature

2007 Regular Session

By Senators Franklin and Kohl-Welles

Read first time 01/24/2007. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to providing for privacy protection for certain
2 voter registration information; and amending RCW 29A.08.710 and
3 29A.40.091.

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

5 **Sec. 1.** RCW 29A.08.710 and 2005 c 246 s 17 are each amended to
6 read as follows:

7 (1) The county auditor shall have custody of the original voter
8 registration records for each county. The original voter registration
9 form must be filed without regard to precinct and is considered
10 confidential and unavailable for public inspection and copying. An
11 automated file of all registered voters must be maintained pursuant to
12 RCW 29A.08.125. An auditor may maintain the automated file in lieu of
13 filing or maintaining the original voter registration forms if the
14 automated file includes all of the information from the original voter
15 registration forms including, but not limited to, a retrievable
16 facsimile of each voter's signature.

17 (2) The following information contained in voter registration
18 records or files regarding a voter or a group of voters is available
19 for public inspection and copying, except as provided in RCW 40.24.060:

1 The voter's name, address, political jurisdiction, gender, (~~date of~~
2 ~~birth,~~) voting record, date of registration, and registration number.
3 No other information from voter registration records or files is
4 available for public inspection or copying.

5 **Sec. 2.** RCW 29A.40.091 and 2005 c 246 s 21 are each amended to
6 read as follows:

7 The county auditor shall send each absentee voter a ballot, a
8 security envelope in which to seal the ballot after voting, a larger
9 envelope in which to return the security envelope, and instructions on
10 how to mark the ballot and how to return it to the county auditor. The
11 instructions that accompany an absentee ballot for a partisan primary
12 must include instructions for voting the applicable ballot style, as
13 provided in chapter 29A.36 RCW. The absentee voter's name and address
14 must be printed on the larger return envelope, which must also contain
15 a declaration by the absentee voter reciting his or her qualifications
16 and stating that he or she has not voted in any other jurisdiction at
17 this election, together with a summary of the penalties for any
18 violation of any of the provisions of this chapter. The declaration
19 must clearly inform the voter that it is illegal to vote if he or she
20 is not a United States citizen; it is illegal to vote if he or she has
21 been convicted of a felony and has not had his or her voting rights
22 restored; and, except as otherwise provided by law, it is illegal to
23 cast a ballot or sign an absentee envelope on behalf of another voter.
24 The return envelope must provide space for the voter to indicate the
25 date on which the ballot was voted and for the voter to sign the oath.
26 It must also contain a space so that the voter may include a telephone
27 number. A summary of the applicable penalty provisions of this chapter
28 must be printed on the return envelope immediately adjacent to the
29 space for the voter's signature. The signature of the voter on the
30 return envelope must affirm and attest to the statements regarding the
31 qualifications of that voter and to the validity of the ballot. The
32 return envelope must also have a secrecy flap that the voter may seal
33 that will cover the voter's signature and optional telephone number.
34 The signature and phone number provided on the return envelope by the
35 voter is not available for copying but is available for public
36 inspection in the county auditor's office. For out-of-state voters,
37 overseas voters, and service voters, the signed declaration on the

1 return envelope constitutes the equivalent of a voter registration for
2 the election or primary for which the ballot has been issued. The
3 voter must be instructed to either return the ballot to the county
4 auditor by whom it was issued or attach sufficient first class postage,
5 if applicable, and mail the ballot to the appropriate county auditor no
6 later than the day of the election or primary for which the ballot was
7 issued.

8 If the county auditor chooses to forward absentee ballots, he or
9 she must include with the ballot a clear explanation of the
10 qualifications necessary to vote in that election and must also advise
11 a voter with questions about his or her eligibility to contact the
12 county auditor. This explanation may be provided on the ballot
13 envelope, on an enclosed insert, or printed directly on the ballot
14 itself. If the information is not included, the envelope must clearly
15 indicate that the ballot is not to be forwarded and that return postage
16 is guaranteed.

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