

WASHINGTON

VOTER REGISTRATION

These resources are current as of 6/30/16. We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at advocacy@afj.org.

This guide summarizes key aspects of laws governing voter registration on the *state* level. It is not intended to provide legal advice or to serve as a substitute for legal advice.

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.

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DEADLINES FOR REGISTRATION

- **Deadline for registering**
 - Individuals must submit voter registration applications no later than 29 days before the primary, special or general election to be able to vote in that election. [RCW 29A.08.140\(1\)\(a\)](#).
 - This 29-day deadline also applies to individuals already registered to vote in WA but needing to update their registration information (e.g., change in name or address). An individual who fails to update his or her registration address by this deadline will be permitted to vote according to his or her previous registration address. [RCW 29A.08.140\(2\)](#).
 - If an individual misses the 29-day registration deadline, he or she may register to vote *in person* at the county auditor's office in his or her county of residence no later than 8 days before the day of the primary, general, or special election. [RCW 29A.08.140\(1\)\(b\)](#).
- **Does state offer Election Day registration?**
 - No.
- **Does state allow by-mail registration?**
 - Yes. Washington permits registration by mail. [RCW 29A.08.120](#).
 - Registration via the Internet is available for those with valid Washington state driver's licenses or state identification card. [RCW 29A.08.123](#); [WAC 434-208-060\(1\)\(f\)](#).
 - Registration, transferring registration, or changing one's name for voter registration may also be accomplished in connection with obtaining or renewing a Washington state driver's license or identification card. [RCW 29A.08.340](#).
- **May voter register before turning 18?**
 - A voter who will reach age 18 before the next election is permitted to register before reaching age 18. [RCW 29A.08.230](#); [RCW 29A.08.210\(9\)](#).

VOTER ID REQUIREMENTS

- **Required for registration? If so, what kinds of ID?**
 - No. A photo identification is not required for registration. However if an applicant does not provide his or her driver's license number, state identification card number, or last four digits of his or her social security number, the applicant will only be *provisionally* registered to vote. The ballot of a provisionally registered voter will not be counted unless the voter provides one of the following forms of identification, or an alternate form of identification, no later than the day before certification of the primary or general election. Acceptable alternate forms of identification include:
 - valid photo ID;
 - valid enrollment card of a federally-recognized Indian tribe in WA state;
 - copy of a current utility bill;
 - current bank statement;
 - copy of a current government check;
 - copy of a current paycheck; or
 - government document, other than voter registration card, showing the voter's name and address.
 - Once a provisionally registered voter provides acceptable identification, his or her registration status will be changed from provisional to regular. If a provisionally registered voter does *not* provide acceptable identification, he or she will remain listed as provisionally registered on the official list of registered voters through at least two general elections for federal office, after which time the provisional registration may be canceled if the voter has not proven his or her identity.

[RCW 29A.08.107](#); [WAC 434-250-045](#), [434-261-055](#).
- **Required for voting? If so, what kinds of ID?**
 - Individuals voting by mail ballot (the vast majority) will not have to show any type of ID in order to vote.
 - Any person voting at a voting center will be required to provide valid photo identification, such as a driver's license, state ID card, student ID card, tribal ID card, or employer ID card. In lieu of providing valid photo identification, the individual may vote a provisional ballot and sign a ballot declaration; the provisional ballot will be accepted if the signature on the declaration matches the signature on the voter's registration record. [RCW 29A.40.160\(7\)](#); [WAC 434-250-105](#).
- **Requirement to provide proof of citizenship to register and/or vote?**

- No proof of citizenship is required to register or vote. See [29A.08.010\(1\)\(e\)](#). Voters are, however, required to sign a declaration swearing under penalty of perjury that he or she meets the qualifications to vote, including being a U.S. citizen. [RCW 29A.40.091\(2\)](#).

VOTER REGISTRATION DRIVES

- **Does state accept National Voter Registration Act (NVRA) registration forms? Any restrictions?**
 - Washington state statutes and regulations include specific information that must be included in the voter registration form, and do not address use of a national form. [RCW 29A.08.010](#). As a matter of practice, the Secretary of State's office, which has jurisdiction over this issue, indicates it does accept the national form.
- **May groups “cage” completed registration forms (i.e. asks voters to mail them back to the group, which will then send them to the appropriate elections registrar(s))? If so, may they copy the forms or any of the data included on them? If so, any deadlines for sending the completed forms to the state or to local officials?**
 - Groups registering voters may have the voters send the forms to the group, which will then forward them to the appropriate elections office.
 - Private citizens and groups that conduct voter registration drives must return all completed forms to a county auditor's office or secretary of state within five business days of collection. [RCW 29A.08.115](#).
 - Although no statutes, regulations, or other provisions prohibit groups from recording the information from the forms before mailing the forms to a county auditor or secretary of state, the Secretary of State's office indicates that the forms themselves may not be copied. Additionally, individuals are prohibited from using registered voter data for the purpose of mailing advertisements or solicitations. [RCW 29A.08.740](#); [WAC 434-324-130\(2\)](#).
- **May a group “pre-fill” some or all of the form before sending/giving it to a would-be registrant?**
 - According the Secretary of State's office, a group may “pre-fill” portions of the form (e.g. name, address), but not portions that presume a decision or affidavit on the part of the voter (i.e., certain boxes on the form) before sending/giving it to a would-be registrant.

- **May voter registration drive workers assist a voter in completing their registration form?**
 - There is no prohibition on a voter registration drive worker assisting a voter in completing the registration form. There are no special requirements imposed upon a worker who assists a voter in completing their registration application (e.g. signing the registration application to attest that the assistance was proper).
- **Does state require training of voter registration workers?**
 - No. Washington State has no program of training for voter registration workers.
- **Does state require registration of voter registration drives? If so, for by-mail drives, too?**
 - No. Washington State has no provision for registration of voter registration drives, whether conducted in person or by mail.
- **Any requirement that a group must provide information to voters about how they may contact the group to determine the status of their registration?**
 - There is no requirement that a group, as part of a registration drive, must provide information to voters it registers or assists in registering about how the voters may contact the group to follow up and determine the status of their registration.
- **May a group pay voter registration drive workers? If so, is it permissible to pay on a per-voter-registered basis?**
 - A person may not be paid on a per-person-registered basis for registering people to vote. [RCW 29A.84.130\(6\), \(7\)](#).

RECENT AND PENDING LEGISLATION

At this time, there is some pending legislation that may affect elections or voter registration. (In the Washington Legislature, bills are not carried over from one session to another; a new bill would have to be offered in the next legislative session.)

Voting, poll-site voting and identification requirements: HB 1210

Voting, polling place voting, county authority to conduct: SB 5184

Voting, preregistration for 16- and 17-year-olds: HB 1294

Voting, preregistration for 17-year-olds, procedures: HB 2707, SB 6340

Voting, registration, automatic at qualified voter registration agencies, process: HB 2682, SHB 2682, SB 6379

Voting, registration, deadline for: HB 1144, HB 1428, SHB 1428, SB 5527, SSB 5527

Voting, registration, landlords to provide new tenants with information: HB 1866, SB 5259

Voting, registration, motor voter preregistration for 16- and 17-year olds: SB 5140

Voting, registration, verification of qualifications, including U.S. citizenship: SB 5201

Voting, registration, verification of U.S. citizenship: HB 2209

Voting, signature stamp use for: HB 1039, SHB 1039

Voting, student voter registration and voting, higher education institution plans to increase: HB 2890, SB 6474

Voting, student voter registration at higher education institution, modifying deadline for: SB 6539

Voting, Washington voting rights act of 2015, concerning equal voting opportunity for protected classes: HB 1745, ESHB 1745, SB 5668

Voting, Washington voting rights act of 2016, concerning equal voting opportunity for protected classes: E2SHB 1745, SB 6663

CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

Washington Secretary of State

<http://sos.wa.gov/elections/>

Elections Division

P.O. Box 40229

Olympia, Washington 98504-0229

elections@sos.wa.gov

Toll-Free (800) 448-4881

Local (360) 902-4180

Listing of County Elections Offices:

<http://www.secstate.wa.gov/elections/viewauditors.aspx>

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FOR FURTHER ASSISTANCE

For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:

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