



WASHINGTON VOTER REGISTRATION

These resources are current as of 1/1/19. 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 state campaign finance law and regulations. 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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DEADLINE 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\(1\)\(a\)](#). Beginning on June 30, 2019, individuals will have until 8 days before an election to register. Chapter 112, Section 1, Laws of 2018.
- This 29-day (8-day as of June 30, 2019) 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\(2\)](#). A person may also change his or her address up until 8 p.m on the day of the primary, general, or special election.
- If an individual misses the 29-day (8-day as of June 30, 2019) registration deadline, he or she may register to vote in person at: 1) the county auditor's office in his or her county of residence, 2) the division of elections if in a different city than the county auditor's office, or 3) for presidential general elections in cities of at least 100,000 at voting centers (in public buildings such as libraries), no later than 8 p.m. on the day of the primary, general, or special election. [RCW 29A.08.140\(3\)](#); RCW 29A.09.160.

Does state offer Election Day registration?

- Yes, as spelled out above.

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 voters register before turning 18?

- Yes. Persons who reach age 16 may submit a voter registration form by mail, or online via the Secretary of State's website if the person has a driver's license or

- identicard. The applicant must acknowledge that the person will not vote until attaining 18 years of age. RCW 29A.08.172, RCW 29A.08.174.

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](#).

Required to provide proof of citizenship to register and/or vote?

- No proof of citizenship is required to register or vote. [See RCW 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 to 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\(6\), \(7\)](#).

AUTOMATIC REGISTRATION

Effective July 1, 2019, individuals can be automatically registered to vote upon receiving, renewing, or updating an enhanced driver's license or identicard. RCW 29A.08.355. The Department of Licensing must inform individuals that their records will be used for voter registration and offered an opportunity to decline to register. RCW 29A.08.355. If a person does not decline, his or her application to register to vote will be submitted to the secretary of state. RCW 29A.08.357.

Applicants for Washington's health plan finder may also affirmatively consent to be registered to vote. RCW 29A.08.362. The Governor may also determine whether other agencies that provide public services or assistance and that collect certain information shall implement automatic voter registration. RCW 29A.08.365.

A person who is ineligible to vote and who becomes registered under one of the above mentioned automatic registration programs will not be liable for a class C felony under RCW 29A.84.140.

RECENT AND PENDING LEGISLATION

At this time, there is no 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.)

Several changes were made to the state's voter registration laws in 2018.

Chapter 109, Laws of 2018 provided for preregistration for 16 and 17 year olds, and also provided for a Temperance and Good Citizenship Day on which schools will coordinate a voter

registration event in all history or social science classes attended by seniors.

Chapter 110, Laws of 2018 provides for automatic voter registration 1) when a person is obtaining, renewing, or updating a driver's license or identocard, 2) for applicants for the Washington healthplanfinder, and 3) for other state agencies that provide public assistance or services and that collect certain information, beginning July 1, 2019. The legislation also addresses what will occur if an individual becomes automatically registered who was not in fact eligible to vote.

Chapter 112, Laws of 2018 extended the deadlines for registering to vote and designated more locations for in-person voter registration.

CONTACT INFORMATION FOR STATE AND LOCAL AGENCIES

Washington Secretary of State

<https://www.sos.wa.gov/elections/>

Elections Division

P.O. Box 40229

Olympia, Washington 98504-0229

Staff directory: <http://gab.wi.gov/about/staff>

elections@sos.wa.gov

Toll-Free (800) 448-4881

Local (360) 902-4180

Written by Dmitri Iglitzin and the Campaign Finance Team at Barnard Iglitzin & Lavitt, LLP, 18 West Mercer St., Suite 400, Seattle, WA 98119.

FOR FURTHER ASSISTANCE

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

Email: advocacy@afj.org

Telephone: 1-866-NPLOBBY (675-6229)

For assistance regarding state law in Wisconsin, please contact:

Dmitri Iglitzin and the Campaign Finance Team at

Barnard Iglitzin & Lavitt

18 West Mercer Street, Suite 400

Seattle, WA 98119

Telephone Number: 206-285-2828