

## **Voter Registration & Ballot Declarations**

Elections Clearinghouse Notice

Issue# 21-07

December 13, 2021

This Clearinghouse is reissued to reflect changes from laws passed in the 2020 and 2021 legislative sessions and subsequent WAC amendments. This notice replaces Clearinghouse #21-01 issued on March 4, 2021.

### **Voter Registration Declaration**

The passage of Engrossed Substitute House Bill (ESHB) 1078 during the 2021 Legislative session modified the voter registration declaration which impacts all forms and notices containing the declaration.

ESHB 1078 amends [RCW 29A.08.230](#) to change the declaration signed by voter registration applicants for all registrations. The new declaration states:

"I declare that the facts on this voter registration form are true. I am a citizen of the United States, I will have lived at this address in Washington for at least thirty days immediately before the next election at which I vote, and I am at least sixteen years old. I am not disqualified from voting due to a court order, and I am not currently serving a sentence of total confinement under the jurisdiction of the department of corrections for a Washington felony conviction, and I am not currently incarcerated for a federal or out-of-state felony conviction."

The declaration was modified to allow persons who are not serving a sentence of total confinement or otherwise incarcerated to register to vote.

In addition to all voter registration applications, this change also affects the following documents:

- Verification Notice
- Confirmation Notice
- Signature Update Form/Mismatched Signature Cure Form

The new Voter Registration declaration is in effect as of January 1, 2022. County Auditors and the Secretary of State will continue to accept and process older versions of registration forms and notices submitted by voters.

Updated versions of the Signature Update Form and Confirmation Notice Template are available on the OSOS website under [Forms for Voters](#).

## **Ballot Declaration**

WAC 434-230-015 "Ballots and Instructions" was amended as a result of the passage of Engrossed Senate Bill (ESB) 6313 and Engrossed Substitute House Bill (ESHB) 1078 during the 2020 and 2021 legislative sessions respectively. The language of the ballot declaration contained in WAC 434-230-015 was modified to allow persons who are not serving a sentence of total confinement or otherwise incarcerated, and persons who are 17 years old at the date of a primary and 18 years old by the date of the General to cast a ballot.

The following declaration must accompany the ballot and be signed by voters for all primaries and elections:

"I do solemnly swear or affirm under penalty of perjury that I am:

A United States citizen;

A Washington state resident that meets the requirements for voting mandated by state law;

At least 18 years old on election day, or 17 years old at the primary and 18 years old by the day of the November general election;

Voting only once in this election and not voting in any other United States jurisdiction;

Not serving a sentence of total confinement under the jurisdiction of the Department of Corrections for a Washington felony conviction or currently incarcerated for a federal or out-of-state felony conviction;

Not disqualified from voting due to a court order; and

Aware it is illegal to forge a signature or cast another person's ballot and that attempting to vote when not qualified, attempting to vote more than once, or falsely signing this declaration is a felony punishable by a maximum imprisonment of five years, a maximum fine of \$10,000, or both."

The declaration must accompany every type of ballot issued to voters to include:

- Regular mail ballots
- Overseas and service (UOCAVA) mail ballots
- Provisional ballots
- Special absentee ballots
- Ballots delivered electronically (e-ballots)
- Ballots issued to Address Confidentiality Program (ACP) participants
- Replacement and reissued ballots

In addition to all ballot packets, changes to the ballot declaration also affects the following documents:

- Signature Update Form/Mismatched Signature Cure Form
- Missing Signature Form/Unsigned Ballot Declaration Cure Form

The new ballot declaration is in effect as of January 1, 2022, counties may use envelopes with the previous declaration through December 2021.

Updated versions of the Signature Update Form and Missing Signature Form are available on the OSOS website under [Forms for Voters](#).