

## Automatic Voter Registration Acknowledgment Notice Packages

Elections Clearinghouse Notice  
Issue #24-12  
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This clearinghouse is issued to reflect legislative changes in [Engrossed Second Substitute Senate Bill 5112 \(2023\)](#). Beginning July 15, 2024, County Auditors are required to provide voters who were automatically registered to vote at the Department of Licensing during a transaction requiring proof of United States citizenship with an informational notice package and opportunity to decline becoming registered.

### Processing Opt-out Automatic Voter Registration Applications

#### For New Voters

When someone completes a transaction at the Department of Licensing (DOL) requiring proof of United States citizenship (enhanced ID, enhanced driver's license), the County Auditor must confirm that the resulting automatic voter registration application contains all five pieces of required information to be registered per [RCW 29A.08.010\(1\)](#):

- Name;
- Residential address;
- Date of birth;
- Signature attesting to the truth of information provided on the application; and
- Affirmation of United States citizenship.

Upon confirmation of the required information, the person becomes a prospective registration applicant and must be sent an automatic voter registration acknowledgment notice package to be notified of the registration, provided with the opportunity to opt out.

#### For Current Voters

If there was no change to the voter's name, residence, or mailing address, it is the County Auditor's choice to send an automatic voter registration acknowledgment notice package.

If there was a change to the voter's name, residence, or mailing address, the voter must be sent an automatic voter registration acknowledgment notice package to be notified of the change and provided with the opportunity to opt out.

## Acknowledgment Notice Package

An acknowledgment notice package is sent to those automatically registered at the DOL during a transaction that required proof of United States citizenship.

### Requirements

[RCW 29A.08.030\(3\)\(a-e\)](#) lists the required items to include in the notice package:

- A postage prepaid, preaddressed return form must be included in the package to provide the voter an opportunity to decline the voter registration or voter registration update;
- A statement to explain:
  - The person became registered to vote, or, for 16- and 17-year-olds, signed up to register to vote;
  - The list of qualifications to vote;
  - If the person does not meet the qualifications to vote, they shall return the notice and decline in writing to register to vote or update their voter registration;
  - If the person wants to cancel their voter registration at any time, they may contact their County Auditor to do so; and
  - Instructions on how to access more information about the notice and assistance in the voter's preferred language, including languages required by [52 USC § 10503](#) and [RCW 29A.08.270](#);
- An acknowledgment notice as defined in [RCW 29A.08.030\(2\)](#); and
- Other information required by the Secretary of State.

## Mailing Acknowledgment Notice Packages

The County Auditor must mail the acknowledgment notice package within five (5) business days after receipt of an automatic voter registration application. From the mailing date, the voter has fifteen (15) calendar days to respond with a signed voter registration opt-out form and return it to an elections office if they do not wish to be registered or update their voter registration. The form must be physically received by close of business by the 15<sup>th</sup> day after it was mailed to the voter.

Exception: If the automatic voter registration application is received in the eight days prior to election day, the package must be mailed to the voter within five days after the election, and the date of registration will be the day after Election Day.

Upon mailing the package, the County Auditor may contact the voter by phone call, email, or text message to notify the voter that they were automatically registered to vote and to expect the package in the mail if they do not wish to be registered or meet the qualifications for registration.

**Best Practice:** Include the date the voter must have the completed opt-out form back to your office in order to process the request as a registration opt-out.

### Missing Information in Automatic Voter Registration Applications

If there is a missing piece of required information, do not register the applicant. Use the same procedures as finding missing information for other voter registration application types.

If the information cannot be found through official means, send the prospective registration applicant a verification notice.

Send an acknowledgment notice package with the verification notice in case the applicant wishes to opt out of becoming registered to vote within the initial 15-day deadline. The opt-out form and verification notice timelines overlap in this situation.

Task/Process	Information Received from DOL	AVR ANP Mailed to Voter - Timer for 15 Calendar Days	Verification Notice mailed to voter - Timer for 45 Calendar Days
	Business Day 1-5	Calendar Day 1-15	Calendar Day 16-45
Verify application information	[Progress bar: 0-5 Business Days]		
Research missing application information	[Progress bar: 0-5 Business Days]		
Send AVR ANP	[Progress bar: 0-5 Business Days]		
Send Verification Notice	[Progress bar: 0-5 Business Days]		
AVR ANP Processing Time		[Progress bar: 0-15 Calendar Days]	
Verification Notice Processing Time		[Progress bar: 0-45 Calendar Days]	

- If the voter provides the missing information within 45 days, process the registration.
  - The date of registration for the voter is the date the information was received from the Department of Licensing.
    - Exception: If the information is received from the Department of Licensing during the eight days prior to election day, the date of registration will be the day after Election Day.
- If the voter does not provide the missing information within 45 days, the voter registration application is invalid. The voter must provide a new voter registration application if they wish to become registered.

**Reminder:** The verification notice cannot be used to request missing identification information (SSN-4, Washington state-issued driver’s license number, etc.). If the voter is missing identification information in their voter registration application and it cannot be found through official means, send the voter an identification notice.

## Processing Automatic Voter Registration Opt-out Forms

### For New Voters

If the voter wishes to decline the voter registration, they must provide a signature that matches the signature they provided to the Department of Licensing at the time of registration. The County Auditor shall verify the signature provided using the standards established in WAC [434-261-051](#) and [434-261-052](#).

If the signature matches the signature on the voter registration record, the voter registration application will be labeled as Declined in VoteWA, and the person is deemed to have never registered to vote. The opt-out form must be retained for the same period as a voter registration cancellation.

If the voter responds with an opt-out form after the 15-day deadline, process the opt-out as a normal cancellation in accordance with [WAC 434-324-111](#).

### For Current Voters

If the voter wishes to decline the voter registration update, they must provide a signature that matches a valid signature in their voter registration record. The County Auditor shall verify the signature provided using the standards established in WAC [434-261-051](#) and [434-261-052](#).

If the signature matches the signature on the voter registration record, the pending automatic voter registration application updates will be nullified, and the voter registration record will go back to the voter's previous information.

If the voter responds with an opt-out form after the 15-day deadline, process the opt-out as a regular voter registration update.

## Automatic Voter Registration Applications and Ballot Issuance

Even though an automatic voter registration applicant has a 15-day period to opt out becoming registered to vote, there is no delay in issuing a ballot packet during an election period. Follow all deadlines in [RCW 28A.08.140](#) for online applicants.

If someone's automatic voter registration application arrives during the 18-day period prior to Election Day, but before the eight-day cutoff period, the county auditor must mail a ballot packet as soon as practicable after receiving the registration application and the automatic voter registration acknowledgment package within five business days.

### For New Voters

If a new registration applicant chooses to return a signed ballot return envelope, they have chosen to waive the opportunity to decline registration and remain an active registered voter. If

the new voter then returns a completed opt-out form, it is to be treated as a voter registration cancellation form.

### **For Current Voters**

If the automatic voter registration update contains an updated name or address(es) for the voter, the voter must be sent a reissued ballot. If the voter chooses to return the reissued ballot envelope signed, they have confirmed the updated information. If the voter then returns a completed opt-out form, it is treated as a normal voter registration update and their information will return to how it was before the automatic voter registration information was received.

### **Public Records**

If a new automatic voter registration applicant chooses to opt out by the 15-day deadline, the declined voter registration is deemed to have never registered to vote. The record is archived in VoteWA and exempt from public records requests; however, the County Auditor record of packages mailed to prospective applicants, contact attempts, and receipt of opt-out forms, as well as ballot issuance to voters, are public records and subject to public records requests. Opt-out forms are retained the same as voter registration cancellations.