

CHAPTER 181.

[S. B. 301.]

ELECTIONS—QUALIFICATIONS OF VOTERS.

AN ACT relating to elections; amending sections 2 and 3, page 25, Laws of 1866 and sections 3051 and 3053, Code of 1881 and RCW 29.01.140, and section 14, chapter 1, Laws of 1933 and RCW 29.10.010 through 29.10.030, and sections 22 and 23, chapter 1, Laws of 1933 and RCW 29.59.010 and 29.04.010; and adding a new section to chapter 29.59 RCW.

Be it enacted by the Legislature of the State of Washington:

Amendment.

SECTION 1. Section 2, page 25, Laws of 1866 and section 3051, Code of 1881, and section 4, page 25, Laws of 1866 and section 3053, Code of 1881 (heretofore combined and codified as RCW 29.01.140) are amended to read as follows:

"Residence" defined.

(RCW 29.01.140) "Residence" for the purpose of registering and voting means a person's permanent address where he physically resides and maintains his abode: *Provided*, That no person gains or loses his residence by reason of his presence or absence:

Residence unaffected by certain conditions.

(1) While employed in the service of the United States;

(2) While engaged in the navigation of the waters of this state or the United States or the high seas;

(3) While a student at any seminary of learning;

(4) While kept in any almshouse or asylum; nor

(5) While confined in any public prison except when serving out a sentence for an infamous crime.

Absence from the state on business shall not affect the question of residence of any person unless the right to vote has been claimed or exercised elsewhere.

Division and amendment.

SEC. 2. Section 14, chapter 1, Laws of 1933 (heretofore codified as RCW 29.10.010 through 29.10.030) is divided and amended as set forth in sections 3 through 5 of this act.

SEC. 3. (RCW 29.10.010) Any registered voter who changes his residence from one address to another within the same city or town, shall have his registration transferred to his new address by sending to the city clerk thereof a signed request stating his present address and the address from which he was last registered, or by appearing in person before a registration officer to have his registration transferred and signing such request.

Change of residence within same city or town.

SEC. 4. (RCW 29.10.020) Any registered voter who changes his residence from one rural precinct to another within the same county, shall have his registration transferred to his new address by sending to the county auditor a signed request stating his present address and precinct, and the address and precinct from which he was last registered, or by appearing in person before him to have his registration transferred, and signing such request.

Change of residence from one rural precinct to another within the same county.

SEC. 5. (RCW 29.10.030) The signature of the voter on the request shall be compared with the signature of the voter on the registration cards of such voter, and if it appears that the signatures have been made by the same person, the new place of residence and precinct name or number shall be entered upon both the original and duplicate registration cards of the voter signing such request, and they shall be removed from the files of the precinct of the former residence and inserted in the files of the precinct of the present residence.

Enacted without amendment.

SEC. 6. Sections 22 and 23, chapter 1, Laws of 1933 (heretofore divided, combined, and codified as RCW 29.59.010 and 29.04.010) are amended to read as set forth in sections 7 and 8 of this act.

Amendment.

SEC. 7. (RCW 29.59.010) Registration of a person as a voter shall be presumptive evidence of his right to vote at any election, but any person's right to vote may be challenged at the polls and he may be re-

Registration is presumptive evidence of right to vote. Challenge of right to vote.

quired then and there to establish his right to vote: *Provided, however,* That challenges on grounds of residence alone, shall be offered at the office of the appropriate registration officer in the manner as hereinafter provided.

Enacted without amendment.

SEC. 8. (RCW 29.04.010) Only a registered voter shall be permitted to vote:

- (1) At any election held for the purpose of electing persons to public office;
- (2) At any recall election of a public officer;
- (3) At any election held for the submission of a measure to any voting constituency;
- (4) At any primary election.

The provisions of this section shall not apply to township elections.

New section.

SEC. 9. There is added to chapter 29.59 RCW, a new section to read as follows:

Challenge of voters; who may challenge.

Any voter may challenge the registration of any other voter on the grounds that the challenged voter does not physically reside and maintain an abode at the address as given on his permanent registration record. Such challenge shall be made in writing and shall be filed with the appropriate registration officer not later than sixty days prior to any primary or election, general or special. The registration officer shall by registered mail immediately notify the voter concerned that a challenge has been made. Upon receipt of such notice, the challenged voter, should the allegation be correct, shall either transfer his registration or register anew, as the case may be, within the time as provided by law. Should the challenged voter fail to register anew or transfer his registration within the time prescribed by law, the registration officer shall cancel the registration record and so notify the voter concerned.

Written challenge and to be filed.

Notice of challenge.

Procedure when allegation true.

Procedure when allegation denied.

Should the challenged voter deny the allegation, he shall so notify in writing the registration officer who shall immediately notify the challenger and the

challenged voter to appear at a meeting to be held in the registration office at a day and hour certain to be stated in the notice. The hearing shall take place not less than two days nor more than five days after the date of such notice.

At the meeting to be held by the registration officer, he shall hear both parties according to the facts presented and his ruling shall be final, unless ordered otherwise by a court of competent jurisdiction. If the challenger fails to appear at the meeting, the registration in question shall remain in full effect. If the challenged voter fails to appear at the meeting, then the registration shall be cancelled and the voter so notified: *Provided, however,* That any voter who transfers his registration or registers on or after the fifty-ninth day prior to any primary or election, shall be subject to challenge on the grounds of residence alone at the polling place.

Transfer of registration on or after 59th day prior to primary or election.

Passed the Senate February 10, 1955.

Passed the House March 7, 1955.

Approved by the Governor March 15, 1955.

CHAPTER 182.

[S. B. 306.]

LIQUOR CONTROL BOARD—REPORTS.

AN ACT relating to the annual report of the liquor control board as required by Title 43 pertaining to the liquor control board and changing the fiscal year of such board; and amending RCW 43.66.170.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 13, chapter 174, Laws of 1935, and RCW 43.66.170 are each amended to read as follows: Amendment.

The board shall, from time to time, make reports to the governor covering such matters in connection Reports from time to time.