
HOUSE BILL 2883

State of Washington

54th Legislature

1996 Regular Session

By Representatives Cairnes, Campbell, Talcott, D. Schmidt, Carrell, McMahan and Huff

Read first time 01/24/96. Referred to Committee on Government Operations.

1 AN ACT Relating to elections by mail in small precincts; and
2 reenacting and amending RCW 29.36.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29.36.120 and 1994 c 269 s 1 and 1994 c 57 s 48 are
5 each reenacted and amended to read as follows:

6 (1) At any primary or election, general or special, the auditor of
7 a county ((auditor)) with a population of less than five hundred
8 thousand may, in any precinct having fewer than two hundred active
9 registered voters at the time of closing of voter registration as
10 provided in RCW 29.07.160, conduct the voting in that precinct by mail
11 ballot. In a county with a population of five hundred thousand or
12 more, the auditor may, in a precinct having fewer than one hundred
13 active registered voters, conduct the voting by mail ballot. For any
14 precinct ((having fewer than two hundred active registered voters))
15 where voting at a primary or a general election is conducted by mail
16 ballot under this subsection, the county auditor shall, not less than
17 fifteen days prior to the date of that primary or general election,
18 mail or deliver to each active and inactive registered voter within
19 that precinct a notice that the voting in that precinct will be by mail

1 ballot, an application form for a mail ballot, and a postage prepaid
2 envelope, preaddressed to the issuing officer. A mail ballot shall be
3 issued to each voter who returns a properly executed application to the
4 county auditor no later than the day of that primary or general
5 election. For all subsequent mail ballot elections in that precinct
6 the application is valid so long as the voter remains active and
7 qualified to vote. In determining the number of registered voters in
8 a precinct for the purposes of this section, persons who are ongoing
9 absentee voters under RCW 29.36.013 shall not be counted. Nothing in
10 this section may be construed as altering the vote tallying
11 requirements of RCW 29.62.090.

12 (2) At any nonpartisan special election not being held in
13 conjunction with a state primary or general election, the county, city,
14 town, or district requesting the election pursuant to RCW 29.13.010 or
15 29.13.020 may also request that the election be conducted by mail
16 ballot. The county auditor may honor the request or may determine that
17 the election is not to be conducted by mail ballot. The decision of
18 the county auditor in this regard is final.

19 In no instance shall any special election be conducted by mail
20 ballot in any precinct with two hundred or more active registered
21 voters, or one hundred or more active registered voters in a county
22 with a population of five hundred thousand or more, if candidates for
23 partisan office are to be voted upon.

24 For all special elections not being held in conjunction with a
25 state primary or state general election where voting is conducted by
26 mail ballot, the county auditor shall, not less than fifteen days prior
27 to the date of such election, mail or deliver to each active registered
28 voter a mail ballot and an envelope, preaddressed to the issuing
29 officer. The auditor shall send each inactive voter either a ballot or
30 an application to receive a ballot. The auditor shall determine which
31 of the two is to be sent. If the inactive voter returns a voted
32 ballot, the ballot shall be counted and the voter's status restored to
33 active. If the inactive voter completes and returns an application, a
34 ballot shall be sent and the voter's status restored to active.

35 ~~((+2))~~ (3) For a two-year period beginning on June 9, 1994, and
36 ending two years after June 9, 1994, the county auditor may conduct the
37 voting in any precinct by mail for any primary or election, partisan or

1 nonpartisan, using the procedures set forth in RCW 29.36.120 through
2 29.36.139.

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