Z-0535.2 _____

HOUSE BILL 1621
_____

State of Washington   **55th Legislature**   **1997 Regular Session**

By Representatives D. Schmidt, Scott, Dickerson, Wood, Ogden, Keiser, Constantine, Costa, Tokuda, Cole and O'Brien; by request of Secretary of State

Read first time 02/03/97.   Referred to Committee on Government Administration.

1   AN ACT Relating to the processing of absentee ballots; amending RCW
2 29.36.060; and adding new sections to chapter 29.36 RCW.

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

4   NEW SECTION. **Sec. 1.** A new section is added to chapter 29.36 RCW
5 to read as follows:
6   For purposes of canvassing and counting absentee ballots:
7   (1) "Initial processing" means all steps taken to prepare absentee
8 ballots for tabulation, except for the reading of ballots by an
9 electronic vote tallying system. Initial processing includes, but is
10 not limited to, verification of signatures on return envelopes; removal
11 of security envelopes from the return envelopes; removal of ballots
12 from the security envelopes; manual inspection for damage, for write-in
13 votes, and for incorrect or incomplete marks; duplication of damaged
14 and write-in ballots; and other preparation of ballots for final
15 processing.
16   (2) "Final processing" means the reading of ballots by an
17 electronic vote tallying system, but does not include tabulation.
18   (3) "Tabulation" means the production of returns of votes cast
19 regarding candidates or measures in a form that can be read by a

1 person, whether as precinct totals, partial cumulative totals, or final
2 cumulative totals.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 29.36 RCW
4 to read as follows:
5 (1) Before initial processing of absentee ballots, the county
6 auditor shall notify the county chair of each major political party of
7 the time and date on which absentee processing will begin, and shall
8 request that each major political party appoint official observers to
9 observe the processing and tabulation of absentee ballots. If a major
10 political party has appointed observers, the observers may be present
11 for initial processing, final processing, or tabulation, if they so
12 choose, but failure to appoint or attend does not preclude the
13 processing or tabulation of absentee ballots.
14 (2) The auditor shall adopt administrative procedures for the
15 initial and final processing of absentee ballots. Copies of these
16 administrative procedures must be made available to the political party
17 observers, and to the public upon request.

18 **Sec. 3.** RCW 29.36.060 and 1991 c 81 s 32 are each amended to read
19 as follows:
20 ((The opening and subsequent processing of return envelopes for any
21 primary or election may begin on or after the tenth day prior to such
22 primary or election. The opening of the security envelopes and
23 tabulation of absentee ballots shall not commence until after 8:00
24 o'clock p.m. on the day of the primary or election.
25 After opening the return envelopes, the county canvassing board
26 shall place all of the ballot envelopes in containers that can be
27 secured with numbered seals. These sealed containers shall be stored
28 in a secure location until after 8:00 o'clock p.m. of the day of the
29 primary or election. Absentee ballots that are to be tabulated on an
30 electronic vote tallying system may be taken from the inner envelopes
31 and all the normal procedural steps may be performed to prepare these
32 ballots for tabulation before sealing the containers.))
33 (1) Before opening a returned absentee ballot, the canvassing
34 board, or its designated representatives, shall examine the postmark,
35 statement, and signature on ((each)) the return envelope ((containing))
36 that contains the security envelope and absentee ballot. They shall
37 verify that the voter's signature on the return envelope is the same as

the signature of that voter in the registration files ((for that voter)) of the county. For ((absentee)) registered voters ((other than out-of-state voters, overseas voters, and service voters, if the postmark is illegible)) casting absentee ballots, the date on the return envelope to which the voter ((attests shall)) has attested determines the validity, as to the time of voting((, of)) for that absentee ballot ((under this chapter)) if the postmark is missing or is illegible. For out-of-state voters, overseas voters, and service voters, the date on the return envelope to which the voter has attested determines the validity as to the time of voting for that absentee ballot. For any absentee ((voter)) ballot, a variation between the signature of the voter on the return envelope and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same.

(2) Absentee ballot return envelopes for a primary or election may be opened for initial processing on or after the tenth day before that primary or election.

(3) After opening the return envelopes, the county canvassing board shall either:

(a) Place all of the security envelopes containing the absentee ballots in containers, and secure the containers with numbered seals; or

(b) In the case of absentee ballots that will be tabulated on an electronic vote tallying system, open the security envelopes, perform the initial processing, place the absentee ballots in containers, and secure the containers with numbered seals.

(4) The canvassing board, or its designated representatives, shall record the number of the seal for each container and the date the corresponding container was sealed. After initial processing, all absentee ballots must be kept in sealed containers and in secure storage until they are ready for final processing.

(5) The secure containers of absentee ballots may not be opened for final processing before 7:00 a.m. on the day of the primary or election. In counties using electronic vote tallying systems, the absentee ballots must be tabulated under continuous observation of representatives of the major political parties, and all other security provisions required by the secretary of state under RCW 29.04.210 and 29.36.150. No results from tabulation of absentee ballots may be

1 produced or distributed until after 8:00 p.m. on the day of the primary
2 or election.

--- END ---