

HOUSE BILL REPORT

HB 1505

As Reported By House Committee On:

State Government

Title: An act relating to the time for signing absentee and mail ballots.

Brief Description: Requiring absentee ballots to be signed by 8:00 p.m. on election day.

Sponsors: Representatives Ericksen, McMorris, K. Schmidt, Skinner, Dunn, D. Schmidt and Esser.

Brief History:

Committee Activity:

State Government: 2/9/99, 2/24/99 [DPS].

Brief Summary of Substitute Bill

- Requires the outer return envelope, in which an absentee ballot is placed, to be signed on or before the day of the primary or election for which it was issued.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Campbell, Republican Vice Chair; Miloscia, Democratic Vice Chair; Haigh; Lambert and D. Schmidt.

Minority Report: Do not pass. Signed by 1 member: Representative Dunshee.

Staff: Steve Lundin (786-7127).

Background:

Absentee ballots and mail ballots may only be counted if the voter for whom the ballot was issued has signed the outer return envelope in which the ballot is placed. In addition, the ballot must either:

- Be returned on or before the close of the polls on the day of the primary or election for which it was issued; or
- The outer return envelope is post marked on or before the day of the primary or election for which it was received and the ballot received by the county auditor prior to the certification of the election results. If the post mark is not legible, or an overseas voter or service voter casts the ballot, the date on the outer return envelope when the voter attests to have cast the ballot must be on or before the date of the primary or election for which the ballot was issued.

The Secretary of State has adopted a rule providing that if a voter fails to sign the affidavit on the outer return envelope, the auditor must notify the voter and allow the voter to sign the affidavit no later than the day before the election results are certified.

Summary of Substitute Bill:

An absentee ballot or mail ballot may only be counted if the voter for whom the ballot was issued signs the outer return envelope on or before the day of the primary or election for which it was issued. Other requirements are detailed more clearly. It is clarified that the date of mailing for overseas and service voters is the date of attestation on the return identification envelope.

Substitute Bill Compared to Original Bill: The outer return envelope must be signed on or before the day of the primary or election rather than on or before 8:00 p.m. on the day of the primary of election.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This fixes a glitch in our voting system, clarifies the law, and moves the process along quicker. Auditors made lists of people whose absentee ballots had been returned but had not signed the outer return envelope. They were allowed to sign the envelope after the for days after the election. It is an invasion of privacy to give the lists to the public. This establishes consistency.

Testimony Against: None.

Testified: Representative Doug Erickson, prime sponsor, and Bob Terwilliger and Suzanne Sinclair, Auditors Association.