

HOUSE OF REPRESENTATIVES

Olympia, Washington

Bill Analysis

Bill No. HB 1291

Making various changes in election laws.

Hearing Date 2/2/99

Brief title

Reps Schmid, and Romero

Staff Scot MacColl

Sponsor(s)

State Government Committee

Phone 786-7106

BACKGROUND:

State statutes and election provisions.

1) Voting precincts.

Voting precincts shall be numbered consecutively.

2) Crimes relating to voter registration.

It is a felony to use registered data for commercial advertising solicitation which is punishable by imprisonment for more than five years, a fine of more than \$5,000, or both.

3) Dates school directors assume office.

Ambiguity exists about when newly elected school directors assume office. Legislation enacted in 1979 provided that all local government elected officials take office commencing immediately on December 31st after the election. However, legislation enacted in 1980 excluded school directors from this common date but not specifying the date.

4) Voter registration.

All common school districts and public libraries shall make voter registration applications available to the public. County auditors shall transmit newly completed voter registration cards and cancellation of voter registration to the secretary of state each Monday following registration or cancellation. The state may vote to have persons register or transfer voter registration when they apply for driver licenses.

5) Special elections.

A special election may be held at any of six specified election dates during a year, including the primary and general election dates, if an emergency is deemed to have occurred. A special election may also be held at any date of a valid election, such as a bond issue, to meet the needs resulting from a fire, flood, earthquake, or other act of God.

6) Declaration of candidacy.

A person who files a declaration of candidacy for an elective office at the time of the filing must possess the qualifications for that office. The basic requirements for most offices is that the person be a registered voter in the geographic area represented by the office.

Statutes in conflict as to whether a person who files a declaration of candidacy writes a candidate must pay the normal filing fee for the office sought.

7) General prohibition on candidates appearing more than once on a ballot.

The name of a candidate for public office may not appear more than once on any ballot, but this restriction does not apply to the office of precinct committeefield officer for a major political party.

8) Termination of on-going absentee status.

A voter whose on-going absentee status is terminated if the voter submits a written request to be removed, is disqualified if the registration of the voter is canceled, or if the voter's ballot is returned as undeliverable.

9) Access to election facilities.

Polling places and registration sites generally require access to the elderly and handicapped persons. Primary and general election sites in even-numbered years. Alternative polling places and procedures are provided for access to polling places and registration sites for primary and general elections in odd-numbered years. Periodic reports are required to be made on access to polling sites and registration sites by the handicapped and the elderly.

The secretary of state is required to make information available to a person by telecommunications.

SUMMARY:

A variety of changes are made to election laws, both technical and substantive.

1) Voting precincts.

Voting precincts no longer would be required to be numbered consecutively.

2) Crimes relating to use of voter registration data.

The maximum fine for using registered voter data for commercial advertising solicitation has increased from \$5,000 to \$10,000.

3) Dates school directors assume office.

A newly elected school director's term of office begins at the first official meeting of the board of directors after certification of the election results.

4) Voter registration.

The requirements for voter registration applications are available at the common school district, public libraries, and qualified county auditor's office. Mail voter registration applications are generally available at various locations, including county offices, common school districts, and public libraries.

County auditors transmit voter registration and cancellation cards to the secretary of state on a weekly basis.

It is clarified that a voter may change the name for voter registration purposes if the voter applies for a driver's license.

5) Special elections.

The requirement that an emergency be deemed to exist before a special election may be called at one of the six designated special election dates in a year.

6) Declaration of candidacy.

It is expressly required that a person must be a registered voter when he or she files a declaration of candidacy for an office.

The inconsistency regarding filing fees for write-in candidates is removed by requiring write-in candidates pay the normal filing fees associated with the office they are sought.

7) General prohibition on candidates appearing on a ballot.

The single exception that candidates may not appear on a ballot other than the office of precinct committee officer of a major political party is expanded to also include temporary election positions such as charter review board and freeholder.

8) Termination of ongoing absentee status.

Voters who are placed in inactive status shall have the ongoing absentee voter status terminated.

9) Access to election facilities.

Laws are revised and expanded to provide greater access to election facilities and registration facilities to handicapped persons and the elderly by election primaries. County auditors, election secretaries, and election judges are required to make election information available to persons using telecommunications.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of session in which bill passed.