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HOUSE BILL 1505

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State of Washington

56th Legislature

1999 Regular Session

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

Read first time 01/27/1999. Referred to Committee on State Government.

1 AN ACT Relating to the time for signing absentee and mail ballots;  
2 and amending RCW 29.36.060 and 29.36.139.

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

4 **Sec. 1.** RCW 29.36.060 and 1991 c 81 s 32 are each amended to read  
5 as follows:

6 The opening and subsequent processing of return envelopes for any  
7 primary or election may begin on or after the tenth day prior to such  
8 primary or election. The return envelope must be signed by the voter  
9 no later than 8:00 p.m. on the day of the primary or election. The  
10 opening of the security envelopes and tabulation of absentee ballots  
11 shall not commence until after 8:00 (~~o'clock~~) p.m. on the day of the  
12 primary or election.

13 After opening the return envelopes, the county canvassing board  
14 shall place all of the ballot envelopes in containers that can be  
15 secured with numbered seals. These sealed containers shall be stored  
16 in a secure location until after 8:00 (~~o'clock~~) p.m. of the day of  
17 the primary or election. Absentee ballots that are to be tabulated on  
18 an electronic vote tallying system may be taken from the inner

1 envelopes and all the normal procedural steps may be performed to  
2 prepare these ballots for tabulation before sealing the containers.

3 The canvassing board shall examine the postmark, statement, and  
4 signature on each return envelope containing the security envelope and  
5 absentee ballot. They shall verify that the voter's signature is the  
6 same as that in the registration files for that voter. For absentee  
7 voters other than out-of-state voters, overseas voters, and service  
8 voters, if the postmark is illegible, the date on the return envelope  
9 to which the voter attests shall determine the validity, as to the time  
10 of voting, of that absentee ballot under this chapter. For any  
11 absentee voter, a variation between the signature of the voter on the  
12 return envelope and that in the registration files due to the  
13 substitution of initials or the use of common nicknames is permitted so  
14 long as the surname and handwriting are clearly the same.

15 **Sec. 2.** RCW 29.36.139 and 1993 c 417 s 6 are each amended to read  
16 as follows:

17 (1) A mail ballot shall be counted only if it is returned in the  
18 return identification envelope, if the envelope is signed by the  
19 registered voter to whom the ballot is issued no later than 8:00 p.m.  
20 on the day of the primary or election, and if the signature is verified  
21 as provided in this subsection. The county auditor shall verify the  
22 signature of each voter on the return identification envelope with the  
23 signature on the voter's registration record. A person who votes or  
24 attempts to vote more than once in a mail ballot election is subject to  
25 the penalties provided in chapter 29.85 RCW.

26 (2) Any mail ballot may be challenged in the same manner as an  
27 absentee ballot.

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