BILL

ANALYSIS

State Government Committee

HB 1331

Brief Description: *Requiring absentee ballots to be signed by election day.*

Sponsors: *Representatives Ericksen and D. Schmidt .*

Brief Summary of 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.*

Hearing Date: *2/19/01*

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 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.

Rulemaking Authority: *No express authority.*

Appropriation: *None.*

Fiscal Note: *Not Requested.*

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