

---

HOUSE BILL 1331

---

State of Washington

57th Legislature

2001 Regular Session

By Representatives Ericksen and D. Schmidt

Read first time 01/24/2001. 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 identification  
7 envelopes for any primary or election may begin on or after the tenth  
8 day prior to such primary or election. The opening of the security  
9 envelopes and tabulation of absentee ballots shall not commence until  
10 after 8:00 (~~o'clock~~) p.m. on the day of the primary or election.

11 After opening the return identification envelopes, the county  
12 canvassing board or its representative shall place all of the  
13 (~~ballot~~) inner security envelopes in containers that can be secured  
14 with numbered seals. These sealed containers shall be stored in a  
15 secure location until after 8:00 (~~o'clock~~) p.m. of the day of the  
16 primary or election. Absentee ballots that are to be tabulated on an  
17 electronic vote tallying system may be taken from the inner security  
18 envelopes and all the normal procedural steps may be performed to  
19 prepare these ballots for tabulation before sealing the containers.

1       The canvassing board shall examine the postmark, statement, and  
2 signature on each return identification envelope containing the  
3 security envelope and absentee ballot. An absentee ballot may be  
4 counted only if the return identification envelope was signed by the  
5 date of the primary or election for which it was issued and was either  
6 returned before the close of the polls on the day of the primary or  
7 election for which it was issued or has a date of mailing by the date  
8 of the primary or election for which it was issued. They shall verify  
9 that the voter's signature is the same as that in the registration  
10 files for that voter. The date of mailing is the postmark date.  
11 However, for absentee voters other than ((out-of-state voters,))  
12 overseas voters((,)) and service voters, if the postmark is illegible,  
13 and for overseas voters and service voters, the date on the return  
14 identification envelope to which the voter attests shall determine the  
15 validity, as to the ((time-of-voting)) date of mailing, of that  
16 absentee ballot under this chapter. For any absentee voter, a  
17 variation between the signature of the voter on the return envelope and  
18 that in the registration files due to the substitution of initials or  
19 the use of common nicknames is permitted so long as the surname and  
20 handwriting are clearly the same.

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

23       (1) A mail ballot shall be counted only if it is returned in the  
24 return identification envelope, if the envelope is signed by the  
25 registered voter to whom the ballot is issued and was returned or has  
26 a date of mailing as provided for an absentee ballot under RCW  
27 29.36.060, and if the signature is verified as provided in this  
28 subsection. The county auditor shall verify the signature of each  
29 voter on the return identification envelope with the signature on the  
30 voter's registration record. A person who votes or attempts to vote  
31 more than once in a mail ballot election is subject to the penalties  
32 provided in chapter 29.85 RCW.

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

--- END ---