

SSB 6420 - S AMD 735

By Senators Roach, Kastama

ADOPTED 02/17/2004

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.12.020 and 2003 c 111 s 302 are each amended to
4 read as follows:

5 The secretary of state shall inspect, evaluate, (~~and~~) publicly
6 demonstrate, and test all voting systems or components of voting
7 systems related to vote tallying, casting, counting, and storage that
8 are submitted for review under RCW 29A.12.030. The secretary of state
9 shall determine whether the voting systems conform with all of the
10 requirements of this title, the applicable rules adopted in accordance
11 with this title, and with generally accepted safety requirements. The
12 secretary of state shall post the report of certification to a publicly
13 available electronic medium and transmit (~~a copy of the report of any~~
14 ~~examination~~) notice of certification under this section, within thirty
15 days after completing the examination, to the county auditor of each
16 county.

17 This section does not apply to systems with the sole election-
18 related function of displaying election results.

19 NEW SECTION. Sec. 2. A new section is added to chapter 29A.12 RCW
20 to read as follows:

21 The manufacturer or distributor of a voting system or component of
22 a voting system must provide the secretary of state access to the
23 source code of the voting system or component at the time the system is
24 submitted for an examination and anytime following certification.
25 Following certification of a voting system or component of a voting
26 system, the manufacturer or distributor must notify the secretary of
27 state each time the source code is modified, and provide the secretary
28 of state access to the modified version. The source code is exempt
29 from public disclosure under RCW 42.17.310(1)(h).

1 **Sec. 3.** RCW 29A.12.050 and 2003 c 111 s 305 are each amended to
2 read as follows:

3 (~~If~~) Only voting systems or devices or vote tallying systems
4 (~~are to~~) that have been certified by the secretary of state may be
5 used for conducting a primary or election(~~, only those that have the~~
6 ~~approval of the secretary of state or had been approved under this~~
7 ~~chapter or the former chapter 29.34 RCW before March 22, 1982, may be~~
8 ~~used. Any~~). No modification, change, redesign, or improvement may be
9 made to any voting system or component of a system (~~that does not~~
10 ~~impair its accuracy, efficiency, or capacity or extend its function,~~
11 ~~may be made~~) related to vote tallying, casting, counting, and storage,
12 other than hardware replacement, without notification to the secretary
13 of state for reexamination or reapproval by the secretary of state
14 under (~~RCW 29A.12.020~~) section 4 of this act.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.12 RCW
16 to read as follows:

17 Reexamination or reapproval of voting systems under RCW 29A.12.050
18 must be performed in the following manner:

19 The modification must be reviewed and approved by an appropriate
20 independent testing authority approved by the federal election
21 assistance commission before submission to the secretary of state for
22 approval. If, in the opinion of the system vendor, a modification must
23 be made to assure proper system operation during the period ten days
24 before an election, an emergency examination and approval may be
25 conducted by the secretary of state before a review by an independent
26 testing authority. During this emergency examination period, the
27 vendor shall make a written submission to the secretary of state for
28 review. The submission must include:

29 (1) The purpose and effect of the modification;

30 (2) Clear and complete documentation of the change including a
31 description, an affected code, affected systems, and a before and after
32 depiction of the change;

33 (3) A sworn statement from the vendor declaring the completeness of
34 the submission under penalty of perjury and loss of system
35 certification.

1 The secretary of state may review and test the change before
2 issuing or denying an emergency approval for use only in the subsequent
3 election.

4 **Sec. 5.** RCW 29A.12.060 and 2003 c 111 s 306 are each amended to
5 read as follows:

6 The county auditor of a county in which voting systems are used is
7 responsible for the preparation, maintenance, and operation of those
8 systems and during the logic and accuracy test, must provide written,
9 signed verification that the system and its component software, in the
10 version used, are certified. The auditor may employ and direct persons
11 to perform some or all of these functions.

12 **Sec. 6.** RCW 29A.12.070 and 2003 c 111 s 307 are each amended to
13 read as follows:

14 An agreement to purchase or lease a voting system or a component of
15 a voting system is subject to that system or component passing an
16 acceptance test as defined in rule by the office of the secretary of
17 state, conducted by the county auditor as purchaser or lessee,
18 sufficient to demonstrate that the equipment is the same as that
19 certified by the secretary of state and that the equipment is operating
20 correctly as delivered to the county.

21 **Sec. 7.** RCW 29A.12.080 and 2003 c 111 s 308 are each amended to
22 read as follows:

23 No voting device (~~shall~~) or its component software may be
24 (~~approved~~) certified by the secretary of state unless it:

- 25 (1) Secures to the voter secrecy in the act of voting;
- 26 (2) Permits the voter to vote for any person for any office and
27 upon any measure that he or she has the right to vote for;
- 28 (3) Permits the voter to vote for all the candidates of one party
29 or in part for the candidates of one or more other parties;
- 30 (4) Correctly registers all votes cast for any and all persons and
31 for or against any and all measures;
- 32 (5) Provides that a vote for more than one candidate cannot be cast
33 by one single operation of the voting device or vote tally system

1 except when voting for president and vice president of the United
2 States; (~~and~~)

3 (6) In the case of a precinct-based electronic voting system, at
4 the time of voting produces a machine countable paper record for each
5 vote that may be reviewed by the voter before finalizing his or her
6 vote, as a part of the voting process; and

7 (7) Except for functions or capabilities unique to this state, has
8 been tested, certified, and used in at least one other state or
9 election jurisdiction, and has been approved by the appropriate
10 independent testing authority approved by the federal election
11 assistance commission or its statutory successor.

12 **Sec. 8.** RCW 29A.12.090 and 2003 c 111 s 309 are each amended to
13 read as follows:

14 The ballot (~~(on a single voting device shall)~~) displayed to a voter
15 may not contain the names of candidates for the offices of United
16 States representative, state senator, state representative, county
17 council, or county commissioner in more than one district. (~~In all~~
18 ~~general elections, primaries, and special elections, in each polling~~
19 ~~place the voting devices containing ballots for candidates from each~~
20 ~~congressional, legislative, or county council or commissioner district~~
21 ~~shall be grouped together and physically separated from those devices~~
22 ~~containing ballots for other districts. Each voter shall be directed~~
23 ~~by the precinct election officers to the correct group of voting~~
24 ~~devices.))~~

25 **Sec. 9.** RCW 29A.12.100 and 2003 c 111 s 310 are each amended to
26 read as follows:

27 The secretary of state (~~shall~~) may not approve a vote tallying
28 system or system software unless it:

29 (1) Correctly counts votes on ballots on which the proper number of
30 votes have been marked for any office or issue;

31 (2) Ignores votes marked for any office or issue where more than
32 the allowable number of votes have been marked, but correctly counts
33 the properly voted portions of the ballot;

34 (3) Accumulates a count of the specific number of ballots tallied

1 for each precinct, total votes by candidate for each office, and total
2 votes for and against each issue of the ballot in that precinct;

3 (4) Accommodates rotation of candidates' names on the ballot under
4 RCW 29A.36.140;

5 (5) Produces precinct and cumulative totals in printed form; and

6 (6) Except for functions or capabilities unique to this state, has
7 been tested, certified, and used in at least one other state or
8 election jurisdiction, and has been approved by the appropriate
9 independent testing authority approved by the federal election
10 assistance commission or its statutory successor.

11 **Sec. 10.** RCW 29A.12.110 and 2003 c 111 s 311 are each amended to
12 read as follows:

13 In preparing a voting device for a primary or election, a record
14 (~~shall~~) must be made of the ballot format installed in each device
15 and the precincts or portion of a precinct for which that device has
16 been prepared. Except where provided by a rule adopted under RCW
17 29A.04.610, after being prepared for a primary or election, each device
18 (~~shall~~) must be sealed with a uniquely numbered seal and provided to
19 the inspector of the appropriate polling place.

20 **Sec. 11.** RCW 29A.12.130 and 2003 c 111 s 313 are each amended to
21 read as follows:

22 At least three days before each state primary or general election,
23 the office of the secretary of state shall provide for the conduct of
24 tests of the programming for each vote tallying system to be used at
25 that primary or general election. The test must verify that the system
26 will correctly count the vote cast for all candidates and on all
27 measures appearing on the ballot at that primary or general election.
28 The test (~~shall~~) must verify the capability of the vote tallying
29 system to perform all of the functions that can reasonably be expected
30 to occur during conduct of that particular primary or election. If any
31 error is detected, the cause (~~shall~~) must be determined and
32 corrected, and an errorless total (~~shall~~) must be produced before the
33 primary or election.

34 Such tests (~~shall~~) must be observed by at least one
35 representative from each major political party, if representatives have

1 been appointed by the respective major political parties and are
2 present at the test, and (~~shall~~) must be open to candidates, the
3 press, and the public. The county auditor and any political party
4 observers shall certify that the test has been conducted in accordance
5 with this section. The county auditor must provide signed, written
6 verification that the version of the voting system and software used
7 are state certified. Copies of this verification and the test
8 certification (~~shall~~) must be retained by the secretary of state and
9 the county auditor. All programming materials, test results, and test
10 ballots (~~shall~~) must be securely (~~sealed~~) stored until the day of
11 the primary or general election. All ballot counting equipment must be
12 sealed, kept in a secure location, and protected against unauthorized
13 access until election day.

14 **Sec. 12.** RCW 29A.12.150 and 2003 c 111 s 315 are each amended to
15 read as follows:

16 (1) No voting device or machine may be used (~~in a county with a~~
17 ~~population of seventy thousand or more~~) to conduct a primary or
18 general or special election in this state unless it correctly records
19 on a separate ballot the votes cast by each elector for any person and
20 for or against any measure and such separate ballots are available for
21 audit purposes after such a primary or election. After January 1,
22 2006, no voting device or machine may be used to conduct a primary or
23 general or special election that uses punched holes to record the
24 voter's choices.

25 (2) The secretary of state shall not certify under this title any
26 voting device or machine for use in conducting a primary or general or
27 special election in this state unless the device or machine correctly
28 records on a separate ballot the votes cast by each elector for any
29 person and for or against any measure and such separate ballots are
30 available for audit purposes after such a primary or election. The
31 secretary of state may not certify under this title any voting device
32 or machine for use in conducting a primary or general or special
33 election that uses punched holes to record the voter's choices.

34 NEW SECTION. **Sec. 13.** A new section is added to chapter 29A.12
35 RCW to read as follows:

1 The secretary of state may withdraw the certification of any voting
2 system hardware, software, or system component for cause. Before
3 withdrawing a certification the secretary of state shall conduct a
4 public hearing intended to document and allow input from affected
5 system users and vendors before rendering a decision. The secretary of
6 state shall post the report of withdrawal of certification to a
7 publicly available electronic medium and transmit notice of withdrawal
8 of certification under this section to each county auditor within five
9 days after completing the examination.

10 **Sec. 14.** RCW 29A.44.320 and 2003 c 111 s 1130 are each amended to
11 read as follows:

12 Whenever poll-site ballot counting devices or poll-site based
13 electronic voting devices are used, the devices may either be included
14 with the supplies required in RCW 29A.44.110 or they may be delivered
15 to the polling place separately. All poll-site ballot counting devices
16 and poll-site based electronic voting devices must be sealed with a
17 unique numbered seal at the time of final preparation and logic and
18 accuracy testing. The seal must secure against unauthorized access.
19 A log must be made of all seal numbers and device numbers used.

20 NEW SECTION. **Sec. 15.** A new section is added to chapter 29A.44
21 RCW to read as follows:

22 Before each state primary or general election logic and accuracy
23 testing of precinct-based systems or electronic voting devices must be
24 performed by the county under the observation of the office of the
25 secretary of state during the process of final preparation before
26 system distribution to each pollsite. For all other elections the
27 logic and accuracy test must be performed by the county auditor before
28 system distribution. As each ballot counter or electronic voting
29 system is programmed and set up for distribution a logic and accuracy
30 test must be performed. These tests must establish that each system is
31 functioning within system standards. All ballot styles programmed for
32 each machine must be processed by each machine in order to ensure that
33 the machine is correctly counting and accumulating votes for every
34 office. After all tests are performed and the machine is ready for

1 distribution, the machine must be sealed and the seal number recorded.
2 The procedure described in this section will serve as the official
3 logic and accuracy test of these devices.

4 NEW SECTION. **Sec. 16.** A new section is added to chapter 29A.44
5 RCW to read as follows:

6 A log must be created during the testing of poll-site based ballot
7 counters and electronic voting devices. The log must record the time
8 and place of each test, the precinct number, seal number, and machine
9 number of each ballot counter or voting device, and the initials of
10 each person testing and observing the test for each machine. This log
11 must be included in the official logic and accuracy test materials.
12 The processes described in section 15 of this act must be open to
13 observation and subject to all notices and observers under rules
14 adopted by the secretary of state.

15 NEW SECTION. **Sec. 17.** A new section is added to chapter 29A.44
16 RCW to read as follows:

17 (1) The secretary of state shall empanel a task force of elections
18 and computer security experts to be known as the "Washington Voting
19 Systems Board" to study and determine the potential for election fraud
20 as follows:

21 (a) At least six county auditors, or their designees, with five
22 years or more of elections experience chosen by the Washington
23 Association of County Auditors;

24 (b) At least two computer experts with five years or more
25 experience in maintaining the security of enterprise level computing
26 systems chosen from a list provided by the director of the state
27 department of information services;

28 (c) The director of the state department of information services or
29 a designee;

30 (d) A representative of a Washington disability access group;

31 (e) The secretary of state, or a designee, who shall chair the task
32 force;

33 (f) Two members of the senate, appointed by the president of the
34 senate, one from the majority party and one from the minority party;

1 (g) Two members of the house of representatives, appointed by the
2 speaker of the house, one from the majority party and one from the
3 minority party;

4 (h) The state director of elections or a designee; and

5 (i) A statistician provided by one of the four-year universities in
6 the state of Washington.

7 (2) The secretary of state shall provide reports to the legislature
8 before the beginning of the 2005 and 2006 legislative sessions
9 detailing:

10 (a) The progress of the federal election assistance commission in
11 developing standards for the testing, certification, decertification,
12 and recertification of voting system hardware and software, including
13 electronic voting systems;

14 (b) The progress of the federal election assistance commission in
15 conducting a thorough study of electronic voting system issues and
16 challenges, including the potential for election fraud;

17 (c) The findings of the secretary of state and the Washington
18 voting systems board on the comparative security of various voting
19 systems technologies;

20 (d) The findings of the secretary of state as to any potential or
21 known risks of voting fraud, or actual instance of voting fraud during
22 the previous year;

23 (e) A list of the voting system technologies certified for use in
24 this state.

25 (3) Subsection (2) of this section expires July 1, 2006.

26 NEW SECTION. **Sec. 18.** A new section is added to chapter 29A.44
27 RCW to read as follows:

28 All poll-site based electronic voting devices shall produce an
29 individual paper record, at the time of voting, that may be reviewed by
30 the voter before finalizing his or her vote. This record may not be
31 removed from the polling place and must be machine readable for
32 counting purposes. If the device is programmed to display the ballot
33 in multiple languages, the paper record produced must be printed in the
34 language used by each voter.

35 The system must allow the voter the option of spoiling the paper
36 record and repeating the voting process, if after examining the paper

1 record but before finalizing and casting his or her vote, the voter
2 determines that the record does not reflect his or her vote. The
3 spoiled record must either be destroyed or marked in order to clearly
4 identify the record as spoiled.

5 NEW SECTION. **Sec. 19.** A new section is added to chapter 29A.44
6 RCW to read as follows:

7 Paper records produced by poll-site based electronic voting devices
8 are subject to all of the requirements of this chapter and chapter
9 29A.60 RCW for ballot handling, preservation, reconciliation, transit
10 to the counting center, and storage. The paper records must be
11 preserved in the same manner and for the same period of time as
12 ballots.

13 NEW SECTION. **Sec. 20.** A new section is added to chapter 29A.44
14 RCW to read as follows:

15 The electronic record produced and counted by poll-site electronic
16 voting devices is the official record of each vote for election
17 purposes. The paper record produced under section 18 of this act must
18 be stored and maintained for use only in the following specified
19 circumstances:

- 20 (1) In the event of a mandatory manual recount of votes under RCW
21 29A.64.020;
- 22 (2) In the event of a requested recount under RCW 29A.64.010;
- 23 (3) By order of the county canvassing board;
- 24 (4) By order of the superior court of a county; or
- 25 (5) For use in the random audit of results described in section 25
26 of this act.

27 NEW SECTION. **Sec. 21.** A new section is added to chapter 29A.44
28 RCW to read as follows:

29 A voter voting on a poll-site based electronic voting system may
30 not leave the device during the voting process except to verify his or
31 her ballot, or to request assistance from the precinct election
32 officers, until the voting process is completed.

1 NEW SECTION. **Sec. 22.** A new section is added to chapter 29A.60
2 RCW to read as follows:

3 Ballot counting systems must be secured physically and
4 electronically against unauthorized access. Ballot counting systems
5 must not be connected to, or operated on, any electronic network
6 including internal office networks, the Internet, or the World Wide
7 Web. Wireless communications may not be used in any way in a voting
8 system. A network may be used as an internal, integral part of the
9 ballot counting system, but that network must not be connected to any
10 other network, the Internet, or the World Wide Web. All elements of
11 the ballot counting system must be observable and secured. Transfer of
12 information from the ballot counting system to another system for
13 network connection or broadcast must be made via disk, tape, or other
14 physical means of communication other than direct electronic
15 connection.

16 NEW SECTION. **Sec. 23.** A new section is added to chapter 29A.60
17 RCW to read as follows:

18 Before the first ballot counting session in each election, a report
19 must be produced demonstrating that the system contains no vote data
20 before commencement of counting ballots. At the completion of each
21 ballot counting session, the ballot counting system must produce a
22 report of the results compiled that includes date and time information.
23 Before commencing any additional ballot counting session, a report of
24 the results contained in the system must be produced that includes date
25 and time information. This report must be compared with the report
26 produced at the end of the previous ballot counting session to ensure
27 that no changes have been made to the vote data in the interim period.
28 This comparison must be performed in the presence of political party
29 observers if representatives have been appointed by their respective
30 political parties and are present at the time of comparison. This
31 procedure must be employed for subsequent counting sessions. Nothing
32 in this section precludes the county auditor from zeroing individual
33 devices in subsequent counting sessions if a report is created after
34 each session and before the next, with the results being merged into
35 the total.

1 **Sec. 24.** RCW 29A.60.060 and 2003 c 111 s 1506 are each amended to
2 read as follows:

3 After the close of the polls, counties employing poll-site ballot
4 counting devices or a remote counting location may telephonically or
5 electronically transmit the accumulated tally for each device to a
6 central reporting location. Before making a telephonic or electronic
7 transmission the precinct election officer must create a printed record
8 of the results of the election for that poll site. During the
9 canvassing period the results transmitted telephonically or
10 electronically must be considered unofficial until a complete
11 reconciliation of the results has been performed. This reconciliation
12 may be accomplished by a direct loading of the results from the memory
13 pack into the central accumulator, or a comparison of the report
14 produced at the poll site on election night with the results received
15 by the central accumulating device. The device or devices used to
16 receive the transmission may not be directly connected to the voting
17 system. Transfer of the information received must be made via disk,
18 tape, or other physical means of communication other than direct
19 electronic connection.

20 NEW SECTION. **Sec. 25.** A new section is added to chapter 29A.60
21 RCW to read as follows:

22 Before the close of business on the day after election day, the
23 county auditor shall conduct an audit of results of votes cast on the
24 poll-site based electronic voting devices used in the county. This
25 audit must be conducted by randomly selecting by lot, up to four
26 percent of the poll-site based electronic voting devices or one
27 electronic voting device, whichever is greater, and comparing the
28 results recorded by each device with those recorded on the paper
29 records created by that device. Three races or issues, randomly
30 selected by lot, must be audited on each device. This audit procedure
31 must be subject to observation by political party representatives if
32 representatives have been appointed and are present at the time of the
33 audit.

34 NEW SECTION. **Sec. 26.** A new section is added to chapter 29A.84
35 RCW to read as follows:

1 Anyone who removes a paper record produced by a poll-site based
2 electronic voting system from a polling place without authorization is
3 guilty of a class C felony punishable under RCW 9A.20.021.

4 **Sec. 27.** RCW 29A.04.610 and 2003 c 111 s 161 are each amended to
5 read as follows:

6 The secretary of state as chief election officer shall make
7 reasonable rules in accordance with chapter 34.05 RCW not inconsistent
8 with the federal and state election laws to effectuate any provision of
9 this title and to facilitate the execution of its provisions in an
10 orderly, timely, and uniform manner relating to any federal, state,
11 county, city, town, and district elections. To that end the secretary
12 shall assist local election officers by devising uniform forms and
13 procedures.

14 In addition to the rule-making authority granted otherwise by this
15 section, the secretary of state shall make rules governing the
16 following provisions:

- 17 (1) The maintenance of voter registration records;
- 18 (2) The preparation, maintenance, distribution, review, and filing
19 of precinct maps;
- 20 (3) Standards for the design, layout, and production of ballots;
- 21 (4) The examination and testing of voting systems for
22 certification;
- 23 (5) The source and scope of independent evaluations of voting
24 systems that may be relied upon in certifying voting systems for use in
25 this state;
- 26 (6) Standards and procedures for the acceptance testing of voting
27 systems by counties;
- 28 (7) Standards and procedures for testing the programming of vote
29 tallying software for specific primaries and elections;
- 30 (8) Standards and procedures for the preparation and use of each
31 type of certified voting system including procedures for the operation
32 of counting centers where vote tallying systems are used;
- 33 (9) Standards and procedures to ensure the accurate tabulation and
34 canvassing of ballots;
- 35 (10) Consistency among the counties of the state in the preparation

- 1 of ballots, the operation of vote tallying systems, and the canvassing
2 of primaries and elections;
- 3 (11) Procedures to ensure the secrecy of a voter's ballot when a
4 small number of ballots are counted at the polls or at a counting
5 center;
- 6 (12) The use of substitute devices or means of voting when a voting
7 device at the polling place is found to be defective, the counting of
8 votes cast on the defective device, the counting of votes cast on the
9 substitute device, and the documentation that must be submitted to the
10 county auditor regarding such circumstances;
- 11 (13) Procedures for the transportation of sealed containers of
12 voted ballots or sealed voting devices;
- 13 (14) The acceptance and filing of documents via electronic
14 facsimile;
- 15 (15) Voter registration applications and records;
- 16 (16) The use of voter registration information in the conduct of
17 elections;
- 18 (17) The coordination, delivery, and processing of voter
19 registration records accepted by driver licensing agents or the
20 department of licensing;
- 21 (18) The coordination, delivery, and processing of voter
22 registration records accepted by agencies designated by the governor to
23 provide voter registration services;
- 24 (19) Procedures to receive and distribute voter registration
25 applications by mail;
- 26 (20) Procedures for a voter to change his or her voter registration
27 address within a county by telephone;
- 28 (21) Procedures for a voter to change the name under which he or
29 she is registered to vote;
- 30 (22) Procedures for canceling dual voter registration records and
31 for maintaining records of persons whose voter registrations have been
32 canceled;
- 33 (23) Procedures for the electronic transfer of voter registration
34 records between county auditors and the office of the secretary of
35 state;
- 36 (24) Procedures and forms for declarations of candidacy;

- 1 (25) Procedures and requirements for the acceptance and filing of
2 declarations of candidacy by electronic means;
- 3 (26) Procedures for the circumstance in which two or more
4 candidates have a name similar in sound or spelling so as to cause
5 confusion for the voter;
- 6 (27) Filing for office;
- 7 (28) The order of positions and offices on a ballot;
- 8 (29) Sample ballots;
- 9 (30) Independent evaluations of voting systems;
- 10 (31) The testing, approval, and certification of voting systems;
- 11 (32) The testing of vote tallying software programming;
- 12 (33) Standards and procedures to prevent fraud and to facilitate
13 the accurate processing and canvassing of absentee ballots and mail
14 ballots;
- 15 (34) Standards and procedures to guarantee the secrecy of absentee
16 ballots and mail ballots;
- 17 (35) Uniformity among the counties of the state in the conduct of
18 absentee voting and mail ballot elections;
- 19 (36) Standards and procedures to accommodate out-of-state voters,
20 overseas voters, and service voters;
- 21 (37) The tabulation of paper ballots before the close of the polls;
- 22 (38) The accessibility of polling places and registration
23 facilities that are accessible to elderly and disabled persons;
- 24 (39) The aggregation of precinct results if reporting the results
25 of a single precinct could jeopardize the secrecy of a person's ballot;
- 26 (40) Procedures for conducting a statutory recount;
- 27 (41) Procedures for filling vacancies in congressional offices if
28 the general statutory time requirements for availability of absentee
29 ballots, certification, canvassing, and related procedures cannot be
30 met;
- 31 (42) Procedures for the statistical sampling of signatures for
32 purposes of verifying and canvassing signatures on initiative,
33 referendum, and recall election petitions;
- 34 (43) Standards and deadlines for submitting material to the office
35 of the secretary of state for the voters' pamphlet;
- 36 (44) Deadlines for the filing of ballot titles for referendum bills

1 and constitutional amendments if none have been provided by the
2 legislature;

3 (45) Procedures for the publication of a state voters' pamphlet;
4 (~~and~~)

5 (46) Procedures for conducting special elections regarding nuclear
6 waste sites if the general statutory time requirements for availability
7 of absentee ballots, certification, canvassing, and related procedures
8 cannot be met; and

9 (47) Procedures for the operation, conduct of voting, and usage of
10 poll-site based electronic voting devices and paper records.

11 NEW SECTION. Sec. 28. All purchases made after July 1, 2004, are
12 subject to the requirements of this act. All existing voting system
13 and voting device approval and certifications are in effect until
14 January 1, 2006.

15 NEW SECTION. Sec. 29. Nothing in this act prevents the state of
16 Washington, its counties, or its voters from participating in the
17 Secure Electronic Registration and Voting Experiment (SERVE) as
18 authorized by PL 107-107, Title 16, section 1604 and chapter 17, Laws
19 of 2003 1st sp. sess. including system certification, voter
20 registration, and voting.

21 NEW SECTION. Sec. 30. Sections 18 through 21, 25, and 26 of this
22 act take effect January 1, 2006. The remainder of this act takes
23 effect July 1, 2004."

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By Senators Roach, Kastama

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24 On page 1, line 2 of the title, after "devices;" strike the
25 remainder of the title and insert "amending RCW 29A.12.020, 29A.12.050,
26 29A.12.060, 29A.12.070, 29A.12.080, 29A.12.090, 29A.12.100, 29A.12.110,
27 29A.12.130, 29A.12.150, 29A.44.320, 29A.60.060, and 29A.04.610; adding

1 new sections to chapter 29A.12 RCW; adding new sections to chapter
2 29A.44 RCW; adding new sections to chapter 29A.60 RCW; adding a new
3 section to chapter 29A.84 RCW; creating new sections; prescribing
4 penalties; providing effective dates; and providing an expiration
5 date."

--- END ---