

# FINAL BILL REPORT

## ESB 5374

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Synopsis as Enacted

**Brief Description:** Administering funds received under the Help America Vote Act.

**Sponsors:** Senators Roach, Fairley, Horn, Stevens, McAuliffe and Winsley; by request of Secretary of State.

**Senate Committee on Government Operations & Elections**  
**House Committee on State Government**

**Background:** On October 29, 2002, the President signed into law the "Help America Vote Act of 2002" (H.R. 3295/P.L. #107-252). The act provides state and local governments with up to \$3.9 billion over the next three years to replace antiquated voting systems. The funding that Congress is expected to appropriate under the act would fund states' replacement of existing voting systems with modern ones and also would reimburse funds already spent for upgrades. Some of the federal funding additionally would go toward state and local initiatives promoting voter education.

The act has several requirements that states must meet before they can receive the federal funds, including (1) establishment of an "election fund" in the state treasury; (2) notification from the Governor by April 29, 2003, that the state will use the monies in accordance with the act; and (3) certification by April 29, 2003, that the state will replace punch card and lever voting systems in qualifying precincts by the November 2004 general elections.

**Summary:** An election fund account is created in the state treasury to be administered by the Secretary of State. The account is an appropriated account. The following money is deposited into it:

1. amounts received from the Help America Vote Act of 2002, including amounts received from subsequent amendments; and
2. amounts appropriated or made available by the state Legislature for the purposes of carrying out the Help America Vote Act of 2002.

All earnings from investments, including interest, are credited to the account for election account purposes. The Secretary of State exclusively allots the funds to facilitate the implementation of the Help America Vote Act of 2002.

**Votes on Final Passage:**

Senate	47 0
House	92 0

**Effective:** April 17, 2003