<u>SHB 1754</u> - S COMM AMD
    By Committee on Government Operations & Elections

ADOPTED AS AMENDED 04/14/2005

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

3   "**Sec. 1.** RCW 29A.48.010 and 2004 c 266 s 14 are each amended to
4 read as follows:
5   <u>(1) With express authorization from the county legislative</u>
6 <u>authority, the county auditor may conduct all primary, special, and</u>
7 <u>general elections entirely by mail ballot. The county legislative</u>
8 <u>authority must give the county auditor at least ninety days' notice</u>
9 <u>before the first election to be conducted entirely by mail ballot. If</u>
10 <u>the county legislative authority and the county auditor decide to</u>
11 <u>return to a polling place election environment, the county legislative</u>
12 <u>authority must give the county auditor at least one hundred eighty</u>
13 <u>days' notice before the first election to be conducted using polling</u>
14 <u>places. Authorization under this subsection must apply to all primary,</u>
15 <u>special, and general elections conducted by the county auditor.</u>
16   <u>(2)</u> The county auditor may designate any precinct having fewer than
17 two hundred active registered voters at the time of closing of voter
18 registration as provided in RCW 29A.08.140 as a mail ballot precinct.
19 ((The county auditor shall notify each registered voter by mail that
20 for all future primaries and elections the voting in his or her
21 precinct will be by mail ballot only.)) <u>Authorization from the county</u>
22 <u>legislative authority is not required to designate a precinct as a mail</u>
23 <u>ballot precinct under this subsection.</u> In determining the number of
24 registered voters in a precinct for the purposes of this section,
25 persons who are ongoing absentee voters under RCW 29A.40.040 shall not
26 be counted. Nothing in this section may be construed as altering the
27 vote tallying requirements of RCW 29A.60.230.
28   <u>(3) The county auditor shall notify each registered voter by mail</u>
29 <u>that for all future primaries and elections the voting will be by mail</u>
30 <u>ballot only.</u> The auditor shall mail each active voter a ballot at

1 least eighteen days before a primary, general election, or special
2 election. The auditor shall send each inactive voter either a ballot
3 or an application to receive a ballot at least eighteen days before a
4 primary, general election, or special election. The auditor shall
5 determine which of the two is to be sent. If the inactive voter
6 returns a voted ballot, the ballot shall be counted and the voter's
7 status restored to active. If the inactive voter completes and returns
8 an application, a ballot shall be sent and the voter's status restored
9 to active. The requirements regarding certification, reporting, and
10 the mailing of overseas and military ballots in RCW ((29.36.270))
11 29A.40.070 apply to elections conducted by mail ballot ((precincts)).
12   (4) If the ((precinct exceeds two hundred registered voters, or
13 the)) county legislative authority and county auditor determine under
14 subsection (1) of this section, or if the county auditor determines
15 under subsection (2) of this section, to return to a polling place
16 election environment, the auditor shall notify each registered voter,
17 by mail, of this and shall provide the address of the polling place to
18 be used.

19   NEW SECTION. **Sec. 2.** The secretary of state shall evaluate
20 available technologies to allow voters the ability to conveniently
21 determine if their mail ballots were received and counted by their
22 county auditor. No later than December 31, 2006, the secretary of
23 state shall submit a report to the legislature outlining available mail
24 ballot tracking technology. The report must include the secretary of
25 state's recommendations on whether such technology should be
26 implemented, and if so, how."

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27   On page 1, line 1 of the title, after "elections;" strike the
28 remainder of the title and insert "amending RCW 29A.48.010; and
29 creating a new section."

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