

SSB 5499 - S AMD TO S AMD (KAST HESS 016) 218  
By Senator Roach

ADOPTED 03/11/2005

1 Beginning on page 8, line 20 of the amendment, strike all of  
2 section 5 and insert the following:

3 "Sec. 5. RCW 29A.40.091 and 2004 c 271 s 135 are each amended to  
4 read as follows:

5 The county auditor shall send each absentee voter a ballot, a  
6 security envelope in which to seal the ballot after voting, a larger  
7 envelope in which to return the security envelope, and instructions on  
8 how to mark the ballot and how to return it to the county auditor. The  
9 instructions that accompany an absentee ballot for a partisan primary  
10 must include instructions for voting the applicable ballot style, as  
11 provided in chapter 29A.36 RCW. The absentee voter's name and address  
12 must be printed on the larger return envelope, which must also contain  
13 a declaration by the absentee voter reciting his or her qualifications  
14 and stating that he or she has not voted in any other jurisdiction at  
15 this election, together with a summary of the penalties for any  
16 violation of any of the provisions of this chapter. The declaration  
17 must clearly inform the voter that it is illegal to vote if he or she  
18 is not a United States citizen; it is illegal to vote if he or she has  
19 been convicted of a felony and has not had his or her voting rights  
20 restored; and, except as otherwise provided by law, it is illegal to  
21 cast a ballot or sign an absentee envelope on behalf of another voter.  
22 The return envelope must provide space for the voter to indicate the  
23 date on which the ballot was voted and for the voter to sign the oath.  
24 A summary of the applicable penalty provisions of this chapter must be  
25 printed on the return envelope immediately adjacent to the space for  
26 the voter's signature. The signature of the voter on the return  
27 envelope must affirm and attest to the statements regarding the  
28 qualifications of that voter and to the validity of the ballot. The  
29 return envelope must also have a secrecy flap that the voter may seal  
30 that will cover the voter's signature and return address. For out-of-

1 state voters, overseas voters, and service voters, the signed  
2 declaration on the return envelope constitutes the equivalent of a  
3 voter registration for the election or primary for which the ballot has  
4 been issued. The voter must be instructed to either return the ballot  
5 to the county auditor by whom it was issued or attach sufficient first  
6 class postage, if applicable, and mail the ballot to the appropriate  
7 county auditor no later than the day of the election or primary for  
8 which the ballot was issued.

9 If the county auditor chooses to forward absentee ballots, he or  
10 she must include with the ballot a clear explanation of the  
11 qualifications necessary to vote in that election and must also advise  
12 a voter with questions about his or her eligibility to contact the  
13 county auditor. This explanation may be provided on the ballot  
14 envelope, on an enclosed insert, or printed directly on the ballot  
15 itself. If the information is not included, the envelope must clearly  
16 indicate that the ballot is not to be forwarded and that return postage  
17 is guaranteed."

EFFECT: (1) Requires that absentee voter's name and address be  
printed on the return envelope of an absentee ballot;

(2) Requires that the return envelope have a secrecy flap that the  
voter may seal and cover the voter's signature and return address.

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