

HOUSE BILL REPORT

SHB 2695

As Amended by the Senate

Title: An act relating to absentee or provisional ballot notice requirements.

Brief Description: Modifying absentee or provisional ballot notice requirements.

Sponsors: By House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Sump and McDermott).

Brief History:

Committee Activity:

State Government Operations & Accountability: 1/18/06, 1/27/06 [DPS].

Floor Activity:

Passed House: 2/14/06, 97-0.

Senate Amended.

Passed Senate: 3/3/06, 35-14.

Brief Summary of Substitute Bill

- Requires the county auditor to contact a voter by telephone and by certified mail for a missing or mismatched signature on an absentee or provisional ballot if the ballot is received within three business days of the final meeting of the canvassing board.

HOUSE COMMITTEE ON STATE GOVERNMENT OPERATIONS & ACCOUNTABILITY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Haigh, Chair; Green, Vice Chair; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Miloscia, Schindler and Sump.

Minority Report: Do not pass. Signed by 2 members: Representatives Hunt and McDermott.

Staff: Marsha Reilly (786-7135).

Background:

If a voter neglects to sign the absentee or provisional ballot envelope, the county auditor must notify the voter by telephone of the procedure for correcting the ballot. If the auditor is not able to personally talk with the voter by telephone, the voter must be contacted by first-class

mail. A voice mail message is not considered as personally contacting the voter. In order for the ballot to be counted when a signature is missing, the voter must appear in person and sign the envelope, or sign and return a copy of the envelope provided by the auditor. If the signature does not match, the voter must return a signed affidavit. If that signature also does not match the signature on file, the voter is required to appear in person and sign a new voter registration form.

Summary of Substitute Bill:

The county auditor must notify a voter by first-class mail in the event that the voter fails to sign the outside envelope of the absentee or provisional ballot, or if the voter's signature does not match the signature on file in the voter registration file. If a ballot needing correction is received within three business days of the final meeting of the canvassing board, the auditor must attempt to notify the voter by telephone and send a notice by first-class mail.

EFFECT OF SENATE AMENDMENT(S):

- Adds a provision that requires the county auditor to contact a voter by phone within three business days of the final meeting of the canvassing board if the voter has not responded to mail notification of a missing or mismatched signature; and
- Changes the provisions for correcting the signature on an absentee ballot envelope. To correct a mismatched signature, the voter must provide to the county auditor a new registration form no later than the day before certification of the election. Current law requires the voter to either appear in person and sign a new registration form, or return a signed copy of the affidavit. If the signature on the affidavit does not match the signature on file, the voter must then appear in person and sign a new registration form.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The county auditors want to go back to notifying voters by first-class mail when signatures are missing or do not match the signatures on file. The change, enacted last year, has proven to be costly in terms of staffing. The last election cost King County about \$65,000 in phone staffing, and that cost will likely go up to twice that amount in the next election. It is difficult to contact voters by telephone during the day, and it has been found that the response through the mail results in more response. In rural counties, such as Island County, it is difficult for a person to show up in person to affirm a new registration when signatures do not match.

Testimony Against: None.

Persons Testifying: Kim Wyman, Washington Association of Auditors; and Suzanne Sinclair, Washington State Association of County Auditors.

Persons Signed In To Testify But Not Testifying: None.