

# SENATE BILL REPORT

## ESHB 2479

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As Reported By Senate Committee On:  
Government Operations & Elections, February 21, 2006

**Title:** An act relating to voting equipment.

**Brief Description:** Modifying provisions on voting equipment.

**Sponsors:** House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Nixon, Green, Hunt, Haler, Morrell and Upthegrove; by request of Secretary of State).

**Brief History:** Passed House: 2/14/06, 96-0.

**Committee Activity:** Government Operations & Elections: 2/21/06 [DP].

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### SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** Do pass.

Signed by Senators Kastama, Chair; Berkey, Vice Chair; Roach, Ranking Minority Member; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken and Pridemore.

**Staff:** Mac Nicholson (786-7445)

**Background:** Voting devices and vote tallying systems must be approved by the Secretary of State (SoS) prior to use. The SoS cannot approve the devices and systems unless a number of requirements are met, including the requirement that the device or system has been tested, certified, and used in at least one other state or election jurisdiction. Additionally, voting devices must provide the ability for a voter to vote for all the candidates of one party or in part for the candidates of one or more other parties (which is a feature of the now unconstitutional blanket and top-two primary systems).

County auditors have the discretion to provide for in-person disability access voting starting twenty days before an election.

**Summary of Bill:** The requirement that voting devices and vote tallying systems be tested, certified, and used in at least one other state or election jurisdiction prior to approval by the SoS is removed. Instead, devices and systems must be tested and certified by an independent testing authority designated by the United States Election Assistance Commission. Voting devices no longer are required to allow a voter to vote in part for the candidates of one or more parties.

Auditors are required to provide for in-person disability access voting starting twenty days before the election. The auditor must make available during this time a voting system certified by the Secretary of State for disability access.

County auditors are required to establish an advisory committee that includes persons with disabilities and persons with expertise in providing accommodations for persons with

disabilities. The committee is to assist election officials in developing a plan to improve the accessibility of elections for voters with disabilities.

County auditors may use automated signature verification systems to verify signatures on absentee ballot security envelopes, as long as the system has been approved by the Secretary. The Secretary is directed to adopt rules and standards for approval and implementation of hardware and software for these automated systems.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This is an election administration bill that has the support of the disabled community. Disabled and impaired voters should be given two and a half weeks to vote, just like everybody else who votes absentee. As voting equipment changes and the technology improves, the requirement that equipment be used in other states becomes difficult to meet. The federal government certifies equipment using independent testing authorities that review and test software and hardware technology, and the Secretary of State will not certify equipment unless the federal government has done so. The Secretary of State would like to explore technology that performs signature checking. Automated signature checking is important as more and more voters vote absentee.

**Testimony Against:** None.

**Who Testified:** PRO: Katie Blinn, Office of the Secretary of State; Denise Colley, Washington Council of the Blind, Governor's Committee on Disability Issues.