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HOUSE BILL 2696

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State of Washington

59th Legislature

2006 Regular Session

By Representatives Haigh, Nixon and Sump

Read first time 01/12/2006. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to election recounts; and amending RCW 29A.64.021.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 29A.64.021 and 2005 c 243 s 19 are each amended to  
4 read as follows:

5 (1) If the official canvass of all of the returns for any office at  
6 any statewide primary or statewide election reveals that the difference  
7 in the number of votes cast for a candidate apparently nominated or  
8 elected to any statewide office and the number of votes cast for the  
9 closest apparently defeated opponent is less than ~~((two))~~ one thousand  
10 votes and also less than ~~((one-half))~~ one-fourth of one percent of the  
11 total number of votes cast for both candidates, the ~~((county canvassing~~  
12 ~~board shall conduct a))~~ secretary of state shall, within three business  
13 days of the day that the returns of the statewide primary or statewide  
14 election are certified, direct the canvassing boards of the counties to  
15 conduct a manual recount of all votes cast on that position.

16 ~~((a) Whenever such a difference occurs in the number of votes cast~~  
17 ~~for candidates))~~ (2) If the official canvass of all the returns for any  
18 office at any primary or election for a position the declaration of  
19 candidacy for which was filed with the secretary of state reveals that

1 the difference in the number of votes cast for a candidate apparently  
2 nominated or elected and the number of votes cast for the closest  
3 apparently defeated opponent is less than one hundred fifty votes and  
4 also less than one-fourth of one percent of the total number of votes  
5 cast for both candidates, the secretary of state shall, within three  
6 business days of the day that the returns of the primary or election  
7 are first certified by the canvassing boards of those counties, direct  
8 those boards to conduct a manual recount of all votes cast ~~((on the))~~  
9 for that position.

10 ~~((b)(i) For statewide elections, if the difference in the number~~  
11 ~~of votes cast for the apparent winner and the closest apparently~~  
12 ~~defeated opponent is less than one thousand votes and also less than~~  
13 ~~one-fourth of one percent of the total number of votes cast for both~~  
14 ~~candidates, the votes shall be recounted manually or as provided in~~  
15 ~~subsection (3) of this section.~~

16 ~~(ii) For elections not included in (b)(i) of this subsection, if~~  
17 ~~the difference in the number of votes cast for the apparent winner and~~  
18 ~~the closest apparently defeated opponent is less than one hundred fifty~~  
19 ~~votes and also less than one-fourth of one percent of the total number~~  
20 ~~of votes cast for both candidates, the votes shall be recounted~~  
21 ~~manually or as provided in subsection (3) of this section.~~

22 ~~(2))~~ (3) If the official canvass of all the returns for any office  
23 at any primary or election for a position the declaration of candidacy  
24 for which was filed with the county auditor reveals that the difference  
25 in the number of votes cast for a candidate apparently nominated or  
26 elected and the number of votes cast for the closest apparently  
27 defeated opponent is less than one hundred fifty votes and also less  
28 than one-fourth of one percent of the total number of votes cast for  
29 both candidates, the county canvassing board shall conduct a manual  
30 recount of all votes cast for that position.

31 (4) A mandatory recount shall be conducted in the manner provided  
32 by RCW 29A.64.030, 29A.64.041, and 29A.64.061. No cost of a mandatory  
33 recount may be charged to any candidate.

34 ~~((3))~~ (5) The apparent winner and closest apparently defeated  
35 opponent for an office for which a manual recount is required under  
36 ~~((subsection (1)(b) of))~~ this section may select an alternative method  
37 of conducting the recount. To select such an alternative, the two  
38 candidates shall agree to the alternative in a signed, written

1 statement filed with the election official for the office. The recount  
2 shall be conducted using the alternative method if: It is suited to  
3 the balloting system that was used for casting the votes for the  
4 office; it involves the use of a vote tallying system that is approved  
5 for use in this state by the secretary of state; and the vote tallying  
6 system is readily available in each county required to conduct the  
7 recount. If more than one balloting system was used in casting votes  
8 for the office, an alternative to a manual recount may be selected for  
9 each system.

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