
SUBSTITUTE HOUSE BILL 2843

State of Washington

59th Legislature

2006 Regular Session

By House Committee on State Government Operations & Accountability (originally sponsored by Representatives Holmquist, Haigh, Nixon, Green, Schindler, Clements, Sump, Ahern, McDermott, Haler, Chase, Sells, McDonald, Hasegawa, Kenney, Kristiansen, Bailey and McCune)

READ FIRST TIME 02/02/06.

1 AN ACT Relating to prohibiting county auditors from putting their
2 names on absentee ballot envelopes when running for reelection;
3 amending RCW 29A.40.091; and providing an effective date.

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

5 **Sec. 1.** RCW 29A.40.091 and 2005 c 246 s 21 are each amended to
6 read as follows:

7 The county auditor shall send each absentee voter a ballot, a
8 security envelope in which to seal the ballot after voting, a larger
9 envelope in which to return the security envelope, and instructions on
10 how to mark the ballot and how to return it to the county auditor. The
11 instructions that accompany an absentee ballot for a partisan primary
12 must include instructions for voting the applicable ballot style, as
13 provided in chapter 29A.36 RCW. The absentee voter's name and address
14 must be printed on the larger return envelope, which must also contain
15 a declaration by the absentee voter reciting his or her qualifications
16 and stating that he or she has not voted in any other jurisdiction at
17 this election, together with a summary of the penalties for any
18 violation of any of the provisions of this chapter. The declaration
19 must clearly inform the voter that it is illegal to vote if he or she

1 is not a United States citizen; it is illegal to vote if he or she has
2 been convicted of a felony and has not had his or her voting rights
3 restored; and, except as otherwise provided by law, it is illegal to
4 cast a ballot or sign an absentee envelope on behalf of another voter.
5 The return envelope must provide space for the voter to indicate the
6 date on which the ballot was voted and for the voter to sign the oath.
7 It must also contain a space so that the voter may include a telephone
8 number. A summary of the applicable penalty provisions of this chapter
9 must be printed on the return envelope immediately adjacent to the
10 space for the voter's signature. The signature of the voter on the
11 return envelope must affirm and attest to the statements regarding the
12 qualifications of that voter and to the validity of the ballot. The
13 return envelope must also have a secrecy flap that the voter may seal
14 that will cover the voter's signature and optional telephone number.
15 For out-of-state voters, overseas voters, and service voters, the
16 signed declaration on the return envelope constitutes the equivalent of
17 a voter registration for the election or primary for which the ballot
18 has been issued. The voter must be instructed to either return the
19 ballot to the county auditor by whom it was issued or attach sufficient
20 first class postage, if applicable, and mail the ballot to the
21 appropriate county auditor no later than the day of the election or
22 primary for which the ballot was issued.

23 If the county auditor chooses to forward absentee ballots, he or
24 she must include with the ballot a clear explanation of the
25 qualifications necessary to vote in that election and must also advise
26 a voter with questions about his or her eligibility to contact the
27 county auditor. This explanation may be provided on the ballot
28 envelope, on an enclosed insert, or printed directly on the ballot
29 itself. If the information is not included, the envelope must clearly
30 indicate that the ballot is not to be forwarded and that return postage
31 is guaranteed.

32 If the county auditor is a candidate for election or reelection to
33 any public office, the county auditor may not place his or her name on
34 the security envelope or return envelope.

35 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2007.

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