SB 5526 - DIGEST

Provides that the names and addresses of provisional voters is not a matter of public record, and no one other than an election officer may contact an individual provisional voter. The election officer shall contact the voter via first class mail within forty-eight hours of discovery and shall inform the voter of relevant deadlines.

Declares that provisional or questionable ballots must not be tallied until the validity of the ballot or the voter has been confirmed and, if so, the ballots will be processed in similar manner to absentee ballots. A provisional ballot is issued to a person seeking to vote in a polling place under the following circumstances: (1) The name of the voter does not appear in the poll book and: (a) The voter's registration was canceled but the voter questions the validity of the cancellation; (b) the status of the voter's registration cannot be determined at that time; or (c) the voter is registered and assigned to another polling place or jurisdiction;

(2) The voter's name is in the poll book but there is an indication that the voter was issued an absentee ballot, and the voter wishes to vote at the polls; or

(3) Other circumstances as determined by the precinct election official.

Provides that, upon receipt of the provisional ballot, including provisional ballots from other counties or states, the auditor must investigate the circumstances surrounding the provisional ballot before certification of the primary or election. A provisional ballot cannot be counted if the registered voter did not sign either the poll book or the provisional ballot envelope.

Provides that, when the disposition of the provisional ballot determines that the provisional ballot is to be counted, the provisional ballot shall be processed in a manner similar to an absentee ballot as provided in chapters 29A.40 and 29A.60 RCW except the outer provisional ballot envelopes must be retained separately from the absentee ballot return envelopes. The manual inspection of the ballots as required in WAC 434-261-070 or its successor must also be carried out.

Directs the secretary of state to establish a free access system (such as a toll-free telephone number or an Internet web site) that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason why the vote was not counted.

Requires the secretary of state to establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under this act. Access to information about an individual provisional ballot must be restricted to the individual who cast the ballot.