

2SHB 1572 - S COMM AMD

By Committee on Government Operations & Elections

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 29A.04.008 and 2007 c 38 s 1 are each amended to read  
4 as follows:

5 As used in this title:

6 (1) "Ballot" means, as the context implies, either:

7 (a) The issues and offices to be voted upon in a jurisdiction or  
8 portion of a jurisdiction at a particular primary, general election, or  
9 special election;

10 (b) A facsimile of the contents of a particular ballot whether  
11 printed on a paper ballot or ballot card or as part of a voting machine  
12 or voting device;

13 (c) A physical or electronic record of the choices of an individual  
14 voter in a particular primary, general election, or special election;  
15 or

16 (d) The physical document on which the voter's choices are to be  
17 recorded;

18 (2) "Paper ballot" means a piece of paper on which the ballot for  
19 a particular election or primary has been printed, on which a voter may  
20 record his or her choices for any candidate or for or against any  
21 measure, and that is to be tabulated manually;

22 (3) "Ballot card" means any type of card or piece of paper of any  
23 size on which a voter may record his or her choices for any candidate  
24 and for or against any measure and that is to be tabulated on a vote  
25 tallying system;

26 (4) "Sample ballot" means a printed facsimile of all the issues and  
27 offices on the ballot in a jurisdiction and is intended to give voters  
28 notice of the issues, offices, and candidates that are to be voted on  
29 at a particular primary, general election, or special election;

1 (5) "Provisional ballot" means a ballot issued at (~~the polling~~  
2 ~~place on election day by the precinct election board~~) a voting center  
3 to a voter who would otherwise be denied an opportunity to vote a  
4 regular ballot, for any reason authorized by the Help America Vote Act,  
5 including but not limited to the following:

6 (a) The (~~voter's name does not appear in the poll book~~) voter  
7 does not appear to be registered to vote in that county;

8 (b) There is (~~an indication in the poll book that the voter has~~  
9 ~~requested an absentee ballot, but the voter wishes to vote at the~~  
10 ~~polling place~~) a question concerning whether the voter has already  
11 returned a voted ballot;

12 (c) There is a question on the part of the voter concerning the  
13 issues or candidates on which the voter is qualified to vote;

14 (d) Any other reason allowed by law;

15 (6) "Party ballot" means a primary election ballot specific to a  
16 particular major political party that lists all candidates for partisan  
17 office who affiliate with that same major political party, as well as  
18 the nonpartisan races and ballot measures to be voted on at that  
19 primary;

20 (7) "Nonpartisan ballot" means a primary election ballot that lists  
21 all nonpartisan races and ballot measures to be voted on at that  
22 primary.

23 NEW SECTION. Sec. 2. A new section is added to chapter 29A.04 RCW  
24 to read as follows:

25 "Ballot drop-off site" means the site or sites designated by the  
26 county auditor in which a voter may deposit his or her ballot in a  
27 secure collection device on or before election day.

28 **Sec. 3.** RCW 29A.04.019 and 2003 c 111 s 104 are each amended to  
29 read as follows:

30 "Counting center" means the facility or facilities designated by  
31 the county auditor to count and canvass mail ballots(~~7-absentee~~  
32 ~~ballots, and polling place ballots that are transferred to a central~~  
33 ~~site to be counted, rather than being counted by a poll site ballot~~  
34 ~~counting device, on the day of a primary or election)).~~

1       **Sec. 4.** RCW 29A.04.128 and 2004 c 271 s 152 are each amended to  
2 read as follows:

3       "Primary" or "primary election" means a statutory procedure for  
4 nominating candidates to public office (~~(at the polls)~~).

5       NEW SECTION. **Sec. 5.** A new section is added to chapter 29A.04 RCW  
6 to read as follows:

7       "Voting center" means the facility or facilities designated by the  
8 county auditor that:

- 9       (1) Serves as a disability access voting location;  
10       (2) Issues provisional ballots; and  
11       (3) Serves as a ballot drop-off site.

12       **Sec. 6.** RCW 29A.04.031 and 2003 c 111 s 106 are each amended to  
13 read as follows:

14       For registered voters voting by (~~(absentee or)~~) mail ballot, "date  
15 of mailing" means the date of the postal cancellation on the envelope  
16 in which the ballot is returned to the election official by whom it was  
17 issued. For all (~~(nonregistered absentee)~~) overseas and service  
18 voters, "date of mailing" means the date stated by the voter on the  
19 envelope in which the ballot is returned to the election official by  
20 whom it was issued.

21       **Sec. 7.** RCW 29A.04.220 and 2003 c 111 s 135 are each amended to  
22 read as follows:

23       The county auditor shall provide public notice of the availability  
24 of registration and voting aids, assistance to the elderly and  
25 (~~(disabled persons)~~) people with disabilities, and procedures for  
26 voting by (~~(absentee)~~) mail ballot calculated to reach the elderly and  
27 (~~(disabled persons)~~) people with disabilities not later than public  
28 notice of the closing of registration for a primary or election.

29       **Sec. 8.** RCW 29A.04.255 and 2004 c 266 s 5 are each amended to read  
30 as follows:

31       The secretary of state or a county auditor shall accept and file in  
32 his or her office electronic facsimile transmissions of the following  
33 documents:

- 34       (1) Declarations of candidacy;

- 1 (2) County canvass reports;
- 2 (3) Voters' pamphlet statements;
- 3 (4) Arguments for and against ballot measures that will appear in
- 4 a voters' pamphlet;
- 5 (5) Requests for recounts;
- 6 (6) Certification of candidates and measures by the secretary of
- 7 state;
- 8 (7) Direction by the secretary of state for the conduct of a
- 9 mandatory recount;
- 10 (8) (~~Requests for absentee ballots;~~
- 11 ~~(9)~~) Any other election related document authorized by rule
- 12 adopted by the secretary of state under RCW (~~(29A.04.610)~~) 29A.04.611.

13 The acceptance by the secretary of state or the county auditor is  
14 conditional upon the document being filed in a timely manner, being  
15 legible, and otherwise satisfying the requirements of state law or  
16 rules with respect to form and content.

17 If the original copy of a document must be signed and a copy of the  
18 document is filed by facsimile transmission under this section, the  
19 original copy must be subsequently filed with the official with whom  
20 the facsimile was filed. The original copy must be filed by a deadline  
21 established by the secretary by rule. The secretary may by rule  
22 require that the original of any document, a copy of which is filed by  
23 facsimile transmission under this section, also be filed by a deadline  
24 established by the secretary by rule.

25 **Sec. 9.** RCW 29A.04.580 and 2003 c 111 s 156 are each amended to  
26 read as follows:

27 The county auditor may designate any person who has been certified  
28 under this chapter, other than the auditor, to participate in a review  
29 conducted in the county under this chapter. Each county auditor and  
30 canvassing board shall cooperate fully during an election review by  
31 making available to the reviewing staff any material requested by the  
32 staff. The reviewing staff shall have full access to ballot pages,  
33 (~~(absentee)~~) mail voting materials, any other election material  
34 normally kept in a secure environment after the election, and other  
35 requested material. If ballots are reviewed by the staff, they shall  
36 be reviewed in the presence of the canvassing board or its designees.  
37 Ballots shall not leave the custody of the canvassing board. During

1 the review and after its completion, the review staff may make  
2 appropriate recommendations to the county auditor or canvassing board,  
3 or both, to bring the county into compliance with the training required  
4 under this chapter, and the laws or rules of the state of Washington,  
5 to safeguard election material or to preserve the integrity of the  
6 elections process.

7 **Sec. 10.** RCW 29A.04.611 and 2009 c 369 s 5 are each amended to  
8 read as follows:

9 The secretary of state as chief election officer shall make  
10 reasonable rules in accordance with chapter 34.05 RCW not inconsistent  
11 with the federal and state election laws to effectuate any provision of  
12 this title and to facilitate the execution of its provisions in an  
13 orderly, timely, and uniform manner relating to any federal, state,  
14 county, city, town, and district elections. To that end the secretary  
15 shall assist local election officers by devising uniform forms and  
16 procedures.

17 In addition to the rule-making authority granted otherwise by this  
18 section, the secretary of state shall make rules governing the  
19 following provisions:

- 20 (1) The maintenance of voter registration records;
- 21 (2) The preparation, maintenance, distribution, review, and filing  
22 of precinct maps;
- 23 (3) Standards for the design, layout, and production of ballots;
- 24 (4) The examination and testing of voting systems for  
25 certification;
- 26 (5) The source and scope of independent evaluations of voting  
27 systems that may be relied upon in certifying voting systems for use in  
28 this state;
- 29 (6) Standards and procedures for the acceptance testing of voting  
30 systems by counties;
- 31 (7) Standards and procedures for testing the programming of vote  
32 tallying software for specific primaries and elections;
- 33 (8) Standards and procedures for the preparation and use of each  
34 type of certified voting system including procedures for the operation  
35 of counting centers where vote tallying systems are used;
- 36 (9) Standards and procedures to ensure the accurate tabulation and  
37 canvassing of ballots;

1 (10) Consistency among the counties of the state in the preparation  
2 of ballots, the operation of vote tallying systems, and the canvassing  
3 of primaries and elections;

4 (11) Procedures to ensure the secrecy of a voter's ballot (~~(when a~~  
5 ~~small number of ballots are counted at the polls or at a counting~~  
6 ~~center));~~

7 (12) The use of substitute devices or means of voting when a voting  
8 device at (~~the polling place~~) a voting center is found to be  
9 defective, the counting of votes cast on the defective device, the  
10 counting of votes cast on the substitute device, and the documentation  
11 that must be submitted to the county auditor regarding such  
12 circumstances;

13 (13) Procedures for the transportation of sealed containers of  
14 voted ballots or sealed voting devices;

15 (14) The acceptance and filing of documents via electronic  
16 facsimile;

17 (15) Voter registration applications and records;

18 (16) The use of voter registration information in the conduct of  
19 elections;

20 (17) The coordination, delivery, and processing of voter  
21 registration records accepted by driver licensing agents or the  
22 department of licensing;

23 (18) The coordination, delivery, and processing of voter  
24 registration records accepted by agencies designated by the governor to  
25 provide voter registration services;

26 (19) Procedures to receive and distribute voter registration  
27 applications by mail;

28 (20) Procedures for a voter to change his or her voter registration  
29 address within a county by telephone;

30 (21) Procedures for a voter to change the name under which he or  
31 she is registered to vote;

32 (22) Procedures for canceling dual voter registration records and  
33 for maintaining records of persons whose voter registrations have been  
34 canceled;

35 (23) Procedures for the electronic transfer of voter registration  
36 records between county auditors and the office of the secretary of  
37 state;

38 (24) Procedures and forms for declarations of candidacy;

- 1 (25) Procedures and requirements for the acceptance and filing of  
2 declarations of candidacy by electronic means;
- 3 (26) Procedures for the circumstance in which two or more  
4 candidates have a name similar in sound or spelling so as to cause  
5 confusion for the voter;
- 6 (27) Filing for office;
- 7 (28) The order of positions and offices on a ballot;
- 8 (29) Sample ballots;
- 9 (30) Independent evaluations of voting systems;
- 10 (31) The testing, approval, and certification of voting systems;
- 11 (32) The testing of vote tallying software programming;
- 12 (33) Standards and procedures to prevent fraud and to facilitate  
13 the accurate processing and canvassing of (~~absentee ballots and mail~~)  
14 ballots, including standards for the approval and implementation of  
15 hardware and software for automated signature verification systems;
- 16 (34) Standards and procedures to guarantee the secrecy of  
17 (~~absentee ballots and mail~~) ballots;
- 18 (35) Uniformity among the counties of the state in the conduct of  
19 (~~absentee voting and~~) mail ballot elections;
- 20 (36) Standards and procedures to accommodate overseas voters and  
21 service voters;
- 22 (37) The tabulation of paper ballots (~~before the close of the~~  
23 ~~polls~~) prior to 8:00 p.m. on the day of a primary or election;
- 24 (38) The accessibility of (~~polling places~~) voting centers and  
25 registration facilities (~~that are accessible to elderly and disabled~~  
26 ~~persons~~);
- 27 (39) The aggregation of precinct results if reporting the results  
28 of a single precinct could jeopardize the secrecy of a person's ballot;
- 29 (40) Procedures for conducting a statutory recount;
- 30 (41) Procedures for filling vacancies in congressional offices if  
31 the general statutory time requirements for availability of  
32 (~~absentee~~) mailing ballots, certification, canvassing, and related  
33 procedures cannot be met;
- 34 (42) Procedures for the statistical sampling of signatures for  
35 purposes of verifying and canvassing signatures on initiative,  
36 referendum, and recall election petitions;
- 37 (43) Standards and deadlines for submitting material to the office  
38 of the secretary of state for the voters' pamphlet;

1 (44) Deadlines for the filing of ballot titles for referendum bills  
2 and constitutional amendments if none have been provided by the  
3 legislature;

4 (45) Procedures for the publication of a state voters' pamphlet;

5 (46) Procedures for conducting special elections regarding nuclear  
6 waste sites if the general statutory time requirements for availability  
7 of (~~absentee~~) mailing ballots, certification, canvassing, and related  
8 procedures cannot be met;

9 (47) Procedures for conducting partisan primary elections;

10 (48) Standards and procedures for the proper conduct of voting  
11 during the early voting period to provide accessibility for the blind  
12 or visually impaired;

13 (49) Standards for voting technology and systems used by the state  
14 or any political subdivision to be accessible for individuals with  
15 disabilities, including nonvisual accessibility for the blind and  
16 visually impaired, in a manner that provides the same opportunity for  
17 access and participation, including privacy and independence, as other  
18 voters;

19 (50) All data formats for transferring voter registration data on  
20 electronic or machine-readable media for the purpose of administering  
21 the statewide voter registration list required by the Help America Vote  
22 Act (P.L. 107-252);

23 (51) Defining the interaction of electronic voter registration  
24 election management systems employed by each county auditor to maintain  
25 a local copy of each county's portion of the official state list of  
26 registered voters;

27 (52) Provisions and procedures to implement the state-based  
28 administrative complaint procedure as required by the Help America Vote  
29 Act (P.L. 107-252);

30 (53) Facilitating the payment of local government grants to local  
31 government election officers or vendors; and

32 (54) Standards for the verification of signatures on (~~absentee,~~  
33 ~~mail, and provisional~~) ballot envelopes.

34 **Sec. 11.** RCW 29A.04.470 and 2004 c 267 s 203 are each amended to  
35 read as follows:

36 (1) The secretary of state shall create an advisory committee and  
37 adopt rules governing project eligibility, evaluation, awarding of



1 grants, and other criteria for administering the local government grant  
2 program, which may include a preference for grants that include a match  
3 of local funds.

4 (2) The advisory committee shall review grant proposals and  
5 establish a prioritized list of projects to be considered for funding  
6 by the third Tuesday in May of each year beginning in 2004 and  
7 continuing as long as funds in the election account established by  
8 (~~chapter 48, Laws of 2003 [RCW 29A.04.440]~~) RCW 29A.04.440 are  
9 available. The grant award may have an effective date other than the  
10 date the project is placed on the prioritized list, including money  
11 spent previously by the county that would qualify for reimbursement  
12 under the Help America Vote Act (P.L. 107-252).

13 (3) Examples of projects that would be eligible for local  
14 government grant funding include, but are not limited to the following:

15 (a) Replacement or upgrade of voting equipment, including the  
16 replacement of punch card voting systems;

17 (b) Purchase of additional voting equipment, including the purchase  
18 of equipment to meet the disability requirements of the Help America  
19 Vote Act (P.L. 107-252);

20 (c) Purchase of new election management system hardware and  
21 software capable of integrating with the statewide voter registration  
22 system required by the Help America Vote Act (P.L. 107-252);

23 (d) Development and production of (~~poll~~) election worker  
24 recruitment and training materials;

25 (e) Voter education programs;

26 (f) Publication of a local voters' pamphlet;

27 (g) Toll-free access system to provide notice of the outcome of  
28 provisional ballots; and

29 (h) Training for local election officials.

30 **Sec. 12.** RCW 29A.08.130 and 2009 c 369 s 13 are each amended to  
31 read as follows:

32 Election officials shall not include inactive voters in the count  
33 of registered voters for the purpose of dividing precincts, (~~creating~~  
34 ~~vote by mail precincts,~~) determining voter turnout, or other purposes  
35 in law for which the determining factor is the number of registered  
36 voters. (~~Election officials shall not include persons who are ongoing~~  
37 ~~absentee voters under RCW 29A.40.040 in determining the maximum~~

1 ~~permissible size of vote by mail precincts or in determining the~~  
2 ~~maximum permissible size of precincts.))~~ Nothing in this section may  
3 be construed as altering the vote tallying requirements of RCW  
4 29A.60.230.

5 **Sec. 13.** RCW 29A.08.140 and 2009 c 369 s 15 are each amended to  
6 read as follows:

7 (1) In order to vote in any primary, special election, or general  
8 election, a person who is not registered to vote in Washington must:

9 (a) Submit a registration application no later than twenty-nine  
10 days before the day of the primary, special election, or general  
11 election; or

12 (b) Register in person at the county auditor's office in his or her  
13 county of residence no later than eight days before the day of the  
14 primary, special election, or general election. (~~A person registering~~  
15 ~~under this subsection will be issued an absentee ballot.))~~

16 (2) A person who is already registered to vote in Washington may  
17 update his or her registration no later than twenty-nine days before  
18 the day of the primary, special election, or general election to be in  
19 effect for that primary, special election, or general election. A  
20 registered voter who fails to transfer his or her residential address  
21 by this deadline may vote according to his or her previous registration  
22 address.

23 (3) Prior to each primary and general election, the county auditor  
24 shall give notice of the registration deadlines by one publication in  
25 a newspaper of general circulation in the county at least thirty-five  
26 days before the primary or general election.

27 **Sec. 14.** RCW 29A.08.440 and 2009 c 369 s 25 are each amended to  
28 read as follows:

29 A registered voter who changes his or her name shall notify the  
30 county auditor regarding the name change by submitting a notice clearly  
31 identifying the name under which he or she is registered to vote, the  
32 voter's new name, and the voter's residence, and providing a signature  
33 of the new name, or by submitting a voter registration application.

34 (~~A properly registered voter who files a change of name notice at~~  
35 ~~the voter's precinct polling place during a primary or election and who~~

1 ~~desires to vote at that primary or election shall sign the poll book~~  
2 ~~using the voter's former and new names.))~~

3       **Sec. 15.** RCW 29A.08.620 and 2009 c 369 s 29 are each amended to  
4 read as follows:

5       (1) Each county auditor must request change of address information  
6 from the postal service for all (~~(absentee and)~~) mail ballots. A voter  
7 (~~(who votes at the polls)~~) must be mailed an election-related document,  
8 with change of address information requested, at least once every two  
9 years and at least ninety days prior to the date of a primary or  
10 general election for federal office.

11       (2) The county auditor shall transfer the registration of a voter  
12 and send an acknowledgement notice to the new address informing the  
13 voter of the transfer if change of address information received by the  
14 county auditor from the postal service, the department of licensing, or  
15 another agency designated to provide voter registration services  
16 indicates that the voter has moved within the county.

17       (3) The county auditor shall place a voter on inactive status and  
18 send to all known addresses a confirmation notice and a voter  
19 registration application if change of address information received by  
20 the county auditor from the postal service, the department of  
21 licensing, or another agency designated to provide voter registration  
22 services indicates that the voter has moved from one county to another.

23       (4) The county auditor shall place a voter on inactive status and  
24 send to all known addresses a confirmation notice if any of the  
25 following occur:

26       (a) Any document mailed by the county auditor to a voter is  
27 returned by the postal service as undeliverable without address  
28 correction information; or

29       (b) Change of address information received from the postal service,  
30 the department of licensing, or another state agency designated to  
31 provide voter registration services indicates that the voter has moved  
32 out of the state.

33       **Sec. 16.** RCW 29A.08.720 and 2009 c 369 s 34 are each amended to  
34 read as follows:

35       (1) In the case of voter registration records received through the  
36 department of licensing or an agency designated under RCW 29A.08.310,

1 the identity of the office or agency at which any particular individual  
2 registered to vote is not available for public inspection and shall not  
3 be disclosed to the public. Any record of a particular individual's  
4 choice not to register to vote at an office of the department of  
5 licensing or a state agency designated under RCW 29A.08.310 is not  
6 available for public inspection and any information regarding such a  
7 choice by a particular individual shall not be disclosed to the public.

8 (2) Subject to the restrictions of RCW 29A.08.710 and 40.24.060,  
9 (~~(poll-books)~~) precinct lists(~~(r)~~) and current lists of registered  
10 voters are public records and must be made available for public  
11 inspection and copying under such reasonable rules and regulations as  
12 the county auditor or secretary of state may prescribe. The county  
13 auditor or secretary of state shall promptly furnish current lists of  
14 registered voters in his or her possession, at actual reproduction  
15 cost, to any person requesting such information. The lists shall not  
16 be used for the purpose of mailing or delivering any advertisement or  
17 offer for any property, establishment, organization, product, or  
18 service or for the purpose of mailing or delivering any solicitation  
19 for money, services, or anything of value. However, the lists and  
20 labels may be used for any political purpose. The county auditor or  
21 secretary of state must provide a copy of RCW 29A.08.740 to the person  
22 requesting the material that is released under this section.

23 (3) For the purposes of this section, "political purpose" means a  
24 purpose concerned with the support of or opposition to any candidate  
25 for any partisan or nonpartisan office or concerned with the support of  
26 or opposition to any ballot proposition or issue. "Political purpose"  
27 includes, but is not limited to, such activities as the advertising for  
28 or against any candidate or ballot measure or the solicitation of  
29 financial support.

30 **Sec. 17.** RCW 29A.08.775 and 2005 c 246 s 20 are each amended to  
31 read as follows:

32 Only voters who appear on the official statewide voter registration  
33 list are eligible to participate in elections. Each county shall  
34 maintain a copy of that county's portion of the state list. The county  
35 must ensure that data used for the production of (~~(poll-lists-and~~  
36 ~~ether)~~) lists and mailings done in the administration of each election  
37 are the same as the official statewide voter registration list.

1       **Sec. 18.** RCW 29A.08.810 and 2006 c 320 s 4 are each amended to  
2 read as follows:

3       (1) Registration of a person as a voter is presumptive evidence of  
4 his or her right to vote. A challenge to the person's right to vote  
5 must be based on personal knowledge of one of the following:

6       (a) The challenged voter has been convicted of a felony and the  
7 voter's civil rights have not been restored;

8       (b) The challenged voter has been judicially declared ineligible to  
9 vote due to mental incompetency;

10       (c) The challenged voter does not live at the residential address  
11 provided, in which case the challenger must either:

12       (i) Provide the challenged voter's actual residence on the  
13 challenge form; or

14       (ii) Submit evidence that he or she exercised due diligence to  
15 verify that the challenged voter does not reside at the address  
16 provided and to attempt to contact the challenged voter to learn the  
17 challenged voter's actual residence, including that the challenger  
18 personally:

19       (A) Sent a letter with return service requested to the challenged  
20 voter's residential address provided, and to the challenged voter's  
21 mailing address, if provided;

22       (B) Visited the residential address provided and contacted persons  
23 at the address to determine whether the voter resides at the address  
24 and, if not, obtained and submitted with the challenge form a signed  
25 affidavit subject to the penalties of perjury from a person who owns or  
26 manages property, resides, or is employed at the address provided, that  
27 to his or her personal knowledge the challenged voter does not reside  
28 at the address as provided on the voter registration;

29       (C) Searched local telephone directories, including online  
30 directories, to determine whether the voter maintains a telephone  
31 listing at any address in the county;

32       (D) Searched county auditor property records to determine whether  
33 the challenged voter owns any property in the county; and

34       (E) Searched the statewide voter registration database to determine  
35 if the voter is registered at any other address in the state;

36       (d) The challenged voter will not be eighteen years of age by the  
37 next election; or

38       (e) The challenged voter is not a citizen of the United States.

1           (2) (~~A person's right to vote may be challenged: By another~~  
2 ~~registered voter or the county prosecuting attorney at any time, or by~~  
3 ~~the poll site judge or inspector if the challenge is filed on election~~  
4 ~~day regarding a voter who presents himself or herself to vote at the~~  
5 ~~poll site.~~

6           (3)) The challenger must file a signed affidavit subject to the  
7 penalties of perjury swearing that, to his or her personal knowledge  
8 and belief, having exercised due diligence to personally verify the  
9 evidence presented, the challenged voter either is not qualified to  
10 vote or does not reside at the address given on his or her voter  
11 registration record based on one of the reasons allowed in subsection  
12 (1) of this section. The challenger must provide the factual basis for  
13 the challenge, including any information required by subsection (1)(c)  
14 of this section, in the signed affidavit. The challenge may not be  
15 based on unsupported allegations or allegations by anonymous third  
16 parties. All documents pertaining to the challenge are public records.

17           (~~(4)~~) (3) Challenges based on a felony conviction under RCW  
18 29A.08.520 must be heard according to RCW 29A.08.520 and rules adopted  
19 by the secretary of state.

20           **Sec. 19.** RCW 29A.08.820 and 2006 c 320 s 5 are each amended to  
21 read as follows:

22           (1) Challenges initiated by a registered voter against a voter who  
23 registered to vote less than sixty days before the election, or who  
24 changed residence less than sixty days before the election without  
25 transferring his or her registration, must be filed not later than ten  
26 days before any primary or election, general or special, or within ten  
27 days of the voter being added to the voter registration database,  
28 whichever is later, at the office of the appropriate county auditor.  
29 Challenges initiated by a registered voter against any other voter must  
30 be filed not later than forty-five days before the election.  
31 Challenges initiated by the office of the county prosecuting attorney  
32 must be filed in the same manner as challenges initiated by a  
33 registered voter.

34           (2)(a) If the challenge is filed within forty-five days before an  
35 election at which the challenged voter is eligible to vote, a notation  
36 of the challenge must be made immediately in the (~~(poll book or)~~) voter

1 registration system, and the county canvassing board presides over the  
2 hearing.

3 (b) If the challenge is filed before the challenged voter's ballot  
4 is received, the ballot must be treated as a challenged ballot. A  
5 challenged ballot received at a (~~polling place~~) voting center must be  
6 placed in a sealed envelope separate from other voted ballots.

7 (c) If the challenge is filed after the challenged voter's ballot  
8 is received, the challenge cannot affect the current election.

9 (3) If the challenge is filed at least forty-five days before an  
10 election at which the challenged voter is eligible to vote, the county  
11 auditor presides over the hearing.

12 **Sec. 20.** RCW 29A.12.085 and 2005 c 242 s 1 are each amended to  
13 read as follows:

14 (~~Beginning on January 1, 2006,~~) All electronic voting devices  
15 must produce a paper record of each vote that may be accepted or  
16 rejected by the voter before finalizing his or her vote. This record  
17 may not be removed from the (~~polling place~~) voting center, and must  
18 be human readable without an interface and machine readable for  
19 counting purposes. If the device is programmed to display the ballot  
20 in multiple languages, the paper record produced must be printed in the  
21 language used by the voter. Rejected records must either be destroyed  
22 or marked in order to clearly identify the record as rejected.

23 **Sec. 21.** RCW 29A.12.090 and 2003 c 111 s 309 are each amended to  
24 read as follows:

25 (~~The ballot on a single voting device shall not contain the names  
26 of candidates for the offices of United States representative, state  
27 senator, state representative, county council, or county commissioner  
28 in more than one district. In all general elections, primaries, and  
29 special elections, in each polling place the voting devices containing  
30 ballots for candidates from each congressional, legislative, or county  
31 council or commissioner district shall be grouped together and  
32 physically separated from those devices containing ballots for other  
33 districts. Each voter shall be directed by the precinct election  
34 officers to the correct group of voting devices.)) A single ballot  
35 shall contain the names of candidates for only one district for the~~

1 offices of United States representative, state senator, state  
2 representative, and county council or county commissioner.

3 **Sec. 22.** RCW 29A.12.110 and 2003 c 111 s 311 are each amended to  
4 read as follows:

5 In preparing a voting device for a primary or election, a record  
6 shall be made of the ballot format installed in each device and the  
7 precinct or portion of a precinct for which that device has been  
8 prepared. Except where provided by a rule adopted under RCW  
9 (~~29A.04.610~~) 29A.04.611, after being prepared for a primary or  
10 election, each device shall be sealed with a uniquely numbered seal and  
11 provided to the (~~inspector of~~) election official at the appropriate  
12 (~~polling place~~) voting center.

13 **Sec. 23.** RCW 29A.12.160 and 2004 c 267 s 701 are each amended to  
14 read as follows:

15 (1) At each (~~polling location~~) voting center, at least one voting  
16 unit certified by the secretary of state shall provide access to  
17 individuals who are blind or visually impaired.

18 (2) Compliance with this provision in regard to voting technology  
19 and systems purchased prior to July 27, 2003, shall be achieved at the  
20 time of procurement of an upgrade of technology compatible with  
21 nonvisual voting methods or replacement of existing voting equipment or  
22 systems.

23 (3) Compliance with subsection (2) of this section is contingent on  
24 available funds to implement this provision.

25 (4) For purposes of this section, the following definitions apply:

26 (a) "Accessible" includes receiving, using, selecting, and  
27 manipulating voter data and controls.

28 (b) "Nonvisual" includes synthesized speech, Braille, and other  
29 output methods.

30 (c) "Blind and visually impaired" excludes persons who are both  
31 deaf and blind.

32 (5) This section does not apply to voting by (~~absentee~~) mail  
33 ballot.

34 **Sec. 24.** RCW 29A.16.010 and 2004 c 267 s 315 are each amended to  
35 read as follows:



1 The intent of this chapter is to require (~~state and local election~~  
2 ~~officials~~) county auditors to designate and use (~~polling places and~~  
3 ~~disability access voting locations in all elections and permanent~~  
4 ~~registration locations which~~) voting centers that are accessible to  
5 the elderly and (~~disabled persons~~) people with a disability. County  
6 auditors shall:

7 (1) Make modifications such as installation of temporary ramps or  
8 relocation of (~~polling places~~) voting centers within buildings, where  
9 appropriate;

10 (2) Designate new, accessible (~~polling places~~) voting centers to  
11 replace those that are inaccessible; and

12 (3) Continue to use (~~polling places and voter registration~~  
13 ~~locations which~~) voting centers that are accessible to the elderly and  
14 (~~disabled persons~~) people with a disability.

15 **Sec. 25.** RCW 29A.16.040 and 2004 c 266 s 10 are each amended to  
16 read as follows:

17 The county legislative authority of each county (~~in the state~~  
18 ~~hereafter formed~~) shall (~~at their first session~~) divide their  
19 respective counties into election precincts and establish the  
20 boundaries of the precincts. (~~The county auditor shall thereupon~~  
21 ~~designate the voting place for each such precinct or whether the~~  
22 ~~precinct is a vote by mail precinct.~~)

23 (1) Precinct boundaries may be altered at any time as long as  
24 sufficient time exists prior to a given election for the necessary  
25 procedural steps to be honored. Except as permitted under subsection  
26 (~~(5)~~) (3) of this section, no precinct boundaries may be changed  
27 during the period starting on the thirtieth day prior to the first day  
28 for candidates to file for the primary election and ending with the day  
29 of the general election.

30 (2) The county legislative authority may establish by ordinance a  
31 limitation on the maximum number of active registered voters in each  
32 precinct within its jurisdiction. The limitation may be different for  
33 precincts (~~based upon the method of voting used for such precincts~~)  
34 and the number may be less than the number established by law (~~but in~~  
35 ~~no case may the number exceed that authorized by law~~). By the year  
36 2012, the maximum number of active registered voters in each precinct  
37 shall not exceed two thousand.

1           (3) ~~((Precincts in which voting machines or electronic voting~~  
2 ~~devices are used may contain as many as nine hundred active registered~~  
3 ~~voters. The number of poll site ballot counting devices at each~~  
4 ~~polling place is at the discretion of the auditor. The number of~~  
5 ~~devices must be adequate to meet the expected voter turnout.~~

6           ~~(4) On petition of twenty five or more voters resident more than~~  
7 ~~ten miles from any polling site, the county legislative authority shall~~  
8 ~~establish a separate voting precinct therefor.~~

9           ~~(5))~~ The county auditor shall temporarily adjust precinct  
10 boundaries when a city or town annexes unincorporated territory to the  
11 city or town, or whenever unincorporated territory is incorporated as  
12 a city or town. The adjustment must be made as soon as possible after  
13 the approval of the annexation or incorporation. The temporary  
14 adjustment must be limited to the minimum changes necessary to  
15 accommodate the addition of the territory to the city or town, or to  
16 establish the eligible voters within the boundaries of the new city or  
17 town, and remains in effect only until precinct boundary modifications  
18 reflecting the annexation or incorporation are adopted by the county  
19 legislative authority.

20           ~~((6) In determining the number of active registered voters for the~~  
21 ~~purposes of this section, persons who are ongoing absentee voters under~~  
22 ~~RCW 29A.40.040 shall not be counted. Nothing in this subsection may be~~  
23 ~~construed as altering the vote tallying requirements of RCW~~  
24 ~~29A.60.230.))~~

25           **Sec. 26.** RCW 29A.16.060 and 2003 c 111 s 406 are each amended to  
26 read as follows:

27           At any special election or primary, the county auditor may combine,  
28 unite, or divide precincts ~~((and may combine or unite election boards))~~  
29 for the purpose of holding such election. ~~((At any general election,~~  
30 ~~the county auditor may combine or unite election boards for the purpose~~  
31 ~~of holding such election, but shall report all election returns by~~  
32 ~~individual precinct.))~~

33           **Sec. 27.** RCW 29A.16.120 and 2003 c 111 s 408 are each amended to  
34 read as follows:

35           The legislative authority of each county, municipality, and special  
36 district shall, at the request of the county auditor, make their

1 facilities available for use as (~~(polling places)~~) voting centers for  
2 primaries, special elections, and state general elections held within  
3 that county. When, in the judgment of the county auditor, a facility  
4 of a county, municipality, or special district would provide a location  
5 for a (~~(polling place)~~) voting center that would best satisfy the  
6 requirements of this chapter, he or she shall notify the legislative  
7 authority of that county, municipality, or district of the number of  
8 facilities needed for use as (~~(polling places)~~) voting centers.  
9 Payment for (~~(polling places)~~) voting centers and any other conditions  
10 or obligations regarding these (~~(polling places)~~) voting centers shall  
11 be provided for by contract between the county auditor and the county,  
12 municipality, or district.

13 **Sec. 28.** RCW 29A.16.130 and 2004 c 267 s 316 are each amended to  
14 read as follows:

15 Each state agency and entity of local government shall permit the  
16 use of any of its buildings and the most suitable locations therein as  
17 (~~(polling places or disability access voting locations)~~) voting centers  
18 when required by a county auditor (~~(to provide accessible places in~~  
19 ~~each precinct)~~).

20 **Sec. 29.** RCW 29A.24.081 and 2004 c 271 s 159 are each amended to  
21 read as follows:

22 Any candidate may mail his or her declaration of candidacy for an  
23 office to the filing officer. Such declarations of candidacy shall be  
24 processed by the filing officer in the following manner:

25 (1) Any declaration received by the filing officer by mail before  
26 the tenth business day immediately preceding the first day for  
27 candidates to file for office shall be returned to the candidate  
28 submitting it, together with a notification that the declaration of  
29 candidacy was received too early to be processed. The candidate shall  
30 then be permitted to resubmit his or her declaration of candidacy  
31 during the filing period.

32 (2) Any properly executed declaration of candidacy received by mail  
33 on or after the tenth business day immediately preceding the first day  
34 for candidates to file for office and before the close of business on  
35 the last day of the filing period shall be included with filings made  
36 in person during the filing period. In partisan and judicial elections

1 the filing officer shall determine by lot the order in which the names  
2 of those candidates shall appear upon sample and ((absentee)) primary  
3 ballots.

4 (3) Any declaration of candidacy received by the filing officer  
5 after the close of business on the last day for candidates to file for  
6 office shall be rejected and returned to the candidate attempting to  
7 file it.

8 **Sec. 30.** RCW 29A.24.131 and 2004 c 271 s 115 are each amended to  
9 read as follows:

10 A candidate may withdraw his or her declaration of candidacy at any  
11 time before the close of business on the Thursday following the last  
12 day for candidates to file under RCW 29A.24.050 by filing, with the  
13 officer with whom the declaration of candidacy was filed, a signed  
14 request that his or her name not be printed on the ballot. There shall  
15 be no withdrawal period for declarations of candidacy filed during  
16 special filing periods held under this title. The filing officer may  
17 permit the withdrawal of a filing for the office of precinct committee  
18 officer at the request of the candidate at any time if no ((absentee))  
19 ballots have been issued for that office and the ballots for that  
20 precinct have not been printed. The filing officer may permit the  
21 withdrawal of a filing for any elected office of a city, town, or  
22 special district at the request of the candidate at any time before a  
23 primary if the primary ballots for that city, town, or special district  
24 have not been ordered. No filing fee may be refunded to any candidate  
25 who withdraws under this section. Notice of the deadline for  
26 withdrawal of candidacy and that the filing fee is not refundable shall  
27 be given to each candidate at the time he or she files.

28 **Sec. 31.** RCW 29A.28.021 and 2006 c 344 s 11 are each amended to  
29 read as follows:

30 A vacancy caused by the death or disqualification of any candidate  
31 or nominee of a major or minor political party may be filled at any  
32 time up to and including the day prior to the election for that  
33 position. For state partisan offices in any political subdivision  
34 voted on solely by electors of a single county, an individual shall be  
35 appointed to fill such vacancy by the county central committee in the  
36 case of a major political party or by the state central committee or

1 comparable governing body in the case of a minor political party. For  
2 other partisan offices, including federal or statewide offices, an  
3 individual shall be appointed to fill such vacancy by the state central  
4 committee or comparable governing body of the appropriate political  
5 party.

6 If the vacancy occurs no later than the eleventh Tuesday prior to  
7 the state primary or general election concerned and the ballots have  
8 been printed, it shall be mandatory that they be corrected by the  
9 appropriate election officers. In making such correction, it shall not  
10 be necessary to reprint complete ballots if any other less expensive  
11 technique can be used and the resulting correction is reasonably clear.

12 If the vacancy occurs after the eleventh Tuesday prior to the state  
13 primary or general election and time does not exist in which to correct  
14 ballots (~~((including absentee ballots))~~), either in total or in part,  
15 then the votes cast or recorded for the person who has died or become  
16 disqualified shall be counted for the person who has been named to fill  
17 such vacancy.

18 When the secretary of state is the person with whom the appointment  
19 by the major or minor political party is filed, the secretary shall, in  
20 certifying candidates or nominations to the various county officers  
21 insert the name of the person appointed to fill a vacancy.

22 If the secretary of state has already sent forth the certificate  
23 when the appointment to fill a vacancy is filed, the secretary shall  
24 forthwith certify to the county auditors of the proper counties the  
25 name and place of residence of the person appointed to fill a vacancy,  
26 the office for which the person is a candidate or nominee, the party  
27 the person represents, and all other pertinent facts pertaining to the  
28 vacancy.

29 **Sec. 32.** RCW 29A.28.061 and 2004 c 271 s 119 are each amended to  
30 read as follows:

31 The general election laws and laws relating to partisan primaries  
32 shall apply to the special primaries and vacancy elections provided for  
33 in chapter 29A.28 RCW to the extent that they are not inconsistent with  
34 the provisions of these sections. Minor political party and  
35 independent candidates may appear only on the general election ballot.  
36 Statutory time deadlines relating to (~~(availability of absentee)~~)  
37 mailing ballots, certification, canvassing, and related procedures that

1 cannot be met in a timely fashion may be modified for the purposes of  
2 a specific primary or vacancy election under this chapter by the  
3 secretary of state through emergency rules adopted under RCW  
4 29A.04.611.

5 **Sec. 33.** RCW 29A.32.241 and 2004 c 271 s 123 are each amended to  
6 read as follows:

7 The local voters' pamphlet shall include but not be limited to the  
8 following:

9 (1) Appearing on the cover, the words "official local voters'  
10 pamphlet," the name of the jurisdiction producing the pamphlet, and the  
11 date of the election or primary;

12 (2) A list of jurisdictions that have measures or candidates in the  
13 pamphlet;

14 (3) Information on how a person may register to vote and obtain  
15 ((an absentee)) a ballot;

16 (4) The text of each measure accompanied by an explanatory  
17 statement prepared by the prosecuting attorney for any county measure  
18 or by the attorney for the jurisdiction submitting the measure if other  
19 than a county measure. All explanatory statements for city, town, or  
20 district measures not approved by the attorney for the jurisdiction  
21 submitting the measure shall be reviewed and approved by the county  
22 prosecuting attorney or city attorney, when applicable, before  
23 inclusion in the pamphlet;

24 (5) The arguments for and against each measure submitted by  
25 committees selected pursuant to RCW 29A.32.280; and

26 (6) For partisan primary elections, information on how to vote the  
27 applicable ballot format and an explanation that minor political party  
28 candidates and independent candidates will appear only on the general  
29 election ballot.

30 **Sec. 34.** RCW 29A.36.115 and 2005 c 243 s 3 are each amended to  
31 read as follows:

32 All provisional ((and absentee)) ballots must be visually  
33 distinguishable from ((each other)) mail ballots and must be either:

34 (1) Printed on colored paper; or

35 (2) Imprinted with a bar code for the purpose of identifying the

1 ballot as a provisional (~~or absentee~~) ballot. The bar code must not  
2 identify the voter.

3 ~~((Provisional and absentee ballots must be incapable of being  
4 tabulated by poll site counting devices.))~~

5 **Sec. 35.** RCW 29A.36.131 and 2004 c 271 s 130 are each amended to  
6 read as follows:

7 After the close of business on the last day for candidates to file  
8 for office, the filing officer shall, from among those filings made in  
9 person and by mail, determine by lot the order in which the names of  
10 those candidates will appear on all primary(~~(7)~~) and sample(~~(7 and  
11 absentee)~~) ballots. The determination shall be done publicly and may  
12 be witnessed by the media and by any candidate. If no primary is  
13 required for any nonpartisan office under RCW 29A.52.011 or 29A.52.220,  
14 or if any independent or minor party candidate files a declaration of  
15 candidacy, the names shall appear on the general election ballot in the  
16 order determined by lot.

17 **Sec. 36.** RCW 29A.36.161 and 2004 c 271 s 132 are each amended to  
18 read as follows:

19 (1) On the top of each ballot must be printed clear and concise  
20 instructions directing the voter how to mark the ballot, including  
21 write-in votes. On the top of each primary ballot must be printed the  
22 instructions required by this chapter.

23 (2) The questions of adopting constitutional amendments or any  
24 other state measure authorized by law to be submitted to the voters at  
25 that election must appear after the instructions and before any  
26 offices.

27 (3) In a year that president and vice president appear on the  
28 general election ballot, the names of candidates for president and vice  
29 president for each political party must be grouped together with a  
30 single response position for a voter to indicate his or her choice.

31 (4) On a general election ballot, the candidate or candidates of  
32 the major political party that received the highest number of votes  
33 from the electors of this state for the office of president of the  
34 United States at the last presidential election must appear first  
35 following the appropriate office heading. The candidate or candidates  
36 of the other major political parties will follow according to the votes

1 cast for their nominees for president at the last presidential  
2 election, and independent candidates and the candidate or candidates of  
3 all other parties will follow in the order of their qualification with  
4 the secretary of state.

5 ~~((5) All paper ballots and ballot cards used at a polling place  
6 must be sequentially numbered in such a way to permit removal of such  
7 numbers without leaving any identifying marks on the ballot.))~~

8 **Sec. 37.** RCW 29A.40.061 and 2009 c 415 s 6 and 2009 c 369 s 38 are  
9 each reenacted and amended to read as follows:

10 (1) ~~((The county auditor shall issue an absentee ballot for the  
11 primary or election for which it was requested, or for the next  
12 occurring primary or election when ongoing absentee status has been  
13 requested if the information contained in a request for an absentee  
14 ballot or ongoing absentee status received by the county auditor is  
15 complete and correct and the applicant is qualified to vote under  
16 federal or state law. Otherwise, the county auditor shall notify the  
17 applicant of the reason or reasons why the request cannot be accepted.  
18 Whenever two or more candidates have filed for the position of precinct  
19 committee officer for the same party in the same precinct, the contest  
20 for that position must be presented to absentee voters from that  
21 precinct by either including the contest on the regular absentee ballot  
22 or a separate absentee ballot. The ballot must provide space  
23 designated for writing in the name of additional candidates.~~

24 ~~(2))~~ A registered voter may obtain a replacement ballot if the  
25 ballot is destroyed, spoiled, lost, or not received by the voter. The  
26 voter may obtain the ballot by telephone request, by mail,  
27 electronically, or in person. The county auditor shall keep a record  
28 of each replacement ballot provided under this subsection.

29 ~~((3))~~ (2) The county auditor shall mail all ~~((absentee))~~ ballots  
30 and related material to overseas and service voters under 39 U.S.C.  
31 3406. If candidate and ballot measure information is available on the  
32 web site of the county auditor or secretary of state, the county  
33 auditor shall provide the appropriate web site information with the  
34 ballot materials.

35 **Sec. 38.** RCW 29A.40.070 and 2006 c 344 s 13 are each amended to  
36 read as follows:



1 (1) Except where a recount or litigation under RCW 29A.68.011 is  
2 pending, the county auditor shall have sufficient ~~((absentee))~~ ballots  
3 available for ~~((absentee))~~ voters of that county, other than overseas  
4 ~~((voters))~~ and service voters, at least twenty days before any primary,  
5 general election, or special election. The county auditor must mail  
6 ~~((absentee))~~ ballots to each voter ~~((for whom the county auditor has  
7 received a request nineteen days before the primary or election))~~ at  
8 least eighteen days before the primary or election. ~~((For a request  
9 for an absentee ballot received after the nineteenth day before the  
10 primary or election, the county auditor shall make every effort to mail  
11 ballots within one business day, and shall mail the ballots within two  
12 business days.))~~

13 (2) At least thirty days before any primary, general election, or  
14 special election, the county auditor shall mail ballots to all overseas  
15 and service voters. A request for a ballot made by an overseas or  
16 service voter after that day must be processed immediately.

17 (3) Each county auditor shall certify to the office of the  
18 secretary of state the dates the ballots prescribed in subsection (1)  
19 of this section were available and mailed.

20 (4) If ~~((absentee))~~ ballots will not be available or mailed as  
21 prescribed in subsection (1) of this section, the county auditor shall  
22 immediately certify to the office of the secretary of state when  
23 ~~((absentee))~~ ballots will be available and mailed. Copies of this  
24 certification must be provided to the county canvassing board, the  
25 press, jurisdictions with issues on the ballot in the election, and any  
26 candidates.

27 (5) If ~~((absentee))~~ ballots were not available or mailed as  
28 prescribed in subsection (1) of this section, for a reason other than  
29 a recount or litigation, the county auditor, in consultation with the  
30 certification and training program of the office of the secretary of  
31 state, shall submit a report to the office of the secretary of state  
32 outlining why the deadline was missed and what corrective actions will  
33 be taken in future elections to ensure that ~~((absentee))~~ ballots are  
34 available and mailed as prescribed in subsection (1) of this section.

35 (6) Failure to have ~~((absentee))~~ ballots available and mailed as  
36 prescribed in subsection (1) of this section does not by itself provide  
37 a basis for an election contest or other legal challenge to the results  
38 of a primary, general election, or special election.

1       **Sec. 39.** RCW 29A.40.080 and 2003 c 111 s 1008 are each amended to  
2 read as follows:

3       The delivery of (~~(an absentee)~~) a replacement ballot for any  
4 primary or election shall be subject to the following qualifications:

5       (1) Only the registered voter personally, or a member of the  
6 registered voter's immediate family may pick up (~~(an absentee)~~) a  
7 replacement ballot for the voter at the office of the issuing officer  
8 unless the voter is a resident of a health care facility, as defined by  
9 RCW 70.37.020(3), (~~(on election day)~~) and applies by messenger for (~~(an~~  
10 ~~absentee)~~) a replacement ballot. In this latter case, the messenger  
11 may pick up the voter's (~~(absentee)~~) ballot.

12       (2) Except as noted in subsection (1) of this section, the issuing  
13 officer shall mail or deliver the (~~(absentee)~~) replacement ballot  
14 directly to each applicant.

15       **Sec. 40.** RCW 29A.40.091 and 2009 c 369 s 39 are each amended to  
16 read as follows:

17       The county auditor shall send each (~~(absentee)~~) voter a ballot, a  
18 security envelope in which to seal the ballot after voting, a larger  
19 envelope in which to return the security envelope, and instructions on  
20 how to mark the ballot and how to return it to the county auditor. The  
21 instructions that accompany (~~(an absentee)~~) a ballot for a partisan  
22 primary must include instructions for voting the applicable ballot  
23 style, as provided in chapter 29A.36 RCW. The (~~(absentee)~~) voter's  
24 name and address must be printed on the larger return envelope, which  
25 must also contain a declaration by the (~~(absentee)~~) voter reciting his  
26 or her qualifications and stating that he or she has not voted in any  
27 other jurisdiction at this election, together with a summary of the  
28 penalties for any violation of any of the provisions of this chapter.  
29 The declaration must clearly inform the voter that it is illegal to  
30 vote if he or she is not a United States citizen; it is illegal to vote  
31 if he or she has been convicted of a felony and has not had his or her  
32 voting rights restored; and, except as otherwise provided by law, it is  
33 illegal to cast a ballot or sign (~~(an absentee)~~) the return envelope on  
34 behalf of another voter. The return envelope must provide space for  
35 the voter to indicate the date on which the ballot was voted and for  
36 the voter to sign the oath. It must also contain a space so that the  
37 voter may include a telephone number. A summary of the applicable

1 penalty provisions of this chapter must be printed on the return  
2 envelope immediately adjacent to the space for the voter's signature.  
3 The signature of the voter on the return envelope must affirm and  
4 attest to the statements regarding the qualifications of that voter and  
5 to the validity of the ballot. The return envelope must also have a  
6 secrecy flap that the voter may seal that will cover the voter's  
7 signature and optional telephone number. For overseas voters and  
8 service voters, the signed declaration on the return envelope  
9 constitutes the equivalent of a voter registration for the election or  
10 primary for which the ballot has been issued. The voter must be  
11 instructed to either return the ballot to the county auditor by whom it  
12 was issued or attach sufficient first-class postage, if applicable, and  
13 mail the ballot to the appropriate county auditor no later than the day  
14 of the election or primary for which the ballot was issued.

15 If the county auditor chooses to forward ((absentee)) ballots, he  
16 or she must include with the ballot a clear explanation of the  
17 qualifications necessary to vote in that election and must also advise  
18 a voter with questions about his or her eligibility to contact the  
19 county auditor. This explanation may be provided on the ballot  
20 envelope, on an enclosed insert, or printed directly on the ballot  
21 itself. If the information is not included, the envelope must clearly  
22 indicate that the ballot is not to be forwarded and that return postage  
23 is guaranteed.

24 **Sec. 41.** RCW 29A.40.100 and 2003 c 111 s 1010 are each amended to  
25 read as follows:

26 County auditors must request that observers be appointed by the  
27 major political parties to be present during the processing of  
28 ((absentee)) ballots. The absence of the observers will not prevent  
29 the processing of ((absentee)) ballots if the county auditor has  
30 requested their presence.

31 **Sec. 42.** RCW 29A.40.110 and 2009 c 369 s 40 are each amended to  
32 read as follows:

33 (1) The opening and subsequent processing of return envelopes for  
34 any primary or election may begin upon receipt. The tabulation of  
35 ((absentee)) ballots must not commence until after 8:00 p.m. on the day  
36 of the primary or election.

1 (2) All received (~~(absentee)~~) return envelopes must be placed in  
2 secure locations from the time of delivery to the county auditor until  
3 their subsequent opening. After opening the return envelopes, the  
4 county canvassing board shall place all of the ballots in secure  
5 storage until after 8:00 p.m. of the day of the primary or election.  
6 (~~(Absentee)~~) Ballots that are to be tabulated on an electronic vote  
7 tallying system may be taken from the inner envelopes and all the  
8 normal procedural steps may be performed to prepare these ballots for  
9 tabulation.

10 (3) Before opening a returned (~~(absentee)~~) ballot envelope, the  
11 canvassing board, or its designated representatives, shall examine the  
12 postmark, statement, and signature on the return envelope that contains  
13 the security envelope and (~~(absentee)~~) ballot. All personnel assigned  
14 to verify signatures must receive training on statewide standards for  
15 signature verification. Personnel shall verify that the voter's  
16 signature on the return envelope is the same as the signature of that  
17 voter in the registration files of the county. Verification may be  
18 conducted by an automated verification system approved by the secretary  
19 of state. (~~(For any absentee ballot,)~~) A variation between the  
20 signature of the voter on the return envelope and the signature of that  
21 voter in the registration files due to the substitution of initials or  
22 the use of common nicknames is permitted so long as the surname and  
23 handwriting are clearly the same.

24 (4) (~~(For registered voters casting absentee ballots,)~~) The date on  
25 the return envelope to which the voter has attested determines the  
26 validity, as to the time of voting (~~(for that absentee ballot)~~) if the  
27 postmark is missing or is illegible. For overseas voters and service  
28 voters, the date on the return envelope to which the voter has attested  
29 determines the validity as to the time of voting (~~(for that absentee~~  
30 ~~ballot)~~)).

31 **Sec. 43.** RCW 29A.40.120 and 2003 c 111 s 1012 are each amended to  
32 read as follows:

33 (~~(The absentee ballots)~~) Ballot counts must be reported at a  
34 minimum on a congressional and legislative district basis.  
35 (~~(Absentee)~~) Ballots may be counted by congressional or legislative  
36 district or by individual precinct, except as required under RCW  
37 29A.60.230(2).

1       These returns must be added to the total of the votes cast at the  
2       (~~polling places~~) voting centers.

3       **Sec. 44.** RCW 29A.44.010 and 2003 c 111 s 1101 are each amended to  
4       read as follows:

5       No person may interfere with a voter in any way within (~~the~~  
6       ~~polling place~~) a voting center. This does not prevent the voter from  
7       receiving assistance in preparing his or her ballot as provided in RCW  
8       29A.44.240.

9       **Sec. 45.** RCW 29A.44.030 and 2004 c 267 s 317 are each amended to  
10      read as follows:

11      Any voter may take into the voting booth or voting device any  
12      printed or written material to assist in casting his or her vote. The  
13      voter shall not use this material to electioneer and shall remove the  
14      material when he or she leaves the (~~polls or the disability access~~  
15      ~~voting location~~) voting center.

16      **Sec. 46.** RCW 29A.44.040 and 2004 c 267 s 318 are each amended to  
17      read as follows:

18      No ballots may be used in any (~~polling place or disability access~~  
19      ~~voting location~~) voting center other than those prepared by the county  
20      auditor. No voter is entitled to vote more than once at a primary or  
21      a general or special election, except that if a voter incorrectly marks  
22      a ballot, he or she may return it and be issued a new ballot. The  
23      (~~precinct~~) election officer(~~s~~) shall void the incorrectly marked  
24      ballot and return it to the county auditor.

25      **Sec. 47.** RCW 29A.44.050 and 2003 c 111 s 1105 are each amended to  
26      read as follows:

27      (~~(1) At the direction of the county auditor, a team or teams~~  
28      ~~composed of a representative of at least two major political parties~~  
29      ~~shall stop at designated polling places and pick up the sealed~~  
30      ~~containers of voted, untallied ballots for delivery to the counting~~  
31      ~~center. There may be more than one delivery from each polling place.~~  
32      ~~Two precinct election officials, representing two major political~~  
33      ~~parties, shall seal the voted ballots in containers furnished by the~~

1 ~~county auditor and properly identified with his or her address with~~  
2 ~~uniquely prenumbered seals.~~

3 ~~(2))~~ For voting centers other than the county auditor's office, at  
4 least two employees or representatives of different major political  
5 parties shall transfer the sealed ballot containers to and from the  
6 voting center. At the counting center or the collection stations where  
7 the sealed ballot containers are delivered (~~by the designated~~  
8 ~~representatives of the major political parties~~), the county auditor or  
9 (~~a designated representative of the county auditor~~) his or her  
10 designee shall receive the sealed ballot containers, record the time,  
11 date, (~~precinct name or number~~) voting center location, and seal  
12 number of each ballot container.

13 **Sec. 48.** RCW 29A.44.060 and 2003 c 111 s 1106 are each amended to  
14 read as follows:

15 The county auditor shall provide in each (~~polling place~~) voting  
16 center a sufficient number of voting booths or voting devices along  
17 with any supplies necessary to enable the voter to mark or register his  
18 or her choices on the ballot and within which the voters may cast their  
19 votes in secrecy.

20 **Sec. 49.** RCW 29A.44.070 and 2003 c 111 s 1107 are each amended to  
21 read as follows:

22 (~~At all primaries and elections, general or special, in all~~  
23 ~~counties the polls~~) Every voting center open on election day must be  
24 kept open from seven o'clock a.m. to eight o'clock p.m. All qualified  
25 electors who are at the (~~polling place~~) voting center at eight  
26 o'clock p.m. (~~7~~) shall be allowed to cast their votes.

27 **Sec. 50.** RCW 29A.44.090 and 2003 c 111 s 1109 are each amended to  
28 read as follows:

29 (~~A registered voter shall not be allowed to vote in the precinct~~  
30 ~~in which he or she is registered at any election or primary for which~~  
31 ~~that voter has cast an absentee ballot. A registered voter who has~~  
32 ~~requested an absentee ballot for a primary or special or general~~  
33 ~~election but chooses to vote at the voter's precinct polling place in~~  
34 ~~that primary or election shall cast a provisional ballot. The~~  
35 ~~canvassing board shall not count the ballot if it finds that the voter~~

1 ~~has also voted by absentee ballot in that primary or election.)~~ If a  
2 voter who was issued a mail ballot requests to vote on a direct  
3 recording electronic voting device, the county auditor must first  
4 confirm that the voter has not already returned a voted ballot.  
5 Confirmation that the voter has not already returned a voted ballot may  
6 be achieved by accessing the county voter registration system by  
7 electronic, telephonic, or other means. If the election official is  
8 unable to confirm that the voter has not already returned a voted  
9 ballot, the voter may not vote on a direct recording electronic voting  
10 device.

11 In order to prevent multiple voting, any voter who votes on a  
12 direct recording electronic voting device must be immediately credited  
13 or otherwise flagged as having voted. If a voted mail ballot is  
14 returned from a voter after the voter cast a ballot on a direct  
15 recording electronic voting device, the mail ballot must not be  
16 counted.

17 **Sec. 51.** RCW 29A.44.140 and 2003 c 111 s 1113 are each amended to  
18 read as follows:

19 (1) ~~((Each county auditor))~~ The secretary of state shall provide  
20 voting and registration instructions, printed in large type, to be  
21 conspicuously displayed at each ~~((polling place and permanent~~  
22 ~~registration facility))~~ voting center.

23 (2) The ~~((county auditor))~~ secretary of state shall make  
24 information available for deaf persons throughout the state by  
25 telecommunications.

26 **Sec. 52.** RCW 29A.44.150 and 2003 c 111 s 1114 are each amended to  
27 read as follows:

28 The ~~((precinct))~~ election officers for each ~~((precinct))~~ voting  
29 center shall meet at the designated ~~((polling place))~~ voting center at  
30 the time set by the county auditor.

31 **Sec. 53.** RCW 29A.44.160 and 2003 c 111 s 1115 are each amended to  
32 read as follows:

33 Before ~~((opening the polls for a precinct, the voting equipment~~  
34 ~~shall be inspected to determine if it has been properly prepared for~~  
35 ~~voting. If the voting equipment is capable of direct tabulation of~~

1 ~~each voter's choices, the precinct election officers))~~ voting begins on  
2 any direct recording electronic voting equipment, election officials  
3 shall verify that no votes have been registered for any issue or office  
4 to be voted on at that primary or election. ~~((Any ballot box shall be~~  
5 ~~carefully examined by the judges of election to determine that it is~~  
6 ~~empty. The ballot box shall then be sealed or locked. The ballot box~~  
7 ~~shall not be opened before the certification of the primary or election~~  
8 ~~except in the manner and for the purposes provided under this title.))~~

9       **Sec. 54.** RCW 29A.44.170 and 2003 c 111 s 1116 are each amended to  
10 read as follows:

11       At all primaries and elections the flag of the United States shall  
12 be conspicuously displayed ~~((in front of each polling place))~~ at each  
13 voting center.

14       **Sec. 55.** RCW 29A.44.190 and 2003 c 111 s 1118 are each amended to  
15 read as follows:

16       The ~~((precinct))~~ election officers shall periodically examine the  
17 voting devices to determine if they have been tampered with.

18       **Sec. 56.** RCW 29A.44.205 and 2005 c 243 s 7 are each amended to  
19 read as follows:

20       Any person desiring to vote ~~((at any primary or election))~~ on a  
21 disability access voting device is required to provide identification  
22 to the election officer ~~((before signing the poll book))~~ at the voting  
23 center. The identification required in this section can be satisfied  
24 by providing a valid photo identification, such as a driver's license  
25 or state identification card, student identification card, or tribal  
26 identification card, a voter's voter identification issued by a county  
27 elections officer, or a copy of a current utility bill, bank statement,  
28 paycheck, or government check or other government document. Any  
29 individual who desires to vote in person at a voting center but cannot  
30 provide identification as required by this section shall be issued a  
31 provisional ballot.

32       The secretary of state may adopt rules to carry out this section.

33       **Sec. 57.** RCW 29A.44.207 and 2005 c 243 s 6 are each amended to  
34 read as follows:



1           Provisional ballots must be issued, along with a provisional ballot  
2 outer envelope and a security envelope, to voters as appropriate under  
3 RCW 29A.04.008. The provisional ballot outer envelope must include a  
4 place for the voter's name; registered address, both present and former  
5 if applicable; date of birth; reason for the provisional ballot; the  
6 precinct number ~~((and the precinct polling))~~; the voting center  
7 location at which the voter has voted; and a space for the county  
8 auditor to list the disposition of the provisional ballot. The  
9 provisional ballot outer envelope must also contain a declaration as  
10 required for ~~((absentee))~~ mail ballot outer envelopes under RCW  
11 29A.40.091 (as recodified by this act); a place for the voter to sign  
12 the oath; and a summary of the applicable penalty provisions of this  
13 chapter. The voter shall vote the provisional ballot in secrecy and,  
14 when done, place the provisional ballot in the security envelope, then  
15 place the security envelope into the outer envelope, and return it to  
16 the ~~((precinct))~~ election official. The election official shall ensure  
17 that the required information is completed on the outer envelope, have  
18 the voter sign it in the appropriate space, and place the envelope in  
19 a secure container. The official shall then give the voter written  
20 information advising the voter how to ascertain whether the vote was  
21 counted and, if applicable, the reason why the vote was not counted.

22           **Sec. 58.** RCW 29A.44.210 and 2003 c 111 s 1120 are each amended to  
23 read as follows:

24           Any person desiring to vote at any primary or election at a voting  
25 center is required to sign ~~((his or her name on the appropriate~~  
26 ~~precinct list of registered voters))~~ the oath affirming that the voter  
27 meets the qualifications to vote. If the voter registered using a  
28 mark, or can no longer sign his or her name, the election officers  
29 shall require the voter to be identified by another registered voter.

30           ~~((The precinct election officers shall then record the voter's~~  
31 ~~name.))~~

32           **Sec. 59.** RCW 29A.44.225 and 2005 c 242 s 4 are each amended to  
33 read as follows:

34           A voter voting on an electronic voting device may not leave the  
35 device during the voting process, except to request assistance from the  
36 ~~((precinct))~~ election officers, until the voting process is completed.

1       **Sec. 60.** RCW 29A.44.231 and 2004 c 271 s 138 are each amended to  
2 read as follows:

3       As each (~~voter casts his or her vote~~) voted ballot is received,  
4 the (~~precinct~~) election officers shall (~~insert in the poll books or~~  
5 ~~precinct list of registered voters opposite that voter's name, a~~  
6 ~~notation to~~) credit the voter with having participated in that primary  
7 or election. No record may be made of a voter's party affiliation in  
8 a partisan primary, except at a presidential election. (~~The precinct~~  
9 ~~election officers shall record the voter's name so that a separate~~  
10 ~~record is kept.~~)

11       **Sec. 61.** RCW 29A.44.260 and 2003 c 111 s 1125 are each amended to  
12 read as follows:

13       If at (~~the time of closing the polls,~~) 8:00 p.m. on election day  
14 there are (~~any~~) voters in the (~~polling place~~) voting center who  
15 have not voted, they shall be allowed to vote (~~after the polls have~~  
16 ~~been closed~~).

17       **Sec. 62.** RCW 29A.44.265 and 2004 c 267 s 501 are each amended to  
18 read as follows:

19       (1) An individual who votes in an election for federal office as a  
20 result of a federal or state court order or any other order extending  
21 the time for (~~closing the polls~~) voting, may vote in that election  
22 only by casting a provisional ballot. As to court orders extending the  
23 time for (~~closing the polls~~) voting, this section does not apply to  
24 any voters who were present in the (~~polling place~~) voting center at  
25 the statutory closing time and as a result are permitted to vote under  
26 RCW (~~29A.44.070~~) 29A.44.260. This section does not, by itself,  
27 authorize any court to order that any individual be permitted to vote  
28 or to extend the time for (~~closing the polls~~) voting, but this  
29 section is intended to comply with 42 U.S.C. Sec. 15482(c) with regard  
30 to federal elections.

31       (2) Any ballot cast under subsection (1) of this section must be  
32 separated and held apart from other provisional ballots cast by those  
33 not affected by the order.

34       **Sec. 63.** RCW 29A.44.270 and 2003 c 111 s 1126 are each amended to  
35 read as follows:

1 At each (~~precinct~~) voting center immediately after the last  
2 qualified voter has cast his or her vote, the (~~precinct~~) election  
3 officers shall (~~render unusable and~~) secure in a container all unused  
4 ballots (~~for that precinct~~) and return them to the county auditor.

5 **Sec. 64.** RCW 29A.44.410 and 2003 c 111 s 1134 are each amended to  
6 read as follows:

7 (1) At least (~~ten~~) twenty days prior to any primary or election,  
8 general or special, the county auditor shall appoint (~~one inspector~~  
9 ~~and two judges of election for each precinct (or each combination of~~  
10 ~~precincts temporarily consolidated as a single precinct for that~~  
11 ~~primary or election), other than those precincts designated as vote by~~  
12 ~~mail precincts pursuant to RCW 29A.48.010)) three election observers  
13 for each counting center. Two election observers shall be appointed  
14 from that political party which polled the highest number of votes in  
15 the county for its candidate for president at the last preceding  
16 presidential election and one election observer from the political  
17 party polling the next highest number of votes in the county for its  
18 candidate for president at the same election. Except as provided in  
19 subsection (3) of this section, the persons appointed shall be among  
20 those whose names are contained on the lists furnished under RCW  
21 29A.44.430 (~~by the chairpersons of the county central committees of~~  
22 ~~the political parties entitled to representation thereon. Such~~  
23 ~~precinct election officers, whenever possible, should be residents of~~  
24 ~~the precinct in which they serve)) (as recodified by this act).~~~~

25 (2) The county auditor may delete from the lists of names submitted  
26 (~~to the auditor by the chairpersons of the county central committees~~)  
27 under RCW 29A.44.430 (as recodified by this act): (a) The names of  
28 those persons who indicate to the auditor that they cannot or do not  
29 wish to serve as (~~precinct~~) election (~~officers~~) observers for the  
30 primary or election (~~or who otherwise cannot so serve~~); and (b) the  
31 names of those persons who lack the ability to conduct properly the  
32 duties of an (~~inspector or judge of~~) election observer after training  
33 in that proper conduct has been made available to them by the auditor.  
34 The lists (~~which are~~) submitted to the auditor in a timely manner  
35 under RCW 29A.44.430 (as recodified by this act), less the deletions  
36 authorized by this subsection, constitute the official nomination lists  
37 for (~~inspectors and judges of~~) election observers.

1 (3) If the number of persons whose names are on the official  
2 nomination list for a political party is not sufficient to satisfy the  
3 requirements of subsection ~~((4))~~ (1) of this section as it applies to  
4 that political party ~~((or-is-otherwise-insufficient-to-provide-the  
5 number-of-precinct-election-officials-required-from-that-political  
6 party))~~, the auditor shall notify the chair of the party's county  
7 central committee regarding the deficiency. The chair may, within five  
8 business days of being notified by the auditor, add to the party's  
9 nomination list the names of additional persons belonging to that  
10 political party who are qualified to serve ~~((on-the-election-boards))~~  
11 as an election observer. To the extent that, following this procedure,  
12 the number of persons whose names appear on the official nomination  
13 lists of the political parties is insufficient to provide the number of  
14 election ~~((inspectors-and-judges))~~ observers required for a primary or  
15 election, the auditor may appoint a properly trained person ~~((whose  
16 name-does-not-appear-on-such-a-list))~~ to serve as an ~~((inspector-or  
17 judge-of))~~ election ~~((for-a-precinct))~~ observer.

18 ~~((4)-The-county-auditor-shall-designate-the-inspector-and-one  
19 judge-in-each-precinct-from-that-political-party-which-polled-the  
20 highest-number-of-votes-in-the-county-for-its-candidate-for-president  
21 at-the-last-preceding-presidential-election-and-one-judge-from-that  
22 political-party-polling-the-next-highest-number-of-votes-in-the-county  
23 for-its-candidate-for-president-at-the-same-election.-The-provisions  
24 of-this-subsection-apply-only-if-the-number-of-names-on-the-official  
25 nomination-list-for-inspectors-and-judges-of-election-for-a-political  
26 party-is-sufficient-to-satisfy-the-requirements-imposed-by-this  
27 subsection.-~~

28 ~~((5)-Except-as-provided-in-RCW-29A.44.440-for-the-filling-of  
29 vacancies,-this-shall-be-the-exclusive-method-for-the-appointment-of  
30 inspectors-and-judges-to-serve-as-precinct-election-officers-at-any  
31 primary-or-election,-general-or-special,-and-shall-supersede-the  
32 provisions-of-any-and-all-other-statutes,-whether-general-or-special-in  
33 nature,-having-different-requirements.-))~~

34 **Sec. 65.** RCW 29A.44.430 and 2003 c 111 s 1136 are each amended to  
35 read as follows:

36 The precinct committee officer of each major political party shall  
37 ~~((certify))~~ provide to the officer's county chair a list of those

1 persons belonging to the officer's political party qualified to act  
2 (~~upon the election board in the officer's precinct~~) as election  
3 observers.

4 (~~By the first day of June each year, the chair of the county~~  
5 ~~central committee of each major political party shall certify to the~~  
6 ~~officer having jurisdiction of the election a list of those persons~~  
7 ~~belonging to the county chair's political party in each precinct who~~  
8 ~~are qualified to act on the election board therein.~~)

9 The county chair shall compile (~~this~~) a list (~~from the names~~  
10 ~~certified~~) of names provided by the various precinct committee  
11 officers (~~unless no names or not a sufficient~~) and by the first day  
12 of June each year provide the list of names of persons qualified to act  
13 as election observers to the officer having jurisdiction of the  
14 election. If an insufficient number of names have been (~~certified~~)  
15 provided from a precinct, (~~in which event~~) the county chair may  
16 include (~~therein the~~) names of qualified members of the county  
17 chair's party selected by the county chair. The county chair shall  
18 (~~also~~) have the authority to substitute names of persons recommended  
19 by the precinct committee officers if (~~in the judgment of~~) the county  
20 chair deems such persons are not qualified to serve as (~~precinct~~)  
21 election (~~officers~~) observers.

22 **Sec. 66.** RCW 29A.44.490 and 2003 c 111 s 1142 are each amended to  
23 read as follows:

24 (~~The inspector, judges, and clerks of election~~) Election  
25 observers, before entering upon the duties of their offices, shall take  
26 and subscribe the prescribed oath or affirmation which shall be  
27 administered to them by any person authorized to administer oaths and  
28 verified under the hand of the person by whom such oath or affirmation  
29 is administered. (~~If no such person is present, the inspector shall~~  
30 ~~administer the same to the judges and clerks, and one of the judges~~  
31 ~~shall administer the oath to the inspector.~~)

32 The county auditor shall furnish two copies of the proper form of  
33 oath to each (~~precinct election officer~~) election observer, one copy  
34 thereof, after execution, to be placed and transmitted with the  
35 election returns.

1       **Sec. 67.** RCW 29A.44.530 and 2003 c 111 s 1146 are each amended to  
2 read as follows:

3       The ~~((fees of officers of election))~~ compensation of election  
4 observers shall be ~~((as follows:~~

5       ~~To the judges and clerks of an election not less than the minimum~~  
6 ~~hourly wage per hour))~~ as provided under RCW 49.46.020, the exact  
7 amount to be fixed by the respective boards of county commissioners for  
8 each county. ~~((To inspectors, the rate paid to judges and clerks plus~~  
9 ~~an additional two hours' compensation. The precinct election officer~~  
10 ~~picking up the election supplies and returning the election returns to~~  
11 ~~the county auditor shall be entitled to additional compensation, the~~  
12 ~~exact amount to be determined by the respective boards of county~~  
13 ~~commissioners for each county.))~~

14       **Sec. 68.** RCW 29A.46.260 and 2006 c 207 s 7 are each amended to  
15 read as follows:

16       (1) The legislature finds that the elimination of polling places  
17 resulting from the transition to vote by mail creates barriers that  
18 restrict the ability of many voters with disabilities from achieving  
19 the independence and privacy in voting provided by the accessible  
20 voting devices required under the help America vote act. Counties  
21 ~~((adopting a vote by mail system))~~ must take appropriate steps to  
22 mitigate these impacts and to address the obligation to provide voters  
23 with disabilities an equal opportunity to vote independently and  
24 privately, to the extent that this can be achieved without incurring  
25 undue administrative and financial burden.

26       (2) Each county shall establish and maintain an advisory committee  
27 that includes persons with diverse disabilities and persons with  
28 expertise in providing accommodations for persons with disabilities.  
29 The committee shall assist election officials in developing a plan to  
30 identify and implement changes to improve the accessibility of  
31 elections for voters with disabilities. The plan shall include  
32 recommendations for the following:

33       (a) The number of ~~((polling places that will be maintained))~~ voting  
34 centers that will be provided in order to ensure that people with  
35 disabilities have reasonable access to accessible voting devices, and  
36 a written explanation for how the determination was made;

1 (b) The locations of polling places, drop-off facilities, voting  
2 centers, and other election-related functions necessary to maximize  
3 accessibility to persons with disabilities;

4 (c) Outreach to voters with disabilities on the availability of  
5 disability accommodation, including in-person disability access voting;

6 (d) Transportation of voting devices to locations convenient for  
7 voters with disabilities in order to ensure reasonable access for  
8 voters with disabilities; and

9 (e) Implementation of the provisions of the help America vote act  
10 related to persons with disabilities.

11 Counties must update the plan at least annually. The election  
12 review staff of the secretary of state shall review and evaluate the  
13 plan in conformance with the review procedure identified in RCW  
14 29A.04.570.

15 (3) Counties may form a joint advisory committee to develop the  
16 plan identified in subsection (2) of this section if the total  
17 population of the joining counties does not exceed thirty thousand, and  
18 the counties are geographically adjacent.

19 **Sec. 69.** RCW 29A.48.010 and 2009 c 103 s 1 are each amended to  
20 read as follows:

21 (1) ~~((With express authorization from the county legislative~~  
22 ~~authority, the county auditor may)) All counties shall conduct all  
23 primary, special, and general elections entirely by mail ballot. ~~((The~~  
24 ~~county legislative authority must give the county auditor at least~~  
25 ~~ninety days' notice before the first election to be conducted entirely~~  
26 ~~by mail ballot. If the county legislative authority and the county~~  
27 ~~auditor decide to return to a polling place election environment, the~~  
28 ~~county legislative authority must give the county auditor at least one~~  
29 ~~hundred eighty days' notice before the first election to be conducted~~  
30 ~~using polling places. Authorization under this subsection must apply~~  
31 ~~to all primary, special, and general elections conducted by the county~~  
32 ~~auditor.~~~~

33 ~~(2) The county auditor may designate any precinct having fewer than~~  
34 ~~two hundred active registered voters at the time of closing of voter~~  
35 ~~registration as provided in RCW 29A.08.140 as a mail ballot precinct.~~  
36 ~~Authorization from the county legislative authority is not required to~~  
37 ~~designate a precinct as a mail ballot precinct under this subsection.~~

1 ~~In determining the number of registered voters in a precinct for the~~  
2 ~~purposes of this section, persons who are ongoing absentee voters under~~  
3 ~~RCW 29A.40.040 shall not be counted. Nothing in this section may be~~  
4 ~~construed as altering the vote tallying requirements of RCW 29A.60.230.~~

5 ~~(3) The county auditor shall notify each registered voter by mail~~  
6 ~~that for all future primaries and elections the voting will be by mail~~  
7 ~~ballot only. The auditor shall mail each active voter a ballot at~~  
8 ~~least eighteen days before a primary, general election, or special~~  
9 ~~election.)~~

10 (2) The requirements regarding certification, reporting, and the  
11 mailing of overseas and military ballots in RCW 29A.40.070 (as  
12 recodified by this act) apply to elections conducted by mail ballot.

13 ~~((4) If the county legislative authority and county auditor~~  
14 ~~determine under subsection (1) of this section, or if the county~~  
15 ~~auditor determines under subsection (2) of this section, to return to~~  
16 ~~a polling place election environment, the auditor shall notify each~~  
17 ~~registered voter, by mail, of this and shall provide the address of the~~  
18 ~~polling place to be used))~~ (3) The county auditor shall notify by mail  
19 each registered voter not already notified that all future primaries  
20 and elections will be conducted by mail. The notice must include  
21 information on the availability of voting centers in the event that the  
22 voter wishes to continue to vote in person.

23 **Sec. 70.** RCW 29A.48.040 and 2003 c 111 s 1204 are each amended to  
24 read as follows:

25 (1) ~~((If a county auditor conducts an election by mail,))~~ The  
26 county auditor shall designate one or more places for the deposit of  
27 ballots not returned by mail. The places designated under this section  
28 shall be open on the date of the election for a period of thirteen  
29 hours, beginning at 7:00 a.m. and ending at 8:00 p.m.

30 (2) A registered voter may obtain a replacement ballot as provided  
31 in this subsection. A voter may request a replacement mail ballot in  
32 person, by mail, by telephone, or by other electronic transmission for  
33 himself or herself and for any member of his or her immediate family.  
34 The request must be received by the auditor before 8:00 p.m. on  
35 election day. The county auditor shall keep a record of each  
36 replacement ballot issued, including the date of the request.  
37 Replacement mail ballots may be counted in the final tabulation of



1 ballots only if the original ballot is not received by the county  
2 auditor and the replacement ballot meets all requirements for  
3 tabulation necessary for the tabulation of regular mail ballots.

4 **Sec. 71.** RCW 29A.48.060 and 2003 c 111 s 1206 are each amended to  
5 read as follows:

6 ~~((All mail ballots authorized by RCW 29A.48.010, 29A.48.020, or  
7 29A.48.030 must contain the same offices, names of nominees or  
8 candidates, and propositions to be voted upon, including precinct  
9 offices, as if the ballot had been voted in person at the polling  
10 place. Except as otherwise provided by law, mail ballots must be  
11 treated in the same manner as absentee ballots issued at the request of  
12 the voter.))~~ If electronic vote tallying devices are used, political  
13 party observers must be given the opportunity to be present, and a test  
14 of the equipment must be performed as required by RCW 29A.12.130 before  
15 tabulating ballots. Political party observers may select at random  
16 ballots to be counted manually as provided by RCW 29A.60.170.

17 **Sec. 72.** RCW 29A.52.141 and 2004 c 271 s 141 are each amended to  
18 read as follows:

19 Instructions for voting a consolidated ballot or a physically  
20 separate ballot, whichever is applicable, must appear, at the very  
21 least, in:

22 (1) Any primary voters' pamphlet prepared by the secretary of state  
23 or a local government if a partisan office will appear on the ballot;

24 (2) Instructions that accompany any partisan primary ballot;

25 (3) Any notice of a partisan primary published in compliance with  
26 RCW 29A.52.311;

27 (4) A sample ballot prepared by a county auditor under RCW  
28 29A.36.151 for a partisan primary;

29 (5) The web site of the office of the secretary of state and any  
30 existing web site of a county auditor's office; and

31 (6) Every ~~((polling place))~~ voting center.

32 **Sec. 73.** RCW 29A.52.311 and 2004 c 271 s 145 are each amended to  
33 read as follows:

34 Not more than ~~((ten))~~ forty nor less than ~~((three))~~ twenty days  
35 before the primary the county auditor shall publish notice of such

1 primary in one or more newspapers of general circulation within the  
2 county. The notice must contain the proper party designations, the  
3 names and addresses of all persons who have filed a declaration of  
4 candidacy to be voted upon at that primary, instructions for voting the  
5 applicable ballot, as provided in chapter 29A.36 RCW, the hours during  
6 which the ~~((polls))~~ voting centers will be open, and ~~((the polling  
7 places for each precinct, giving))~~ the address of each ~~((polling  
8 place))~~ voting center. The names of all candidates for nonpartisan  
9 offices must be published separately with designation of the offices  
10 for which they are candidates but without party designation. This is  
11 the only notice required for the holding of any primary.

12 **Sec. 74.** RCW 29A.52.351 and 2004 c 271 s 175 are each amended to  
13 read as follows:

14 Except as provided in RCW 29A.32.260, notice for any state, county,  
15 district, or municipal election, whether special or general, must be  
16 given by at least one publication not more than ~~((ten))~~ forty nor less  
17 than ~~((three))~~ twenty days before the election by the county auditor or  
18 the officer conducting the election as the case may be, in one or more  
19 newspapers of general circulation within the county. The legal notice  
20 must contain the title of each office under the proper party  
21 designation, the names and addresses of all officers who have been  
22 nominated for an office to be voted upon at that election, together  
23 with the ballot titles of all measures, the hours during which the  
24 ~~((polls))~~ voting centers will be open, and ~~((the polling places for  
25 each precinct, giving))~~ the address of each ~~((polling place))~~ voting  
26 center. The names of all candidates for nonpartisan offices must be  
27 published separately with designation of the offices for which they are  
28 candidates but without party designation. This is the only notice  
29 required for a state, county, district, or municipal general or special  
30 election and supersedes the provisions of any and all other statutes,  
31 whether general or special in nature, having different requirements for  
32 the giving of notice of any general or special election~~((s))~~.

33 **Sec. 75.** RCW 29A.53.080 and 2005 c 153 s 8 are each amended to  
34 read as follows:

35 Ballots for elections conducted under the instant runoff voting  
36 method should be clear and easily understood. Sample ballots

1 illustrating voting procedures must be posted in ~~((or near))~~ voting  
2 ~~((booths))~~ centers and included within instruction packets for  
3 ~~((absentee))~~ mail ballots. Directions provided to voters must conform  
4 substantially to the following specifications:

5 "You may choose a maximum of three candidates for each  
6 office in order of preference. Indicate your first choice  
7 designation by marking the number "1" beside a candidate's name  
8 (or by marking in the column labeled "First Choice"). Indicate  
9 your second choice designation by marking the number "2" beside  
10 a candidate's name (or by marking in the column labeled "Second  
11 Choice"). Indicate your third choice designation by marking  
12 the number "3" beside a candidate's name (or by marking in the  
13 column labeled "Third Choice"). You are not required to choose  
14 more than one candidate for each office. Designating two or  
15 more candidates in order of preference will not affect your  
16 first choice designation. Do not mark the same designation  
17 number beside more than one candidate or put more than one mark  
18 in each column for the office on which you are voting. Do not  
19 skip designation numbers."

20 **Sec. 76.** RCW 29A.56.010 and 2003 c 111 s 1401 are each amended to  
21 read as follows:

22 The people of the state of Washington declare that:

23 (1) The current presidential nominating caucus system in Washington  
24 state is unnecessarily restrictive of voter participation in that it  
25 discriminates against the elderly, the infirm, women, ~~((the disabled))~~  
26 people with disabilities, evening workers, and others who are unable to  
27 attend caucuses and therefore unable to fully participate in this most  
28 important quadrennial event that occurs in our democratic system of  
29 government.

30 (2) It is the intent of this chapter to make the presidential  
31 selection process more open and representative of the will of the  
32 people of our state.

33 (3) A presidential primary will afford the maximum opportunity for  
34 voter access by mail ballot and at ~~((regular polling places))~~ voting  
35 centers during the daytime and evening hours convenient to the most  
36 people.

1 (4) This state's participation in the selection of presidential  
2 candidates shall be in accordance with the will of the people as  
3 expressed in a presidential preference primary.

4 (5) It is the intent of this chapter, to the maximum extent  
5 practicable, to continue to reserve to the political parties the right  
6 to conduct their delegate selection as prescribed by party rules  
7 insofar as it reflects the will of the people as expressed in a  
8 presidential primary election conducted every four years in the manner  
9 described by this chapter.

10 **Sec. 77.** RCW 29A.56.490 and 2003 c 111 s 1438 are each amended to  
11 read as follows:

12 The election officials shall count and determine the number of  
13 votes cast for each individual; and shall also count and determine the  
14 aggregate number of votes cast for all candidates whose names appear  
15 under each of the respective headings. Where more than the required  
16 number have been voted for, the ballot must be rejected. ~~((The figures  
17 determined by the various counts must be entered in the poll books of  
18 the respective precincts.))~~ The vote must be canvassed in each county  
19 by the county canvassing board, and certificate of results must within  
20 fifteen days after the election be transmitted to the secretary of  
21 state. Upon receiving the certificate, the secretary of state may  
22 require returns ~~((or poll books))~~ from any county precinct to be  
23 forwarded for the secretary's examination.

24 Where a district embraces precincts of more than one county, the  
25 secretary of state shall combine the votes from all the precincts  
26 included in each district. The delegates elected in each district will  
27 be the number of candidates corresponding to the number of state  
28 representatives from the district, who receive the highest number of  
29 votes in the group (either "for" or "against") that received an  
30 aggregate number of votes for all candidates in the group greater than  
31 the aggregate number of votes for all the candidates in the other  
32 group. The secretary of state shall issue certificates of election to  
33 the delegates so elected.

34 **Sec. 78.** RCW 29A.60.010 and 2003 c 111 s 1501 are each amended to  
35 read as follows:

36 All elections, whether special or general, held under RCW

1 ((29A.04.320)) 29A.04.321 and 29A.04.330 must be conducted by the  
2 county auditor as ex officio county supervisor of elections and, except  
3 as provided in RCW 29A.60.240, the returns canvassed by the county  
4 canvassing board.

5 **Sec. 79.** RCW 29A.60.030 and 2004 c 266 s 16 are each amended to  
6 read as follows:

7 Except as provided by rule under RCW ((29A.04.610)) 29A.04.611, on  
8 the day of the primary or election, the tabulation of ballots ((at the  
9 polling place or at the counting center)) shall proceed without  
10 interruption or adjournment until all of the ballots cast ((at the  
11 polls at)) for that primary or election ready for tabulation have been  
12 tabulated.

13 **Sec. 80.** RCW 29A.60.050 and 2005 c 243 s 13 are each amended to  
14 read as follows:

15 Whenever the ((precinct)) election officers or the counting center  
16 personnel have a question about the validity of a ballot or the votes  
17 for an office or issue that they are unable to resolve, they shall  
18 prepare and sign a concise record of the facts in question or dispute.  
19 These ballots shall be delivered to the canvassing board for  
20 processing. A ballot is not considered rejected until the canvassing  
21 board has rejected the ballot individually, or the ballot was included  
22 in a batch or on a report of ballots that was rejected in its entirety  
23 by the canvassing board. All ballots shall be preserved in the same  
24 manner as valid ballots for that primary or election.

25 **Sec. 81.** RCW 29A.60.070 and 2005 c 274 s 249 and 2005 c 243 s 14  
26 are each reenacted and amended to read as follows:

27 The county auditor shall produce unofficial cumulative and precinct  
28 returns for each primary and election and deliver them to the  
29 canvassing board for verification and certification. The precinct and  
30 cumulative returns of any primary or election are public records under  
31 chapter 42.56 RCW.

32 Cumulative returns for state offices, judicial offices, the United  
33 States senate, and congress must be electronically transmitted to the  
34 secretary of state immediately.

1           **Sec. 82.** RCW 29A.60.110 and 2003 c 111 s 1511 are each amended to  
2 read as follows:

3           Immediately after their tabulation, all ballots counted at a ballot  
4 counting center must be sealed in containers that identify the primary  
5 or election and be retained for at least sixty days or according to  
6 federal law, whichever is longer. All ballots (~~((tallied by poll site  
7 ballot counting devices))~~) collected at voting centers must be returned  
8 to the elections department in sealed ballot containers on election  
9 day. Counties composed entirely of islands or portions of counties  
10 composed of islands shall collect the ballots (~~((within twenty four  
11 hours of the close of the polls))~~) no later than the day after election  
12 day.

13           (~~(Ballots tabulated in poll site ballot counting devices must be  
14 sealed by two of the election precinct officers at the polling place,  
15 and a log of the seal and the names of the people sealing the container  
16 must be completed. One copy of this log must be retained by the  
17 inspector, one copy must be placed in the ballot transfer case, and one  
18 copy must be transported with the ballots to the elections department,  
19 where the seal number must be verified by the county auditor or a  
20 designated representative. Ballots may be transported by one election  
21 employee if the container is sealed at the poll and then verified when  
22 returned to the elections department. Auditors using poll site ballot  
23 counting devices may conduct early pickup of counted ballots on  
24 election day.)~~)

25           In the presence of major party observers who are available, ballots  
26 may be removed from the sealed containers at the elections department  
27 and consolidated into one sealed container for storage purposes. The  
28 containers may only be opened by the canvassing board as part of the  
29 canvass, or to conduct recounts, or under RCW 29A.60.170(~~((+3))~~), or by  
30 order of the superior court in a contest or election dispute. If the  
31 canvassing board opens a ballot container, it shall make a full record  
32 of the additional tabulation or examination made of the ballots. This  
33 record must be added to any other record of the canvassing process in  
34 that county.

35           **Sec. 83.** RCW 29A.60.120 and 2003 c 111 s 1512 are each amended to  
36 read as follows:

37           (1) (~~(The ballots picked up from the precincts during the polling~~

1 hours may be counted only at the counting center before the polls have  
2 closed. Election returns from the count of these ballots must be held  
3 in secrecy until the polls have been closed.

4 ~~(2) Upon breaking the seals and opening the ballot containers from~~  
5 ~~the precincts,~~) All voted ballots must be manually inspected for  
6 damage, write-in votes, and incorrect or incomplete marks. If it is  
7 found that any ballot is damaged so that it cannot properly be counted  
8 by the vote tallying system, a true duplicate copy must be made of the  
9 damaged ballot in the presence of witnesses and substituted for the  
10 damaged ballot. All damaged ballots must be kept by the county auditor  
11 until sixty days after the primary or election or according to federal  
12 law, whichever is longer.

13 ~~((3))~~ (2) The returns produced by the vote tallying system, to  
14 which have been added the counts of questioned ballots(~~(7)~~) and write-  
15 in votes(~~(, and absentee votes)~~), constitute the official returns of  
16 the primary or election in that county.

17 **Sec. 84.** RCW 29A.60.160 and 2007 c 373 s 1 are each amended to  
18 read as follows:

19 (1) Except for an election conducted under the instant runoff  
20 voting method for the pilot project authorized by RCW 29A.53.020, the  
21 county auditor, as delegated by the county canvassing board, shall  
22 process (~~absentee~~) ballots and canvass the votes cast at that primary  
23 or election on a daily basis in counties with a population of seventy-  
24 five thousand or more, or at least every third day for counties with a  
25 population of less than seventy-five thousand, if the county auditor is  
26 in possession of more than five hundred ballots that have yet to be  
27 canvassed.

28 (2) Saturdays, Sundays, and legal holidays are not counted for  
29 purposes of this section.

30 (3) In order to protect the secrecy of a ballot, the county auditor  
31 may use discretion to decide when to process (~~absentee~~) ballots and  
32 canvass the votes.

33 (4) Tabulation results must be made available to the public  
34 immediately upon completion of the canvass.

35 **Sec. 85.** RCW 29A.60.160 and 2007 c 373 s 2 are each amended to  
36 read as follows:

1 (1) The county auditor, as delegated by the county canvassing  
2 board, shall process ((absentee)) ballots and canvass the votes cast at  
3 that primary or election on a daily basis in counties with a population  
4 of seventy-five thousand or more, or at least every third day for  
5 counties with a population of less than seventy-five thousand, if the  
6 county auditor is in possession of more than five hundred ballots that  
7 have yet to be canvassed.

8 (2) Saturdays, Sundays, and legal holidays are not counted for  
9 purposes of this section.

10 (3) In order to protect the secrecy of a ballot, the county auditor  
11 may use discretion to decide when to process ((absentee)) ballots and  
12 canvass the votes.

13 (4) Tabulation results must be made available to the public  
14 immediately upon completion of the canvass.

15 **Sec. 86.** RCW 29A.60.165 and 2006 c 209 s 4 and 2006 c 208 s 1 are  
16 each reenacted and amended to read as follows:

17 (1) If the voter neglects to sign the outside envelope of ((an  
18 absentee)) a mail or provisional ballot, the auditor shall notify the  
19 voter by first-class mail and advise the voter of the correct  
20 procedures for completing the unsigned affidavit. If the ((absentee))  
21 ballot is received within three business days of the final meeting of  
22 the canvassing board, or the voter has been notified by first-class  
23 mail and has not responded at least three business days before the  
24 final meeting of the canvassing board, then the auditor shall attempt  
25 to notify the voter by telephone, using the voter registration record  
26 information. In order for the ballot to be counted, the voter must  
27 either:

28 (a) Appear in person and sign the envelope no later than the day  
29 before the certification of the primary or election; or

30 (b) Sign a copy of the envelope provided by the auditor, and return  
31 it to the auditor no later than the day before the certification of the  
32 primary or election.

33 (2)(a) If the handwriting of the signature on ((an-absentee)) a  
34 mail or provisional ballot envelope is not the same as the handwriting  
35 of the signature on the registration file, the auditor shall notify the  
36 voter by first-class mail, enclosing a copy of the envelope affidavit,  
37 and advise the voter of the correct procedures for updating his or her



1 signature on the voter registration file. If the ((~~absentee~~)) mail or  
2 provisional ballot is received within three business days of the final  
3 meeting of the canvassing board, or the voter has been notified by  
4 first-class mail and has not responded at least three business days  
5 before the final meeting of the canvassing board, then the auditor  
6 shall attempt to notify the voter by telephone, using the voter  
7 registration record information. In order for the ballot to be  
8 counted, the voter must either:

9 (i) Appear in person and sign a new registration form no later than  
10 the day before the certification of the primary or election; or

11 (ii) Sign a copy of the affidavit provided by the auditor and  
12 return it to the auditor no later than the day before the certification  
13 of the primary or election. The voter may enclose with the affidavit  
14 a photocopy of a valid government or tribal issued identification  
15 document that includes the voter's current signature. If the signature  
16 on the copy of the affidavit does not match the signature on file or  
17 the signature on the copy of the identification document, the voter  
18 must appear in person and sign a new registration form no later than  
19 the day before the certification of the primary or election in order  
20 for the ballot to be counted.

21 (b) If the signature on ((~~an absentee~~)) a mail or provisional  
22 ballot envelope is not the same as the signature on the registration  
23 file because the name is different, the ballot may be counted as long  
24 as the handwriting is clearly the same. The auditor shall send the  
25 voter a change-of-name form under RCW 29A.08.440 and direct the voter  
26 to complete the form.

27 (c) If the signature on ((~~an absentee~~)) a mail or provisional  
28 ballot envelope is not the same as the signature on the registration  
29 file because the voter used initials or a common nickname, the ballot  
30 may be counted as long as the surname and handwriting are clearly the  
31 same.

32 (3) A voter may not cure a missing or mismatched signature for  
33 purposes of counting the ballot in a recount.

34 (4) A record must be kept of all ballots with missing and  
35 mismatched signatures. The record must contain the date on which the  
36 voter was contacted or the notice was mailed, as well as the date on  
37 which the voter signed the envelope, a copy of the envelope, a new

1 registration form, or a change-of-name form. That record is a public  
2 record under chapter 42.56 RCW and may be disclosed to interested  
3 parties on written request.

4 **Sec. 87.** RCW 29A.60.170 and 2007 c 373 s 3 are each amended to  
5 read as follows:

6 (1) The counting center (~~((in a county using voting systems))~~) is  
7 under the direction of the county auditor (~~((and))~~). Ballot processing  
8 and counting must be observed by one representative from each major  
9 political party, if representatives have been appointed by the  
10 respective major political parties and these representatives are  
11 present while the counting center is operating. The proceedings must  
12 be open to the public, but no persons except those employed and  
13 authorized by the county auditor may touch any ballot or ballot  
14 container or operate a vote tallying system.

15 (2) (~~((In counties in which ballots are not counted at the polling~~  
16 ~~place, the official political party observers, upon mutual agreement,~~  
17 ~~may request that a precinct be selected at random on receipt of the~~  
18 ~~ballots from the polling place and that a manual count be made of the~~  
19 ~~number of ballots and of the votes cast on any office or issue. The~~  
20 ~~ballots for that precinct must then be counted by the vote tallying~~  
21 ~~system, and this result will be compared to the results of the manual~~  
22 ~~count. This may be done as many as three times during the tabulation~~  
23 ~~of ballots on the day of the primary or election.~~

24 (3) ~~In counties using poll site ballot counting devices, the~~  
25 ~~political party observers, upon mutual agreement, may choose as many as~~  
26 ~~three precincts and request that a manual count be made of the number~~  
27 ~~of ballots and the votes cast on any office or issue. The results of~~  
28 ~~this count will be compared to the count of the precinct made by the~~  
29 ~~poll site ballot counting device. These selections must be made no~~  
30 ~~later than thirty minutes after the close of the polls. The manual~~  
31 ~~count must be completed within forty eight hours after the close of the~~  
32 ~~polls. The process must take place at a location designated by the~~  
33 ~~county auditor for that purpose. The political party observers must~~  
34 ~~receive timely notice of the time and location, and have the right to~~  
35 ~~be present. However, the process must proceed as scheduled if the~~  
36 ~~observers are unable to attend.~~

1       ~~(4) In counties voting entirely by mail,~~) A random check of the  
2 ballot counting equipment may be conducted upon mutual agreement of the  
3 political party observers or at the discretion of the county auditor.  
4 The random check procedures must be adopted by the county canvassing  
5 board prior to the processing of ballots. The random check process  
6 shall involve a comparison of a manual count to the machine count and  
7 may involve up to either three precincts or six batches depending on  
8 the ballot counting procedures in place in the county. The random  
9 check will be limited to one office or issue on the ballots in the  
10 precincts or batches that are selected for the check. The selection of  
11 the precincts or batches to be checked must be selected according to  
12 procedures established by the county canvassing board and the check  
13 must be completed no later than forty-eight hours after election day.

14       **Sec. 88.** RCW 29A.60.180 and 2003 c 111 s 1518 are each amended to  
15 read as follows:

16       Each registered voter casting ~~((an absentee))~~ a valid ballot will  
17 be credited with voting on his or her voter registration record.  
18 ~~((Absentee ballots must be retained for the same length of time and in  
19 the same manner as ballots cast at the precinct polling places.))~~

20       **Sec. 89.** RCW 29A.60.190 and 2006 c 344 s 16 are each amended to  
21 read as follows:

22       (1) Before canvassing the returns of a primary or election, the  
23 chair of the county legislative authority or the chair's designee shall  
24 administer an oath to the county auditor or the auditor's designee  
25 attesting to the authenticity of the information presented to the  
26 canvassing board. This oath must be signed by the county auditor or  
27 designee and filed with the returns of the primary or election.

28       (2) The county auditor shall provide:

29       (a) Precinct and cumulative returns for each race and measure. The  
30 county auditor may aggregate results from more than one precinct if,  
31 pursuant to rules adopted by the secretary of state, the auditor finds  
32 that reporting a single precinct's results would jeopardize the secrecy  
33 of a person's ballot;

34       (b) The number of voters eligible to vote and the number of voters  
35 credited with voting;

36       (c) A reconciliation report required by RCW 29A.60.235; and

1 (d) A report explaining any unresolved anomalies or issues.

2 (3) Once the results are verified, the county canvassing board  
3 shall execute a certification of the primary or election signed by all  
4 members of the board or their designees. Failure to certify the  
5 returns, if they can be ascertained with reasonable certainty, is a  
6 crime under RCW 29A.84.720.

7 (4) Except as provided by subsection ((+3+)) (5) of this section,  
8 fifteen days after a primary or special election and twenty-one days  
9 after a general election, the county canvassing board shall complete  
10 the canvass and certify the results. Each ((absentee)) ballot that was  
11 returned before ((the closing of the polls)) 8:00 p.m. on the date of  
12 the primary or election, and each ((absentee)) ballot bearing a  
13 postmark on or before the date of the primary or election and received  
14 on or before the date on which the primary or election is certified,  
15 must be included in the canvass report.

16 ~~((+2) At the request of a caucus of the state legislature, the~~  
17 ~~county auditor shall transmit copies of all unofficial returns of state~~  
18 ~~and legislative primaries or elections prepared by or for the county~~  
19 ~~canvassing board to either the secretary of the senate or the chief~~  
20 ~~clerk of the house of representatives.~~

21 ~~(+3+)) (5) On or before the thirtieth day after an election~~  
22 ~~conducted under the instant runoff voting method for the pilot project~~  
23 ~~authorized by RCW 29A.53.020, the canvassing board shall complete the~~  
24 ~~canvass and certify the results.~~

25 **Sec. 90.** RCW 29A.60.190 and 2006 c 344 s 17 are each amended to  
26 read as follows:

27 (1) Before canvassing the returns of a primary or election, the  
28 chair of the county legislative authority or the chair's designee shall  
29 administer an oath to the county auditor or the auditor's designee  
30 attesting to the authenticity of the information presented to the  
31 canvassing board. This oath must be signed by the county auditor or  
32 designee and filed with the returns of the primary or election.

33 (2) The county auditor shall provide:

34 (a) Precinct and cumulative returns for each race and measure. The  
35 county auditor may aggregate results from more than one precinct if,  
36 pursuant to rules adopted by the secretary of state, the auditor finds

1 that reporting a single precinct's results would jeopardize the secrecy  
2 of a person's ballot;

3 (b) The number of voters eligible to vote and the number of voters  
4 credited with voting;

5 (c) A reconciliation report required by RCW 29A.60.235; and

6 (d) A report explaining any unresolved anomalies or issues.

7 (3) Once the results are verified, the county canvassing board  
8 shall execute a certification of the primary or election signed by all  
9 members of the board or their designees. Failure to certify the  
10 returns, if they can be ascertained with reasonable certainty, is a  
11 crime under RCW 29A.84.720.

12 (4) Fifteen days after a primary or special election and twenty-one  
13 days after a general election, the county canvassing board shall  
14 complete the canvass and certify the results. Each ((absentee)) ballot  
15 that was returned before ((the closing of the polls)) 8:00 p.m. on the  
16 date of the primary or election, and each ((absentee)) ballot bearing  
17 a postmark on or before the date of the primary or election and  
18 received on or before the date on which the primary or election is  
19 certified, must be included in the canvass report.

20 ~~((2) At the request of a caucus of the state legislature, the~~  
21 ~~county auditor shall transmit copies of all unofficial returns of state~~  
22 ~~and legislative primaries or elections prepared by or for the county~~  
23 ~~canvassing board to either the secretary of the senate or the chief~~  
24 ~~clerk of the house of representatives.))~~

25 **Sec. 91.** RCW 29A.60.230 and 2003 c 111 s 1523 are each amended to  
26 read as follows:

27 (1) Immediately after ~~((the official results of))~~ a state primary  
28 or general election ~~((in a county are ascertained))~~ is certified by the  
29 county canvassing board, the county auditor ~~((or other election officer~~  
30 ~~shall make an abstract of the number of registered voters in each~~  
31 ~~precinct and of all the votes cast in the county at such state primary~~  
32 ~~or general election for and against state measures and for each~~  
33 ~~candidate for federal, state, and legislative office or for any other~~  
34 ~~office which the secretary of state is required by law to canvass. The~~  
35 ~~cumulative report of the election and a copy of the certificate of the~~  
36 ~~election must be transmitted to the secretary of state immediately,~~  
37 ~~through electronic means and mailed with the abstract of votes no later~~

1 ~~than the next business day following the certification by the county~~  
2 ~~canvassing board)) shall electronically transmit the cumulative returns~~  
3 ~~for all state ballot measures, the United States senate, congress,~~  
4 ~~statewide offices, legislative districts, and judicial districts.~~

5 ~~(2) ((After each general election, the county auditor or other~~  
6 ~~election officer shall provide to the secretary of state a report of~~  
7 ~~the number of absentee ballots cast in each precinct for and against~~  
8 ~~state measures and for each candidate for federal, state, and~~  
9 ~~legislative office or for any other office which the secretary of state~~  
10 ~~is required by law to canvass. The report may be included in the~~  
11 ~~abstract required by this section or may be transmitted to the~~  
12 ~~secretary of state separately, but in no event later than March 31st of~~  
13 ~~the year following the election. Absentee ballot results may be~~  
14 ~~incorporated into votes cast at the polls for each precinct or may be~~  
15 ~~reported separately on a precinct by precinct basis.~~

16 ~~(3) If absentee ballot results are not incorporated into votes cast~~  
17 ~~at the polls, the county auditor or other election official may~~  
18 ~~aggregate results from more than one precinct if the auditor, pursuant~~  
19 ~~to rules adopted by the secretary of state, finds that reporting a~~  
20 ~~single precinct's absentee ballot results would jeopardize the secrecy~~  
21 ~~of a person's ballot. To the extent practicable, precincts for which~~  
22 ~~absentee results are aggregated must be contiguous)) No later than the~~  
23 ~~next business day following certification by the county canvassing~~  
24 ~~board, the county auditor must mail to the secretary of state:~~

25 ~~(a) Precinct and cumulative returns for all state ballot measures,~~  
26 ~~the United States senate, congress, statewide offices, legislative~~  
27 ~~districts, and judicial districts;~~

28 ~~(b) A copy of the certification of election;~~

29 ~~(c) A copy of the number of voters eligible to vote and the number~~  
30 ~~of voters credited with voting; and~~

31 ~~(d) A copy of the reconciliation report required by RCW 29A.60.235.~~

32 **Sec. 92.** RCW 29A.60.235 and 2009 c 369 s 41 are each amended to  
33 read as follows:

34 (1) The county auditor shall prepare, make publicly available at  
35 the auditor's office or on the auditor's web site, and submit at the  
36 time of certification an election reconciliation report that discloses  
37 the following information:

- 1 (a) The number of registered voters;  
2 (b) The number of ballots counted;  
3 (c) The number of (~~provisional ballots issued;~~  
4 ~~(d) The number of provisional ballots counted;~~  
5 ~~(e) The number of provisional ballots rejected;~~  
6 ~~(f) The number of absentee ballots issued;~~  
7 ~~(g) The number of absentee ballots counted;~~  
8 ~~(h) The number of absentee)) ballots rejected;  
9 ((+i)) (d) The number of federal write-in ballots counted;  
10 ((+j)) (e) The number of overseas and service ballots issued;  
11 ((+k)) (f) The number of overseas and service ballots counted; and  
12 ((+l)) (g) The number of overseas and service ballots rejected.~~

13 (2) The county auditor shall prepare and make publicly available at  
14 the auditor's office or on the auditor's web site within thirty days of  
15 certification a final election reconciliation report that discloses the  
16 following information:

- 17 (a) The number of registered voters;  
18 (b) The total number of voters credited with voting;  
19 (c) (~~The number of poll voters credited with voting;~~  
20 ~~(d) The number of provisional voters credited with voting;~~  
21 ~~(e) The number of absentee voters credited with voting;~~  
22 (+f)) The number of federal write-in voters credited with voting;  
23 ((+g)) (d) The number of overseas and service voters credited with  
24 voting;  
25 ((+h)) (e) The total number of voters credited with voting even  
26 though their ballots were postmarked after election day and were not  
27 counted; and  
28 ((+i)) (f) Any other information the auditor deems necessary to  
29 reconcile the number of ballots counted with the number of voters  
30 credited with voting.

31 (3) The county auditor may also prepare such reports for  
32 jurisdictions located, in whole or in part, in the county.

33 **Sec. 93.** RCW 29A.64.041 and 2004 c 271 s 179 are each amended to  
34 read as follows:

35 (1) At the time and place established for a recount, the canvassing  
36 board or its duly authorized representatives, in the presence of all  
37 witnesses who may be in attendance, shall open the sealed containers

1 containing the ballots to be recounted, and shall recount the votes for  
2 the offices or issues for which the recount has been ordered. Ballots  
3 shall be handled only by the members of the canvassing board or their  
4 duly authorized representatives.

5 Witnesses shall be permitted to observe the ballots and the process  
6 of tabulating the votes, but they shall not be permitted to handle the  
7 ballots. The canvassing board shall not permit the tabulation of votes  
8 for any nomination, election, or issue other than the ones for which a  
9 recount was applied for or required.

10 (2) At any time before the ballots from all of the precincts listed  
11 in the application for the recount have been recounted, the applicant  
12 may file with the board a written request to stop the recount.

13 (3) The recount may be observed by persons representing the  
14 candidates affected by the recount or the persons representing both  
15 sides of an issue that is being recounted. The observers may not make  
16 a record of the names, addresses, or other information on the  
17 ballots(~~(, poll books, or applications for absentee ballots)~~) unless  
18 authorized by the superior court. The secretary of state or county  
19 auditor may limit the number of observers to not less than two on each  
20 side if, in his or her opinion, a greater number would cause undue  
21 delay or disruption of the recount process.

22 **Sec. 94.** RCW 29A.80.041 and 2009 c 106 s 3 are each amended to  
23 read as follows:

24 (1) Any member of a major political party who is a registered voter  
25 in the precinct may file his or her declaration of candidacy as  
26 prescribed under RCW 29A.24.031 with the county auditor for the office  
27 of precinct committee officer of his or her party in that precinct.  
28 When elected at the primary, the precinct committee officer shall serve  
29 so long as the committee officer remains an eligible voter in that  
30 precinct.

31 (2) In each even-numbered year, the county auditor shall provide  
32 for the election of one precinct committee officer for each major party  
33 for each one thousand, or fraction thereof, active registered voters as  
34 of the day of the general election in the previous odd-numbered year.  
35 The county auditor must designate position numbers for the precinct  
36 committee officer positions before accepting any declarations of



1 candidacy. Consistent with RCW 29A.80.051, the term of office for  
2 precinct committee officer is two years, commencing the first day of  
3 December following the primary.

4 **Sec. 95.** RCW 29A.84.050 and 2005 c 243 s 23 are each amended to  
5 read as follows:

6 A person who knowingly destroys, alters, defaces, conceals, or  
7 discards a completed voter registration form or a signed ((absentee or  
8 provisional)) ballot ((signature)) affidavit is guilty of a gross  
9 misdemeanor. This section does not apply to (1) the voter who  
10 completed the voter registration form, or (2) a county auditor or  
11 registration assistant who acts as authorized by voter registration  
12 law.

13 **Sec. 96.** RCW 29A.84.510 and 2003 c 111 s 2121 are each amended to  
14 read as follows:

15 (1) ~~((On the day of any primary or general or special election))~~  
16 Whenever any building or facility or part of a building or facility is  
17 being operated as a voting center, no person may, within a ((polling  
18 place)) voting center, or in any public area within three hundred feet  
19 of any entrance to such ((polling place)) voting center:

20 (a) Suggest or persuade or attempt to suggest or persuade any voter  
21 to vote for or against any candidate or ballot measure;

22 (b) Circulate cards or handbills of any kind;

23 (c) Solicit signatures to any kind of petition; or

24 (d) Engage in any practice which interferes with the freedom of  
25 voters to exercise their franchise or disrupts the administration of  
26 the ((polling place)) voting center.

27 (2) No person may obstruct the doors or entries to a building in  
28 which a ((polling place)) voting center is located or prevent free  
29 access to and from any ((polling place)) voting center. Any sheriff,  
30 deputy sheriff, or municipal law enforcement officer shall prevent such  
31 obstruction, and may arrest any person creating such obstruction.

32 (3) No person may:

33 (a) ~~((Except as provided in RCW 29A.44.050, remove any ballot from~~  
34 the polling place before the closing of the polls)) Remove any ballot  
35 or paper record from a voting center, ballot drop-off site, or counting  
36 center without lawful authority; or

1 (b) Solicit any voter to show his or her ballot.

2 (4) (~~No person other than an inspector or judge of election may~~  
3 ~~receive from any voter a voted ballot or deliver a blank ballot to such~~  
4 ~~elector.~~

5 (5)) Any violation of this section is a gross misdemeanor,  
6 punishable to the same extent as a gross misdemeanor that is punishable  
7 under RCW 9A.20.021, and the person convicted may be ordered to pay the  
8 costs of prosecution.

9 **Sec. 97.** RCW 29A.84.550 and 2003 c 111 s 2125 are each amended to  
10 read as follows:

11 Any person who willfully defaces, removes, or destroys any of the  
12 supplies or materials that the person knows are intended (~~both~~) for  
13 use in a (~~polling place and~~) voting center or for enabling a voter to  
14 prepare his or her ballot is guilty of a class C felony punishable  
15 under RCW 9A.20.021.

16 **Sec. 98.** RCW 29A.84.730 and 2003 c 111 s 2139 are each amended to  
17 read as follows:

18 (1) In any location in which ballots are counted, no person  
19 authorized by law to be present while votes are being counted may  
20 divulge any results of the count of the ballots at any time prior to  
21 (~~the closing of the polls for~~) 8:00 p.m. on the day of that primary  
22 or special or general election.

23 (2) A violation of this section is a gross misdemeanor punishable  
24 to the same extent as a gross misdemeanor that is punishable under RCW  
25 9A.20.021.

26 **Sec. 99.** RCW 36.83.110 and 1996 c 292 s 4 are each amended to read  
27 as follows:

28 Any registered voter residing within the boundaries of the road and  
29 bridge service district may file a referendum petition to call an  
30 election to retain any or all commissioners. Any referendum petition  
31 to call such election shall be filed with the county auditor no later  
32 than one year before the end of a commissioner's term. Within ten days  
33 of the filing of a petition, the county auditor shall confer with the  
34 petitioner concerning form and style of the petition, issue an  
35 identification number for the petition, and write a ballot title for

1 the measure. The ballot title shall be posed as a question: "Shall  
2 (name of commissioner) be retained as a road and bridge service  
3 district commissioner?" and the question shall be posed separately for  
4 each commissioner. The petitioner shall be notified of the  
5 identification number and ballot title within this ten-day period.

6 After this notification, the petitioner shall have thirty days in  
7 which to secure on petition forms the signatures of not less than  
8 twenty-five percent of the registered voters residing within the  
9 boundaries of the service district and file the signed petitions with  
10 the county auditor. Each petition form shall contain the ballot title.  
11 The county auditor shall verify the sufficiency of the signatures on  
12 the petitions. If sufficient valid signatures are properly submitted,  
13 the county auditor shall submit the referendum measure to the  
14 registered voters residing in the service district in a special  
15 election no later than one hundred twenty days after the signed  
16 petition has been filed with the county auditor. The special election  
17 may be conducted by mail ballot as provided for in chapter ((29.36))  
18 29A.48 RCW.

19 The office of any commissioner for whom there is not a majority  
20 vote to retain shall be declared vacant.

21 **Sec. 100.** RCW 85.38.125 and 1991 c 349 s 15 are each amended to  
22 read as follows:

23 (1) If a special district has less than five hundred qualified  
24 voters, then the special district must contract with the county auditor  
25 to conduct the special district elections. The county auditor has the  
26 discretion as to whether to conduct the election by mail.

27 (2) If a special district has at least five hundred qualified  
28 voters, the special district may contract with the county auditor to  
29 staff the voting site during the election or contract with the county  
30 auditor to conduct the election by mail. A special district with at  
31 least five hundred qualified voters may also choose to conduct its own  
32 elections. A special district that conducts its own elections must  
33 enter into an agreement with the county auditor that specifies the  
34 responsibilities of both parties.

35 (3) ((If the county auditor conducts a special district election by  
36 mail, then)) The provisions of chapter ((29.36)) 29A.48 RCW, which

1 govern elections by mail(~~(7—except—for—the—requirements—of—RCW~~  
2 ~~29.36.120)~~), shall apply.

3 **Sec. 101.** RCW 90.72.040 and 1997 c 447 s 20 are each amended to  
4 read as follows:

5 (1) The county legislative authority may create a shellfish  
6 protection district on its own motion or by submitting the question to  
7 the voters of the proposed district and obtaining the approval of a  
8 majority of those voting. The boundaries of the district shall be  
9 determined by the legislative authority. The legislative authority may  
10 create more than one district. A district may include any area or  
11 areas within the county, whether incorporated or unincorporated.  
12 Counties shall coordinate and cooperate with cities, towns, and water-  
13 related special districts within their boundaries in establishing  
14 shellfish protection districts and carrying out shellfish protection  
15 programs. Where a portion of the proposed district lies within an  
16 incorporated area, the county shall develop procedures for the  
17 participation of the city or town in the determination of the  
18 boundaries of the district and the administration of the district,  
19 including funding of the district's programs. The legislative  
20 authority of more than one county may by agreement provide for the  
21 creation of a district including areas within each of those counties.  
22 County legislative authorities are encouraged to coordinate their plans  
23 and programs to protect shellfish growing areas, especially where  
24 shellfish growing areas are located within the boundaries of more than  
25 one county. The legislative authority or authorities creating a  
26 district may abolish a shellfish protection district on its or their  
27 own motion or by submitting the question to the voters of the district  
28 and obtaining the approval of a majority of those voting.

29 (2) If the county legislative authority creates a shellfish  
30 protection district by its own motion, any registered voter residing  
31 within the boundaries of the shellfish protection district may file a  
32 referendum petition to repeal the ordinance that created the district.  
33 Any referendum petition to repeal the ordinance creating the shellfish  
34 protection district shall be filed with the county auditor within seven  
35 days of passage of the ordinance. Within ten days of the filing of a  
36 petition, the county auditor shall confer with the petitioner  
37 concerning form and style of the petition, issue an identification

1 number for the petition, and write a ballot title for the measure. The  
2 ballot title shall be posed as a question so that an affirmative answer  
3 to the question and an affirmative vote on the measure results in  
4 creation of the shellfish protection district and a negative answer to  
5 the question and a negative vote on the measure results in the  
6 shellfish protection district not being created. The petitioner shall  
7 be notified of the identification number and ballot title within this  
8 ten-day period.

9 After this notification, the petitioner shall have thirty days in  
10 which to secure on petition forms the signatures of not less than  
11 twenty-five percent of the registered voters residing within the  
12 boundaries of the shellfish protection district and file the signed  
13 petitions with the county auditor. Each petition form shall contain  
14 the ballot title and full text of the measure to be referred. The  
15 county auditor shall verify the sufficiency of the signatures on the  
16 petitions. If sufficient valid signatures are properly submitted, the  
17 county auditor shall submit the referendum measure to the registered  
18 voters residing in the shellfish protection district in a special  
19 election no later than one hundred twenty days after the signed  
20 petition has been filed with the county auditor. The special election  
21 (~~may~~) shall be conducted by mail ballot as provided for in chapter  
22 (~~29.36~~) 29A.48 RCW.

23 (3) The county legislative authority shall not impose fees, rates,  
24 or charges for shellfish protection district programs upon properties  
25 on which fees, rates, or charges are imposed under chapter 36.89 or  
26 36.94 RCW for substantially the same programs and services.

27 NEW SECTION. Sec. 102. RCW 29A.40.061, 29A.40.070, 29A.40.080,  
28 29A.40.091, 29A.40.100, 29A.40.110, 29A.40.120, and 29A.40.150 are each  
29 recodified as sections in chapter 29A.48 RCW.

30 NEW SECTION. Sec. 103. RCW 29A.44.430 is recodified as a section  
31 in chapter 29A.80 RCW.

32 NEW SECTION. Sec. 104. The following acts or parts of acts are  
33 each repealed:

34 (1) RCW 29A.16.020 (Alternative polling places or procedures) and  
35 2003 c 111 s 402, 1999 c 298 s 15, & 1985 c 205 s 5;

1 (2) RCW 29A.16.030 (Costs for modifications--Alternatives--Election  
2 costs) and 2003 c 111 s 403, 1999 c 298 s 20, & 1985 c 205 s 12;  
3 (3) RCW 29A.16.110 (Polling place--May be located outside precinct)  
4 and 2003 c 111 s 407 & 1965 c 9 s 29.48.005;  
5 (4) RCW 29A.16.140 (Inaccessible polling places--Auditors' list)  
6 and 2003 c 111 s 410;  
7 (5) RCW 29A.16.150 (Polling places--Accessibility required,  
8 exceptions) and 2003 c 111 s 411;  
9 (6) RCW 29A.16.170 (County auditors--Notice of accessibility) and  
10 2003 c 111 s 413;  
11 (7) RCW 29A.40.010 (When permitted) and 2009 c 369 s 36 & 2003 c  
12 111 s 1001;  
13 (8) RCW 29A.40.020 (Request for single ballot) and 2009 c 369 s 37,  
14 2003 c 111 s 1002, & 2001 c 241 s 2;  
15 (9) RCW 29A.40.030 (Request on behalf of family member) and 2003 c  
16 111 s 1003;  
17 (10) RCW 29A.40.040 (Ongoing status--Request--Termination) and 2003  
18 c 111 s 1004;  
19 (11) RCW 29A.40.050 (Special ballots) and 2003 c 111 s 1005, 2001  
20 c 241 s 5, 1991 c 81 s 35, & 1987 c 346 s 21;  
21 (12) RCW 29A.40.130 (Record of requests--Public access) and 2003 c  
22 111 s 1013;  
23 (13) RCW 29A.40.140 (Challenges) and 2006 c 320 s 8 & 2003 c 111 s  
24 1014;  
25 (14) RCW 29A.44.020 (List of who has and who has not voted) and  
26 2003 c 111 s 1102, 1977 ex.s. c 361 s 83, & 1965 c 9 s 29.51.125;  
27 (15) RCW 29A.44.080 (Polls open continuously--Announcement of  
28 closing) and 2003 c 111 s 1108;  
29 (16) RCW 29A.44.110 (Delivery of supplies) and 2003 c 111 s 1110;  
30 (17) RCW 29A.44.120 (Delivery of precinct lists to polls) and 2003  
31 c 111 s 1111;  
32 (18) RCW 29A.44.130 (Additional supplies for paper ballots) and  
33 2003 c 111 s 1112 & 1977 ex.s. c 361 s 82;  
34 (19) RCW 29A.44.180 (Opening the polls) and 2003 c 111 s 1117;  
35 (20) RCW 29A.44.201 (Issuing ballot to voter--Challenge) and 2004  
36 c 271 s 136;  
37 (21) RCW 29A.44.221 (Casting vote) and 2004 c 271 s 137;

1 (22) RCW 29A.44.250 (Tabulation of paper ballots before close of  
2 polls) and 2003 c 111 s 1124 & 1990 c 59 s 54;  
3 (23) RCW 29A.44.280 (Duties of election officers after unused  
4 ballots secure) and 2003 c 111 s 1127 & 1990 c 59 s 53;  
5 (24) RCW 29A.44.290 (Return of precinct lists after election--  
6 Public records) and 2003 c 111 s 1128;  
7 (25) RCW 29A.44.310 (Initialization) and 2003 c 111 s 1129;  
8 (26) RCW 29A.44.320 (Delivery and sealing) and 2003 c 111 s 1130;  
9 (27) RCW 29A.44.330 (Memory packs) and 2003 c 111 s 1131;  
10 (28) RCW 29A.44.340 (Incorrectly marked ballots) and 2003 c 111 s  
11 1132;  
12 (29) RCW 29A.44.350 (Failure of device) and 2004 c 267 s 320 & 2003  
13 c 111 s 1133;  
14 (30) RCW 29A.44.420 (Appointment of clerks--Party representation--  
15 Hour to report) and 2003 c 111 s 1135, 1965 ex.s. c 101 s 2, & 1965 c  
16 9 s 29.45.020;  
17 (31) RCW 29A.44.450 (One set of precinct election officers,  
18 exceptions--Counting board--Receiving board) and 2003 c 111 s 1138,  
19 1994 c 223 s 91, 1973 c 102 s 2, 1965 ex.s. c 101 s 4, & 1965 c 9 s  
20 29.45.050;  
21 (32) RCW 29A.44.460 (Duties--Generally) and 2003 c 111 s 1139;  
22 (33) RCW 29A.44.470 (Application to other primaries or elections)  
23 and 2003 c 111 s 1140;  
24 (34) RCW 29A.44.480 (Inspector as chair--Authority) and 2003 c 111  
25 s 1141 & 1965 c 9 s 29.45.070;  
26 (35) RCW 29A.44.510 (Oath of judges, form) and 2003 c 111 s 1144;  
27 (36) RCW 29A.44.520 (Oath of clerks, form) and 2003 c 111 s 1145;  
28 (37) RCW 29A.48.020 (Special elections) and 2004 c 266 s 15;  
29 (38) RCW 29A.48.030 (Odd-year primaries) and 2003 c 111 s 1203;  
30 (39) RCW 29A.60.060 (Poll-site ballot counting devices--Results)  
31 and 2003 c 111 s 1506;  
32 (40) RCW 29A.60.200 (Canvassing board--Canvassing procedure--  
33 Penalty) and 2003 c 111 s 1520, 1990 c 59 s 63, & 1965 c 9 s 29.62.040;  
34 (41) RCW 29A.84.540 (Ballots--Removing from polling place) and 2003  
35 c 111 s 2124;  
36 (42) RCW 29A.84.545 (Paper record from electronic voting device--  
37 Removing from polling place) and 2005 c 242 s 6; and

1 (43) RCW 29A.84.680 (Absentee ballots) and 2003 c 111 s 2136, 2003  
2 c 53 s 179, 2001 c 241 s 14, 1994 c 269 s 2, 1991 c 81 s 34, 1987 c 346  
3 s 20, & 1983 1st ex.s. c 71 s 9.

4 NEW SECTION. **Sec. 105.** Sections 85 and 90 of this act take effect  
5 July 1, 2013.

6 NEW SECTION. **Sec. 106.** Sections 75, 84, and 89 of this act expire  
7 July 1, 2013."

**2SHB 1572** - S COMM AMD

By Committee on Government Operations & Elections

8 On page 1, line 1 of the title, after "elections;" strike the  
9 remainder of the title and insert "amending RCW 29A.04.008, 29A.04.019,  
10 29A.04.128, 29A.04.031, 29A.04.220, 29A.04.255, 29A.04.580, 29A.04.611,  
11 29A.04.470, 29A.08.130, 29A.08.140, 29A.08.440, 29A.08.620, 29A.08.720,  
12 29A.08.775, 29A.08.810, 29A.08.820, 29A.12.085, 29A.12.090, 29A.12.110,  
13 29A.12.160, 29A.16.010, 29A.16.040, 29A.16.060, 29A.16.120, 29A.16.130,  
14 29A.24.081, 29A.24.131, 29A.28.021, 29A.28.061, 29A.32.241, 29A.36.115,  
15 29A.36.131, 29A.36.161, 29A.40.070, 29A.40.080, 29A.40.091, 29A.40.100,  
16 29A.40.110, 29A.40.120, 29A.44.010, 29A.44.030, 29A.44.040, 29A.44.050,  
17 29A.44.060, 29A.44.070, 29A.44.090, 29A.44.140, 29A.44.150, 29A.44.160,  
18 29A.44.170, 29A.44.190, 29A.44.205, 29A.44.207, 29A.44.210, 29A.44.225,  
19 29A.44.231, 29A.44.260, 29A.44.265, 29A.44.270, 29A.44.410, 29A.44.430,  
20 29A.44.490, 29A.44.530, 29A.46.260, 29A.48.010, 29A.48.040, 29A.48.060,  
21 29A.52.141, 29A.52.311, 29A.52.351, 29A.53.080, 29A.56.010, 29A.56.490,  
22 29A.60.010, 29A.60.030, 29A.60.050, 29A.60.110, 29A.60.120, 29A.60.160,  
23 29A.60.160, 29A.60.170, 29A.60.180, 29A.60.190, 29A.60.190, 29A.60.230,  
24 29A.60.235, 29A.64.041, 29A.80.041, 29A.84.050, 29A.84.510, 29A.84.550,  
25 29A.84.730, 36.83.110, 85.38.125, and 90.72.040; reenacting and  
26 amending RCW 29A.40.061, 29A.60.070, and 29A.60.165; adding new  
27 sections to chapter 29A.04 RCW; adding new sections to chapter 29A.48  
28 RCW; adding a new section to chapter 29A.80 RCW; recodifying RCW



1 29A.40.061, 29A.40.070, 29A.40.080, 29A.40.091, 29A.40.100, 29A.40.110,  
2 29A.40.120, 29A.40.150, and 29A.44.430; repealing RCW 29A.16.020,  
3 29A.16.030, 29A.16.110, 29A.16.140, 29A.16.150, 29A.16.170, 29A.40.010,  
4 29A.40.020, 29A.40.030, 29A.40.040, 29A.40.050, 29A.40.130, 29A.40.140,  
5 29A.44.020, 29A.44.080, 29A.44.110, 29A.44.120, 29A.44.130, 29A.44.180,  
6 29A.44.201, 29A.44.221, 29A.44.250, 29A.44.280, 29A.44.290, 29A.44.310,  
7 29A.44.320, 29A.44.330, 29A.44.340, 29A.44.350, 29A.44.420, 29A.44.450,  
8 29A.44.460, 29A.44.470, 29A.44.480, 29A.44.510, 29A.44.520, 29A.48.020,  
9 29A.48.030, 29A.60.060, 29A.60.200, 29A.84.540, 29A.84.545, and  
10 29A.84.680; providing an effective date; and providing an expiration  
11 date."

EFFECT: Technical correction.

--- END ---