

HB 2483 - S AMD 247
By Senator Oemig

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 place
2 on election day by the precinct election board to a voter who would
3 otherwise be denied an opportunity to vote a regular ballot, for any
4 reason authorized by the Help America Vote Act, including but not
5 limited to the following:

6 (a) The voter's name does not appear in the poll book;

7 (b) There is an indication in the poll book that the voter has
8 requested an absentee ballot, but the voter wishes to vote at the
9 polling place;

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

12 (d) Any other reason allowed by law;

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

18 (7) "Nonpartisan ballot" means a primary election ballot that lists
19 all nonpartisan races and ballot measures to be voted on at that
20 primary;

21 (8) "Mail ballot" means a ballot transmitted by the United States
22 postal service, facsimile, electronic mail, or other electronic means
23 as established in rules by the secretary of state.

24 NEW SECTION. Sec. 2. A new section is added to chapter 29A.48 RCW
25 to read as follows:

26 (1) A voter may receive a ballot by e-mail or other electronic
27 means. A voter may return a voted ballot by e-mail if the voter's
28 signature on the declaration accompanies the ballot. The secretary of
29 state must establish procedures to protect the secrecy of the voted
30 ballot.

31 (2) A voter may request to receive all future ballots by e-mail or
32 other available electronic means. A voter may also request to
33 terminate receiving ballots by postal mail.

34 **Sec. 3.** RCW 29A.40.150 and 2009 c 415 s 12 are each amended to
35 read as follows:

36 (1) An overseas or service voter may receive a ballot by fax,

1 e-mail, or other electronic means. An overseas or service voter may
2 return a voted ballot by fax or e-mail if the voter's signature on the
3 declaration accompanies the ballot. The county auditor must establish
4 procedures to protect the secrecy of the voted ballot.

5 (2) An overseas or service voter may request to receive all future
6 ballots by fax, e-mail, or other available electronic means. An
7 overseas or service voter may also request to terminate receiving
8 ballots by postal mail.

9 (3) The (~~information on the envelopes or~~) instructions for
10 overseas voters and service voters must include the contact information
11 for the county auditor's office and must explain that:

12 (~~(1)~~) (a) Return postage is free if the ballot is mailed through
13 the United States postal service, United States armed forces postal
14 service, or the postal service of a United States foreign embassy;

15 (~~(2)~~) (b) The date of the signature is considered the date of
16 mailing;

17 (~~(3)~~) (c) The (~~envelope~~) declaration must be signed (~~by~~) no
18 later than election day;

19 (~~(4)~~) (d) If the voter is not already registered to vote, the
20 signed declaration (~~on the envelope~~) is the equivalent of voter
21 registration;

22 (~~(5)~~) (e) A voter may (~~fax a voted ballot and the accompanying~~
23 ~~envelope if the voter agrees to waive secrecy. The ballot will be~~
24 ~~counted if the original documents are received before certification of~~
25 ~~the election~~) request to receive all future ballots by fax, e-mail, or
26 other available electronic means; (~~and~~

27 ~~(6) A voter may obtain a ballot via electronic mail, which the~~
28 ~~voter may print out, vote, and return by mail. In order to facilitate~~
29 ~~the electronic acquisition of ballots by overseas and service voters,~~
30 ~~the ballot instructions shall include the web site of the office of the~~
31 ~~secretary of state~~) (f) A voter may return a ballot and signed
32 declarations by fax or e-mail; and

33 (g) A voter may contact the county auditor's office to confirm that
34 the ballot was received.

35 **NEW SECTION. Sec. 4.** A new section is added to chapter 29A.40 RCW
36 to read as follows:

37 An overseas or service voter may register to vote, request a

1 ballot, or transmit a ballot using forms or methods provided by the
2 United States department of defense or the United States election
3 assistance commission."

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4 On page 1, line 1 of the title, after "Relating to" strike the
5 remainder of the title and insert "expanding the use of fax, e-mail, or
6 other forms of electronic voting to all voters; amending RCW 29A.04.008
7 and 29A.40.150; adding a new section to chapter 29A.48 RCW; and adding
8 a new section to chapter 29A.40 RCW."

EFFECT: All voters, including overseas and military voters, may
return a voted ballot by e-mail. Definition of "mail ballot" is added,
which includes voted ballots submitted by e-mail or fax.

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