State Government & Tribal Affairs Committee

HB 2419

Brief Description: Reducing costs and inefficiencies in elections.

Sponsors: Representatives Alexander, Hunt and Ormsby; by request of Secretary of State.

Brief Summary of Bill

- Revises a wide variety of statutory provisions relating to the responsibilities of the Secretary of State and county auditors with respect to voter registration materials, tabulating votes, notices sent to voters, maintaining the voter registration database, the form and content of voter's pamphlets, ballot measure requirements, communicating with voters through electronic means, and primary election regulations.

- Reduces the number of languages into which voter registration materials must be translated.

- Repeals various statutes relating to the form and substance of voter's pamphlets.

Hearing Date: 1/23/12

Staff: Thamas Osborn (786-7129).

Background:

The Secretary of State (Secretary) has a wide range of duties to the citizens of this state, perhaps the most important of which are the myriad responsibilities of the office with respect to the facilitation and oversight of the election process. These electoral duties encompass elections for federal, statewide, and local offices, as well as initiatives and referenda submitted for voter approval. The various responsibilities of the Secretary in this regard include, but are not limited to, the following:
- providing citizens with access to state election laws and voter information;
- assisting county auditors (auditors) in the election process;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- maintaining the state voter registration database;
- overseeing the functioning of vote tabulation systems; and
- overseeing the form and content of voter's pamphlets.

Summary of Bill:

The Secretary is required to make the most recent version of state election laws, and the pertinent administrative rules, available on the the office website for access by county auditors and the public.

The Secretary must produce voter registration materials in the foreign languages required under the Federal Voting Rights Act. This will reduce the number of languages from eight to four: English, Spanish, Chinese, and Vietnamese.

The types of "acknowledgement notices" an auditor is required to send to registered voters is reduced and simplified. Auditors no longer need to send a voter an individualized acknowledgement notice for every voter registration transaction, but the act continues to require that auditors send a voter notice of the disposition of his or her voter registration application.

The act clarifies that Washington voter registration information in the state database can be compared to information from other states to identify voters who are registered in more than one state and/or voting in more than one state.

With respect to the vote tallying system testing required at least three days before each state primary or general election, county auditors, rather than the Secretary, shall be primarily responsible for conducting the testing of the programming of the vote tallying systems.

Statutory provisions governing the form and content of both state and local voter's pamphlets, and the Secretary's duties with respect to such pamphlets, are revised under the act. These revisions include:
- The requirement that the full text of a ballot measure be printed in the voter's pamphlet is eliminated.
- The time frame for the approval of the publication and distribution of a local voter's pamphlet by the governing body of a county or city is increased from 40 to 50 days before any special election.
- Eliminates the requirement that the full text of a ballot measure be included in a printed and mailed local voter's pamphlet.
- Fiscal impact statements regarding ballot measures must include directions to voters on how to find additional information regarding fiscal impacts on the website of the Office of Financial Management (OFM).
- The assumptions underlying fiscal impact statements for ballot measures must be posted on the website of the OFM.

No primary may be held for any single position in a local, nonpartisan office if no more than two candidates have filed for the position.

In cases where there is a problem with the signature match between the ballot declaration and the voter registration document, the auditor has the option of notifying the voter either by telephone, electronic mail (e-mail), or first class mail.

An auditor is authorized to certify the results of a recount by batch, instead of precinct, if the original count was processed by batch.

Revises filing requirements for a proposed ballot measure, initiative, or referendum, so as to allow the sponsor of the measure to certify by electronic submission that he or she is a registered voter.

In the event voters are affected by a change of electoral jurisdiction due to a boundary change, the auditor must:
- update the registration records of every affected voter; and
- make personalized jurisdiction information available to the voters either online or by mail.

Several statutes are repealed:
- RCW 29A.32.031: contents of voter's pamphlets;
- RCW 29A.32.032: candidate's political party preference or independent status to be indicated in voter's pamphlet;
- RCW 29A.32.036: voter's pamphlets for even year primaries must state that only party affiliated voters may vote in that party's primary;
- RCW 29A.32.080: stylistic requirements in voter's pamphlets for amendatory language for ballot measures amending existing law; and
- RCW 29A.52.011: conditions under which no primary must be held to fill and unexpired term.

The act includes an emergency clause causing it to take effect immediately upon enactment.

Appropriation: None.

Fiscal Note: Requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.