
**State Government & Tribal Affairs
Committee**

ESSB 5124

Brief Description: Modifying elections by mail provisions.

Sponsors: Senate Committee on Government Operations, Tribal Relations & Elections
(originally sponsored by Senators White, Pridemore, Fraser and Shin; by request of Secretary of State).

Brief Summary of Engrossed Substitute Bill

- Requires all counties to conduct all elections entirely by mail.
- Changes precinct sizes to not more than 1,500 active registered voters.
- Requires county auditors to open a voting center in the county auditor's office.

Hearing Date: 3/10/11

Staff: Marsha Reilly (786-7135).

Background:

As early as 1915 a voter was allowed to cast an absentee ballot if he or she was not able to be present to vote at the polls on election day. In 1933 voters with disabilities and voters over the age of 65 were authorized to vote an absentee ballot. In 1967 a county auditor could designate a mail ballot precinct if the precinct had less than 100 registered voters. By 1974 the Legislature expanded absentee voting to all voters who made a request, and by 1993 those voters could request to vote absentee on an on-going basis. In 2005 county auditors were allowed to conduct all elections entirely by mail ballot with the approval of the county legislative authority. Presently, all counties, except Pierce County, conduct elections entirely by mail.

Summary of Bill:

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.

All counties must conduct all elections entirely by mail ballot. Any county auditor that maintains poll-site voting must notify each registered poll voter that all future primaries and general and special elections will be conducted by mail.

County auditors are required to open a voting center in the county auditor's office that shall be open during business hours during the voting period. The voting period begins 18 days before and ends at 8 p.m. on the day of an election. The voting center must provide voter registration materials, replacement ballots, provisional ballots, disability access voting devices, sample ballots, instructions on how to vote the ballot, a ballot drop box, and voters' pamphlets, if published.

The voting center must be accessible to persons with disabilities and must provide at least one voting unit that provides access to individuals who are blind or visually impaired.

Persons wishing to vote at a voting center must either sign a ballot declaration or provide identification. A voter who has already returned a ballot but requests to vote at a voting center shall be issued a provisional ballot. The provisional ballot will not be counted if the canvassing board finds that the voter's ballot has been returned and the voter has already been credited with voting.

Determinations of precinct size are changed from not more than 900 active registered poll voters to a maximum of 1,500 active registered voters.

References to polls, poll-site voting, poll books, poll lists, precinct polling places, poll-site ballot counting devices, absentee voting, precinct election officers, and inspectors and judges of election are removed.

Statutes relating to precinct and polling place determination and accessibility; absentee voting; polling place elections and poll workers; disability access voting; voting by mail; canvassing; casting a vote at a polling site; duties of election officers in securing unused ballots at polling sites; and crimes and penalties are repealed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.