
HOUSE BILL 1988

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Shea, Ahern, Taylor, Angel, and McCune

Read first time 02/17/11. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to prohibiting county auditors from including their
2 names on ballot envelopes and voting materials when running for
3 reelection; and amending RCW 29A.32.241 and 29A.40.091.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** 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 an
15 absentee 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

1 district measures not approved by the attorney for the jurisdiction
2 submitting the measure shall be reviewed and approved by the county
3 prosecuting attorney or city attorney, when applicable, before
4 inclusion in the pamphlet;

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

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

11 The county auditor's name may not appear in the local voters'
12 pamphlet in his or her official capacity if the county auditor is a
13 candidate for office during the same year. His or her name may only be
14 included as part of the information normally included for candidates.

15 **Sec. 2.** RCW 29A.40.091 and 2010 c 125 s 1 are each amended to read
16 as follows:

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

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

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

22 The county auditor's name may not appear on the security envelope,
23 the return envelope, or on any voting instructions or materials
24 included with the ballot if he or she is a candidate for office during
25 the same year.

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