

# HOUSE BILL REPORT

## HB 1290

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**As Reported by House Committee On:**  
Government Operations & Elections

**Title:** An act relating to placement of ballot drop boxes.

**Brief Description:** Requiring county auditors to place ballot drop boxes at various locations throughout the county.

**Sponsors:** Representatives Orwall, Hunt, Bergquist, Fitzgibbon, Maxwell, Lytton, McCoy, Ryu, Riccelli, Hudgins, Pollet, Zeiger, Farrell and Ormsby.

**Brief History:**

**Committee Activity:**

Government Operations & Elections: 1/29/13, 2/12/13 [DPS].

**Brief Summary of Substitute Bill**

- Requires county auditors to place ballot drop boxes at each branch campus of each public institution of higher education.
- Requires each county auditor to establish and maintain an advisory committee with student government, student association, and administration representatives, to develop an outreach plan and identify locations for drop boxes that will maximize accessibility to students.
- Requires the Secretary of State to compile and report to the Legislature information about each county's ballot boxes and outreach methods.

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### HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Hunt, Chair; Bergquist, Vice Chair; Carlyle, Fitzgibbon, Orwall and Van De Wege.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Buys, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Alexander, Kristiansen and Manweller.

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*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.*

**Staff:** Jasmine Vasavada (786-7301).

**Background:**

All counties conduct elections entirely by mail, in that each registered voter is automatically issued a mail ballot. A voter may vote by returning the ballot by mail, so long as the ballot is postmarked no later than the day of the election or primary. However, the county auditors also open at least one voting center each primary, special election, and general election. The voting center provides a range of materials, including voter registration materials, replacement and provisional ballots, disability access voting devices, instructions on how to vote the ballot, and a ballot drop box for individuals who are unable to or do not wish to mail their ballots.

All ballot drop boxes are secured at 8 p.m. on the day of the election. Ballots that have been submitted to drop boxes are then returned to the counting center in secured transport containers.

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**Summary of Substitute Bill:**

Placement of Drop Boxes at Public Institutions of Higher Education.

County auditors are required to place one ballot drop box at each public institution of higher education, including each branch campus. "Institution of higher education" means state universities, regional universities, The Evergreen State College, community colleges, and technical colleges.

Advisory Committee.

Each county auditor must establish an advisory committee, which must include a representative from the Washington Student Association and representatives from student government and the administration associated with each public higher education institution in the county. The advisory committee must assist election officials by identifying locations for ballot drop boxes that will maximize student accessibility and developing an outreach plan to promote student's use of the drop boxes.

Report to the Legislature.

Each local election official will report to the Secretary of State (Secretary) the number, type, and location of the county's ballot boxes and the methods used to inform voters of the locations. The Secretary must compile this information in a report to the Legislature by December 1, 2013.

**Substitute Bill Compared to Original Bill:**

The substitute bill scales back the requirement that county auditors place ballot drop boxes at various locations throughout the county. Instead of requiring county auditors to place ballot boxes at high schools and school district headquarters, ballot boxes are only required to be placed at each campus of a public institution of higher education.

The requirement in the original bill that auditors consider placing ballot boxes at other locations, such as shopping malls, government offices, and private buildings, is removed.

The substitute bill establishes an advisory committee, with student and administration representatives, to assist auditors in developing an outreach plan and identifying locations for ballot drop boxes that will maximize student accessibility.

The substitute bill includes a reporting requirement. Auditors must provide information about the number, type, and location of ballot drop boxes in each county, and outreach methods used to inform voters of the locations, to the Secretary. The Secretary in turn must report this information to the Legislature.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) The location of ballot drop boxes on campus can be very important to students, especially commuters who may not know much about the surrounding area. So even when a drop box location might be near a campus, it may not be in a location frequented by students. Some student governments and associations have found that a permanent ballot box on campus can become the center point of their civic engagement efforts, and can be pointed out on the student's first tour of campus.

Student leaders also sometimes take on the responsibility of gathering ballots on campus and bringing them in to the county, but local election officials cannot sanction such efforts because they do not want to encourage people to hand their ballots over to other students they do not know, instead of depositing them in a secured container. Student groups who get involved with voter registration may find that students are bringing ballots over to their offices, but they have no place to deposit them. Some counties have provided stamps to student groups, so the student representative can hand them out to people to promote vote by mail.

(In support with concerns) Although having a ballot drop box on campus can have a profound impact, it may not be important to have one box for every 3,000 students.

(With concerns) Some college campuses do not have a ballot drop box because of the resources required to properly maintain one, both during the voting period, when ballots need to be removed before the box overflows, and the rest of the year, when trash or graffiti may be a concern. The cost of a ballot drop box may vary widely, and it is important that these boxes be secure so that you cannot fish a ballot out with gum on a wire. In one county, mobile vans were deployed to collect ballots from campuses. There may not be a one-size

fits all approach, because rural and urban and big and small counties have different issues that need to be addressed. Some high school principals have expressed concern about placing a ballot box at their location, because they do not want people who are not supposed to be on their campuses visiting throughout the day and night. In requiring counties to consider other locations, counties should be instructed to work with a disability advisory committee to ensure the location and type of box is accessible to disabled individuals.

(Opposed) The cost of a ballot drop box is more than the cost of buying a ballot drop box; it includes maintenance crews and staffing costs. On election night, there must be two staff to go to each drop box site, secure the box, and transport it back to the location where the ballots will be counted. Student groups can play an incredibly important role, but there are many things we need to consider. Auditors seeking to put ballot drop boxes on campuses of schools need to work closely with the school administration to meet their requirements, and also work to find secure places with adequate lighting, accessible by car. To require smaller counties to put out additional ballot drop boxes might be difficult.

**Persons Testifying:** (In support) Representative Orwall, prime sponsor; and Lucas Barash-David, Associated Students of the University of Washington.

(In support with concerns) Jackie Sperlich, Associated Students of Central Washington University; and Gabriel Boman, Associated Students of the University of Washington, Tacoma.

(With concerns) Sherrill Huff and Monty Cobb, Washington Association of County Officials; David Lord, Disability Rights of Washington; and Steve Homan, Thurston County Elections.

(Opposed) Jerry Pettit, Washington Association of County Auditors.

**Persons Signed In To Testify But Not Testifying:** None.