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## Government Operations & Elections Committee

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### ESHB 1290

**Brief Description:** Concerning ballot drop boxes.

**Sponsors:** House Committee on Government Operations & Elections (originally sponsored by Representatives Orwall, S. Hunt, Bergquist, Fitzgibbon, Maxwell, Lytton, McCoy, Ryu, Riccelli, Hudgins, Pollet, Zeiger, Farrell and Ormsby).

#### Brief Summary of Bill

- Requires county auditors to place at least one ballot drop box at each public college, university, community college, and technical college, and at certain branch campuses.
- Authorizes county auditors to install additional ballot drop boxes if the college's administration or a student body association agrees to jointly fund the installation.
- Requires each county auditor to establish a ballot drop box advisory committee with student representatives and representatives from the college administration.
- Requires reporting to the Secretary of State and the Legislature of ballot drop box placement and methods used to inform voters.
- Requires consideration of Indian reservations in the placement of ballot drop boxes.
- Establishes a civil penalty of \$5,000 for tampering or destroying a ballot drop box, in addition to any other penalties authorized by law.

**Hearing Date:** 1/22/14

**Staff:** Marsha Reilly (786-7135).

#### **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

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postmarked no later than the day of the election or primary. A voter must affix postage to a ballot that is being returned by mail.

Although voters may submit their ballots by mail, the county auditors also open at least one voting center each primary, special election, and general election. County auditors may also place ballot drop boxes in other locations.

All ballot drop boxes must be 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.

**Summary of Bill:**

The engrossed substitute house bill requires the county auditor or local election official to place at least one ballot drop box at each public college, university, community college, and technical college, as well as the branch campuses of Washington State University and the University of Washington. This requirement is waived if a ballot drop box is located within the county within one mile of the campus. The college administration or student association may assist with funding these ballot drop boxes. The county auditor or local election official is authorized to install additional ballot drop boxes on any campus, if the college administration or an associated student body association commits to jointly funding the installation.

Each county auditor or election official shall establish and maintain an advisory committee, that includes a representative from the Washington Student Association, the college administration, and student government, to assist election officials by identifying locations for ballot drop box placement and by developing an outreach plan. The Western Governors University, an online university, is exempt from the requirements related to the placement of ballot drop boxes on college campuses or the creation of an advisory committee containing student representatives.

County auditors must provide a report to the Secretary of State within 90 days of the effective date of the act including the number, type, and location of the county's ballot drop boxes and a description of the methods used to inform voters. The Secretary of State shall compile the information and develop and implement a plan to provide voter access to drop boxes in every county.

When identifying ballot drop box locations or developing proposals for the placement of ballot drop boxes, county auditors, local election officials, and the Secretary of State must consider Indian reservations.

A civil penalty of up to \$5,000 is established for tampering with or destroying a ballot drop box, in addition to any other penalties authorized by law.

**Appropriation:** None.

**Fiscal Note:** Available.

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