

HOUSE BILL REPORT

HB 2215

As Reported by House Committee On:
Government Operations & Elections

Title: An act relating to reconciling election laws.

Brief Description: Reconciling election laws.

Sponsors: Representatives Robinson, Manweller, S. Hunt and Haler; by request of Secretary of State.

Brief History:

Committee Activity:

Government Operations & Elections: 1/22/14 [DPS].

Brief Summary of Substitute Bill

- Makes technical corrections to laws related to elections.

HOUSE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Taylor, Ranking Minority Member; Young, Assistant Ranking Minority Member; Carlyle, Christian, Kretz, Manweller, Orwall, Robinson and Van De Wege.

Staff: Marsha Reilly (786-7135).

Background:

Many changes made and challenges to election laws over the past decade have resulted in duplicative statutes, outdated citations and references, and errors in dates. In 2003 election laws were reorganized and re-codified.

The date of the primary was changed in 2006 and again in 2011 to comply with federal law regarding transit time for ballots for service and overseas voters. In 2006, 2009, and 2011, the dates authorized for special elections were changed. In 2011 the Legislature passed a law requiring that all elections be held entirely by mail.

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.

In 1977 the Washington Supreme Court ruled that in the case of multiple signatures on a state initiative or referendum petition, the first valid signature must be counted while all additional signatures are rejected. In 2013 courts in two separate cases found that the statute requiring rejection of all signatures of a multiple signer, including the first valid signature, on local petitions violates the Washington Constitution.

Summary of Substitute Bill:

Technical changes concerning elections are made consisting of correcting statutory references, clarifying current policies, updating deadlines, correcting dates, removing references to poll site voting, and modifying statutes to be consistent with the Constitution and court rulings.

Substitute Bill Compared to Original Bill:

The substitute bill corrects a grammatical error and an additional instance in which five days is change to 60 days for the purposes of a board of county commissioners failing to agree upon the selection of a third commissioner in the event of a vacancy.

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 bill simply cleans up election law. This is phase two of the cleanup. A bill last year cleaned up references in Title 29A. This bill corrects references related to elections law mostly in local jurisdictions. For instance, statute indicates that for a vacancy in a county office, a decision must be made in five days, but in the Constitution it is 60 days. It also addresses local municipal petitions. The statute indicates that if someone signs a petition more than once, all of those signatures must be rejected. However, the courts have held that this is unconstitutional.

(Opposed) None.

Persons Testifying: Representative Robinson, prime sponsor; and Katie Blinn, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.