

---

HOUSE BILL 1103

---

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Van De Wege, Hunt, Stanford, Lias, Hayes, Morrell, Appleton, Fitzgibbon, Hudgins, Reykdal, and Bergquist

Read first time 01/16/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to uniform ballot design; and amending RCW  
2 29A.12.101 and 29A.36.111.

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

4 **Sec. 1.** RCW 29A.12.101 and 2006 c 207 s 3 are each amended to read  
5 as follows:

6 The secretary of state shall not approve a vote tallying system  
7 unless it:

8 (1) Correctly counts votes on ballots on which the proper number of  
9 votes have been marked for any office or issue;

10 (2) Ignores votes marked for any office or issue where more than  
11 the allowable number of votes have been marked, but correctly counts  
12 the properly voted portions of the ballot;

13 (3) Accumulates a count of the specific number of ballots tallied  
14 for each precinct, total votes by candidate for each office, and total  
15 votes for and against each issue of the ballot in that precinct;

16 (4) Produces precinct and cumulative totals in printed form; and

17 (5) Except for functions or capabilities unique to this state, has  
18 been tested and certified by an independent testing authority  
19 designated by the United States election assistance commission.

1 Pursuant to RCW 29A.36.111, the secretary of state must approve  
2 only those tallying systems that allow for a vote to be cast by filling  
3 in an oval.

4 **Sec. 2.** RCW 29A.36.111 and 2009 c 414 s 1 are each amended to read  
5 as follows:

6 (1) The secretary of state, in conjunction with county auditors,  
7 shall develop a uniform ballot format to be used by each county. The  
8 format must be implemented by the year 2020.

9 (2) Every ballot for a single combination of issues, offices, and  
10 candidates shall be uniform within a precinct and shall identify the  
11 type of primary or election, the county, and the date of the primary or  
12 election, and the ballot or voting device shall contain instructions on  
13 the proper method of recording a vote, including write-in votes. Each  
14 position, together with the names of the candidates for that office,  
15 shall be clearly separated from other offices or positions in the same  
16 jurisdiction. The offices in each jurisdiction shall be clearly  
17 separated from each other. No paper ballot or ballot card may be  
18 marked by or at the direction of an election official in any way that  
19 would permit the identification of the person who voted that ballot.

20 ((+2)) (3) By the year 2020, or upon replacement of vote tallying  
21 equipment, whichever occurs first, all ballots for all elections must  
22 be designed so that a vote is cast by filling in an oval.

23 (4) An ((elections [election])) election official may not enter  
24 into or extend any contract with a vendor if such contract may allow  
25 the vendor to acquire an ownership interest in any data pertaining to  
26 any voter, any voter's address, registration number, or history, or any  
27 ballot.

28 (5) The secretary of state, in conjunction with the department of  
29 enterprise services and in consultation with county auditors, may  
30 develop a master contract for vote counting equipment for purchase by  
31 local counties.

--- END ---