

HOUSE BILL REPORT

HB 1849

As Reported by House Committee On:
State Government

Title: An act relating to uniform ballot design.

Brief Description: Concerning uniform ballot design.

Sponsors: Representatives Gregory, S. Hunt, Bergquist, Appleton, Reykdal and Tarleton.

Brief History:

Committee Activity:

State Government: 2/11/15, 2/17/15 [DPS].

Brief Summary of Substitute Bill

- Requires the Secretary of State (Secretary) to develop a uniform ballot format no later than 2022.
- Authorizes the Secretary to develop a master contract for vote-tallying equipment for counties to purchase.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Appleton and Gregory.

Minority Report: Do not pass. Signed by 3 members: Representatives Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Hawkins.

Staff: Sean Flynn (786-7124).

Background:

A voting system may be used by a county to register, record, and count votes at any primary or election in the state. An election official may not enter into an agreement that allows a vendor to acquire any ownership interest in any ballot or voter information. There are four

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different voting systems currently used within the state. Only approved vote-tallying systems may be used in a primary or election in the state.

The Secretary of State (Secretary) must inspect, evaluate, and publically test all voting systems, including component equipment used to tally votes, submitted for review by a manufacturer or distributor. Any vote tallying device may only be approved if it:

- secures voter secrecy;
- permits a voter to cast a vote for any applicable candidate or measure;
- correctly registers any and all votes cast;
- does not permit a voter to cast a vote for more than one candidate at a time; and
- is certified by an independent testing authority authorized by the federal Elections Assistance Commission.

The Secretary has authority to create standards for the design, layout, and production of ballots. Election ballots must be uniform within a precinct. The ballot must identify the date and type of primary or election, and contain instructions how to record a vote. The candidates and issues on the ballot must be clearly separated.

Summary of Substitute Bill:

The Secretary must develop a uniform ballot format in conjunction with the Washington State Association of County Auditors. The format must be implemented by 2025, or upon replacement of vote-tallying equipment. The Secretary may develop a master contract, in consultation with the Department of Enterprise Services (DES) and in consultation with the county auditors, for vote tallying equipment for counties to purchase.

County auditors may establish a fund exclusively used for the costs of replacing voting equipment. Election billing charges must sufficiently fund the replacement of equipment no later than 2022.

Substitute Bill Compared to Original Bill:

The substitute bill extends the deadline for the Secretary to implement a uniform ballot format to 2025. The Secretary must consult with the DES, rather than work in conjunction with the DES.

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) This bill requires the development of a uniform ballot design. A uniform ballot creates a similar voting experience across the state, which makes it easier for people to vote, especially since people frequently move among different voting districts. This bill would help to reduce the costs of the election process.

(In support with amendments) The Secretary normally would work with the counties in developing voting systems, not with the DES. This will take a little longer to achieve than the seven year (2002) deadline. A 10-year period would be more realistic to achieve the goal.

The funding source for the replacement of voting systems is difficult to reach because the costs are speculative. County auditors currently have a funding mechanism to charge local districts with depreciation costs of voting equipment. The state should assist with the replacement costs of voting equipment.

(Opposed) None.

Persons Testifying: (In support) Representative Gregory, prime sponsor.

(In support with amendments) Toni McKinley-Camp, Office of the Secretary of State; Kristina Swanson, Washington State Association of County Auditors; and Monty Cobb, Washington Association of County Officials.

Persons Signed In To Testify But Not Testifying: None.