

HOUSE BILL REPORT

HB 2436

As Reported by House Committee On:
State Government
General Government & Information Technology

Title: An act relating to equalizing access to permanent ballot drop boxes for every Washington citizen.

Brief Description: Equalizing access to permanent ballot drop boxes for every Washington citizen.

Sponsors: Representatives Hudgins, S. Hunt, Orwall, Bergquist, Reykdal, Jinkins, Walkinshaw, Tarleton, Stanford, Farrell, Sells, McBride, Pollet and Hargrove.

Brief History:

Committee Activity:

State Government: 1/20/16, 1/21/16 [DP];

General Government & Information Technology: 2/2/16, 2/5/16 [DPS].

Brief Summary of Substitute Bill

- Requires counties to provide a minimum of one permanent ballot box for every 50,000 residents by November 1, 2016.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 4 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Frame and Moscoso.

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

Staff: Dawn Eychaner (786-7135).

Background:

Vote 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 2005 county auditors were allowed to conduct elections entirely by mail ballot, if the county chooses to do so. This option became a requirement in 2011 with the enactment of Engrossed Substitute Senate Bill 5124, which eliminated poll sites and established a statewide vote by mail system. The county auditor sends every registered voter a ballot as well as instructions for marking and returning the ballot. Voters may return voted ballots to the county auditor by mail or by depositing the ballot in a drop box. Ballots returned to a drop box must be deposited by 8 p.m. on the day of the election.

Eighteen days before each election county auditors are required to open a voting center. The voting center must provide voter registration materials, replacement ballots, provisional ballots, disability access voting devices, sample ballots, voter pamphlets, instructions on how to vote the ballot, and a ballot drop box. Many counties maintain permanent and temporary drop boxes in additional locations other than the voting center.

The Secretary of State (SOS) has adopted rules specifying requirements for voting centers and ballot deposit sites. Drop boxes must be secure at all times and emptied regularly by two staff. Voting centers and unstaffed drop boxes are open until 8 p.m. on election day.

Correctional Industries.

Correctional Industries (CI) is a division of the Department of Corrections (DOC) which operates various businesses within state prisons, including Class II Inmate Work Programs. Class II Work Programs provide job training and work experience for offenders who produce goods and services for sale to public and non-profit organizations. The DOC selects the industries and associated goods and services produced and provided by CI. Such goods include outdoor signage, safety gear, and specialty and custom furnishings.

Summary of Bill:

The bill requires county auditors to make one permanent ballot drop box available for every 15,000 county residents by November 1, 2016. County auditors may determine the location and placement of drop boxes in order to improve accessibility for county residents.

County officials are encouraged to purchase permanent ballot drop boxes from Class II Inmate Work Programs operated by the DOC. Ballot drop boxes must meet state and federal standards as adopted in rule by the SOS.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Times are changing. Most of us don't have the same relationship with the post office that we used to, particularly younger people. There have been high rejection rates for ballots delivered late by the post office, or because voters were confused about what a postmark means. The more people involved with voting, the more robust our democracy. King County, where one-third of the state's population resides, has had a demographic shift and only has 10 permanent ballot drop boxes while other counties with smaller populations have more. The prime sponsor would be happy to adjust the ratio of required boxes. Students want ballot boxes. Students often can't afford to buy stamps or have to take a bus to get to a drop box. University of Washington students are working with the school to try and get a ballot drop box placed on that campus and this bill will help ease those conversations. The goal is to get one permanent drop box on each campus.

(Opposed) Counties have concerns about mandating ballot boxes. This bill requires a significant capital outlay, with over 100 additional boxes required for King County alone. The required boxes per population ratio would need to be adjusted for the counties to support this bill. The November 1, 2016, deadline is of concern, as counties have not budgeted for this expense and location planning for ballot drop boxes is challenging, with associated safety and traffic concerns. There are staffing costs associated with emptying the boxes. Auditors have already increased the number of boxes in use since 2012.

(Other) Disability Rights Washington would like to see changes in the bill requiring counties to work with their local disability advisory committees on the placement of the boxes in order to ensure access for people with mobility issues.

Persons Testifying: (In support) Representative Hudgins, prime sponsor; and Elissa Goss, Washington Student Association.

(Opposed) Monty Cobb, Washington Association of County Officials.

(Other) David Lord, Disability Rights Washington.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON GENERAL GOVERNMENT & INFORMATION TECHNOLOGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Hudgins, Chair; Kuderer, Vice Chair; Morris and Senn.

Minority Report: Do not pass. Signed by 2 members: Representatives MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member.

Staff: Lily Sobolik (786-7157).

Summary of Recommendation of Committee On General Government & Information Technology Compared to Recommendation of Committee On State Government:

The General Government and Information Technology Committee recommended decreasing the ratio of one permanent ballot box for every 15,000 residents to one permanent ballot box for every 50,000 residents.

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 intent of this bill is to promote equal access to voting in all counties. This bill would create statewide standards to solve the problem of not enough permanent ballot drop boxes in different counties. The ratio of 1:15,000 in the original bill was set because it was about the median ratio for counties. The ratio in the proposed amendment, 1:50,000, was suggested to reduce the fiscal impact.

(Opposed) Elections administration properly resides with the elected officials selected to do this specific job. There are 39 counties and 39 very different election environments; local control and the responsibility of elected officials in this subject area should be respected.

(Other) County auditors would ask that the bill change residents to registered voters when determining the ballot box ratio. There is a concern about how the cost of the ballot box was determined; one county reported that the actual cost is about \$6,500. Being required to change ballot box vendors from an existing contract to one with the Department of Corrections could impose additional costs and burden to counties; counties would like to be able to stay with existing vendors as they choose.

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

(Opposed) Greg Kimsey, Washington State Association of County Auditors.

(Other) Tiffany Speir, Pierce County.

Persons Signed In To Testify But Not Testifying: None.