
State Government Committee

HB 2854

Brief Description: Requiring the secretary of state to conduct and publish a statewide survey of ballot rejection practices.

Sponsors: Representatives Hudgins, S. Hunt and Stanford.

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| <p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Requires the Secretary of State to conduct and publish a statewide survey of county ballot rejection practices every two years. |
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Hearing Date: 2/3/16

Staff: Dawn Eychaner (786-7135).

Background:

Canvassing is the process of examining ballots, tabulating votes, and determining official election returns. A county canvassing board is responsible for certifying county returns for a primary or general election and determining the validity of challenged ballots. The board is composed of the county auditor, prosecuting attorney, and the chair of the county legislative body, or their designees. Meetings of the canvassing board are public meetings.

A ballot or part of a ballot must be rejected when:

- a ballot is folded together with another ballot;
- more votes are cast on a ballot for an office or issue than are allowed;
- a write-in vote does not clearly identify the candidate's name or the position or office for the write-in vote is not clear;
- a vote is cast by sticker or printed label; or
- the issue or office isn't marked sufficiently to determine the voter's intention.

The Office of the Secretary of State (SOS) has published statewide standards for elections officials on what constitutes a vote. These standards provide examples of voted ballots and how

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they should be interpreted by county canvassing boards when the validity of a ballot is in question. When an election result is certified, the county auditor must publish an online election reconciliation report containing a number of data points, including the number of ballots issued, received, counted, and rejected.

Summary of Bill:

Every two years the SOS must conduct and publish a statewide survey of ballot rejections by county auditors and canvassing boards. The survey must include:

- data on the reasons for ballot rejections;
- a comparison of county and statewide rejection averages;
- an analysis of current county practices in the acceptance and rejection of ballots;
- recommendations for improvements to minimize ballot rejections, with a goal of statewide standardization where applicable; and
- an analysis comparing the survey results with available national data and recognized best practices.

Appropriation: None.

Fiscal Note: Requested on January 27, 2016.

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