

HOUSE BILL REPORT

HB 2854

As Reported by House Committee On:
State Government

Title: An act relating to a statewide survey of the ballot rejection practices of county auditors and canvassing boards.

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.

Brief History:

Committee Activity:

State Government: 2/3/16, 2/4/16 [DP].

Brief Summary of Bill

- Requires the Secretary of State to conduct and publish a statewide survey of county ballot rejection practices every two years.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Frame, Hawkins and Moscoso.

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:

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.

- 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 is not 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 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: 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) There are discrepancies among counties in ballot rejection rates, ranging from 0.5 percent to 2 percent per county. Rejection rates should be consistent across the state. This bill will allow us to discover why we have different rejection rates in different counties. Pew Charitable Trust has done a survey across the country which shows that Washington has the highest rejection rate of any state. The SOS collects the rejection data now and can increase that collection. Presently there is about a 1 percent ballot rejection rate statewide. Groups like the League of Women Voters can help fix the problem of rejected ballots through education and outreach if there is a greater understanding of what the obstacles are.

(Opposed) None.

Persons Testifying: Representative Hudgins, prime sponsor; David Elliott and Sheryl Moss, Office of the Secretary of State; and Kathy Sakahara, League of Women Voters.

Persons Signed In To Testify But Not Testifying: None.