
**State Government, Elections &
Information Technology Committee**

HB 1785

Brief Description: Standardizing the administration of elections.

Sponsors: Representatives Hudgins, Dolan and Jinkins.

Brief Summary of Bill

- Directs the Secretary of State (Secretary) to develop a statewide uniform ballot design by 2027.
- Allows the Secretary to enter into a master contract for voter tallying equipment for counties to purchase.
- Requires counties by 2017 to provide at least one drop box per 15,000 county residents.
- Directs the Secretary to prepare statewide election reconciliation reports for each state primary and election.
- Directs the Secretary to convene a work group on voter registration practices and establish voter registration standards by 2018.
- Directs the Secretary to publish mandatory voting system maintenance and replacement standards by June 2018 and conduct a survey of vote tallying equipment every six years.

Hearing Date: 2/7/17

Staff: Sean Flynn (786-7124).

Background:

Vote-Tallying Systems. Counties may purchase vote-tallying systems to register, record, and count votes in any state election. Only approved voting systems may be used in a primary or

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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.

Ballot Design. 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.

Ballot Boxes. Registered voters receive election ballots by mail for each election, and may return voted ballots to the county auditor by mail or by depositing the ballot in a designated ballot drop box. Many counties have drop boxes at the county voting center as well as other permanent and temporary locations. Voting centers and drop boxes are open until 8 p.m. on election day.

The Secretary adopts rules specifying requirements for ballot deposit sites. Drop boxes must be secure at all times and emptied regularly by two staff.

Reconciliation Reports. The county auditor conducts all elections within the county and is responsible for processing ballots. The county canvassing board certifies election results 14 days after a primary or special election and 21 days after a general election.

The county auditor prepared an election reconciliation report at the time of the election certification. The county auditor must make the report available on the auditor's website. The report must contain data including:

- the number of registered voters;
- the number of ballots issued, received, counted, and rejected, including provisional, federal write-in, and overseas ballots; and
- the number of voters credited with voting.

Voter Registration. Every person must register in order to vote in any election. To be eligible for an election, a voter must submit his or her registration application online or by mail no later than 29 days before the election date. A voter may also register in person at his or her county auditor's office no later than eight days before the election date. A person may update his or her registration at least 29 days before an election for the change to be effective for that election.

Correctional Industries. The Department of Corrections (DOC) operates various businesses within state prisons, including inmate work programs that sell goods and services to public and non-profit organizations. Such goods include outdoor signage, safety gear, and specialty and custom furnishings.

Summary of Bill:

Vote-Tallying Systems and Uniform Ballot Design. The Secretary must develop a master contract, in consultation with the Department of Enterprise Services and the county auditors, for vote-tallying equipment for counties to purchase.

The Secretary must develop a uniform ballot format in conjunction with the Washington State Association of County Auditors. The format must be implemented by 2022, or upon replacement of vote-tallying equipment. Counties may establish a fund exclusively for replacing vote tallying equipment. By 2024, election billing charges must be sufficient to fund equipment replacement.

Ballot Drop Boxes. County auditors must make one permanent ballot drop box available for every 15,000 county residents by November 1, 2017. 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 inmate work programs operated by the DOC. Ballot drop boxes must meet state and federal standards as adopted in rule by the Secretary.

Statewide Reconciliation Reports. Each county auditor must submit the election reconciliation report to the Secretary. Within two months after the last county's election results are certified, the Secretary must prepare a statewide reconciliation report. The statewide report must be published on the Secretary's website.

The statewide report must provide a comparison among counties on the rates of votes received, counted, and rejected for all ballots, including provisional, write-in, and overseas ballots. The comparison data may include rankings or percentages to measure performance and trends.

The statewide report also must include an analysis of the data that can be used to gain a better understanding of election policy and administration. The analysis should combine dates over multiple years to provide broader comparisons and reveal trends of voter registration, turnout, and ballot counting. National election statistics must be incorporated into the report to the extent available.

Voter Registration Standards. By September 1, 2017, the Secretary must convene a work group of stakeholders to review voter registration practices and make recommendations for standardizing county practices. The recommendations must seek to maximize registration rates, reduce rejections and barriers to registration, reduce the number of provisional ballots issued, increase public trust in the registration process, and enhance the state's performance in national measurements.

By the beginning of 2018, the Secretary must establish statewide voter registration standards, which implement the recommendations of the work group. The standards must be reviewed by the Secretary and county auditors at least every six years.

Voting System Replacement Standards. By June 1, 2018, the Secretary must publish voting system maintenance and replacement standards. The standards are mandatory and counties must be in full compliance by 2027.

Every six years, the Secretary must conduct a comprehensive survey of county voting systems. The surveys must include: details about the age, lifespan, and replacements costs for each voting system; maintenance schedule; county six-year plan and funding source for system replacements; and the use of each type of voting system both in-state and outside the state.

The Secretary must report on the results of the survey to the Legislature by December 1, starting in 2017, and each subsequent year in which a survey has been conducted. The report must include information from the survey, voting equipment rankings, and security risks, and may include recommendations.

Appropriation: None.

Fiscal Note: Requested on February 6, 2017.

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