

# HOUSE BILL REPORT

## HB 2567

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**As Passed House:**  
February 8, 2018

**Title:** An act relating to prohibiting the names of county auditors and the secretary of state in their official capacity on election materials.

**Brief Description:** Prohibiting the names of county auditors and the secretary of state in their official capacity on election materials.

**Sponsors:** Representatives Shea, Hudgins, McDonald, Pike, Kraft, McCaslin, Volz, Irwin and Taylor.

**Brief History:**

**Committee Activity:**

State Government, Elections & Information Technology: 1/23/18, 1/24/18 [DP].

**Floor Activity:**

Passed House: 2/8/18, 98-0.

**Brief Summary of Bill**

- Prohibits the name of the Secretary of State from appearing in the state voters' pamphlet in his or her official capacity in any year.
- Prohibits the name of the county auditor from appearing in the local voters' pamphlet in his or her official capacity, or on the ballot security or return envelope, in any year.

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**HOUSE COMMITTEE ON STATE GOVERNMENT, ELECTIONS & INFORMATION TECHNOLOGY**

**Majority Report:** Do pass. Signed by 9 members: Representatives Hudgins, Chair; Dolan, Vice Chair; McDonald, Ranking Minority Member; Kraft, Assistant Ranking Minority Member; Appleton, Gregerson, Irwin, Johnson and Pellicciotti.

**Staff:** Sean Flynn (786-7124).

**Background:**

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*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.*

Voters' Pamphlets. The Secretary of State (Secretary) is required to publish a voters' pamphlet for each general election in which at least one statewide measure or office will appear on the ballot. The Secretary determines the format and layout of the voters' pamphlet.

State voters' pamphlets must contain a candidate's statement, photograph, and contact information. For each statewide issue on the ballot, the state voter's pamphlet must contain an explanatory statement of the issue, argument statements for and against the proposed measure, and a fiscal impact statement. Contact information for the Public Disclosure Commission and for major political parties also must be included.

Counties and first class or code cities are authorized to publish a local voters' pamphlet containing information on election measures and candidates within that jurisdiction. The local voters' pamphlet may include candidate statements and photographs, and must contain explanatory statements on ballot measures and argument statements for and against each measure.

In 2016 the Legislature required that the name of the Secretary may not appear in the state voters' pamphlet in his or her official capacity, if he or she is a candidate for office in the same year. Likewise, a county auditor's name may not appear in the local voters' pamphlet in his or her official capacity when he or she is a candidate for office in the same year.

Ballot Envelopes. The county auditor prepares and mails ballots to all registered voters in the county. The ballot is sent with a security envelope and a return envelope. The county auditor must include a declaration for the voter to sign and instructions on how to complete and return the ballot to the auditor. The county auditor's name may not appear on any security or return envelope or voting instructions sent out to eligible voters in a year the auditor is a candidate for office.

**Summary of Bill:**

The name of the Secretary may not appear in the state voters' pamphlet in his or her official capacity in any year, even if he or she is not a candidate for office in the same year the pamphlet is prepared. His or her name may appear only within the candidate's information that is normally included in the state voters' pamphlet.

A county auditor's name may not appear in the local voters' pamphlet in his or her official capacity in any year, even if he or she is a candidate for office in the same year the pamphlet is prepared. His or her name may appear only within the candidate's information that is normally included in the local voters' pamphlet. The county auditor's name also may not appear on any security or return envelope or voting instructions in any year.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**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) This bill offers a bipartisan approach to protect against the use of official ballot materials in electioneering campaigning. There has been an increase in names of elected officials appearing on election materials, other than as candidates. This would not prevent a county auditor or Secretary of State's name from appearing as a candidate.

(Opposed) None.

**Persons Testifying:** Representative Shea, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.