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

SB 5126

Brief Description: Concerning uniform ballot design.

Sponsors: Senators Hunt, Palumbo, Miloscia, Kuderer and Billig.

Brief Summary of Bill

- Requires the Secretary of State (Secretary) to develop a uniform ballot format no later than 2027.
- Authorizes the Secretary to develop a master contract for vote-tallying equipment for counties to purchase.
- Allows counties to establish a fund exclusively used for the costs of replacing voting equipment and requires that election billing charges must be sufficient to fund the replacement of equipment no later than 2024.

Hearing Date: 3/15/17

Staff: Sean Flynn (786-7124).

Background:

A voting system may be used by a county to register, record, and count votes at any primary or election in the state. There are four different voting systems currently used within the state. Only approved vote-tallying systems may be used in a primary or election in the state. An election official may not enter into an agreement that allows a voting system equipment vendor to acquire any ownership interest in any ballot or voter information.

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. Any vote tallying device may only be approved if it:

- secures voter secrecy;

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- permits a voter to cast a vote for any applicable candidate or measure;
- correctly registers any and all votes cast;
- does not permit a voter to cast a vote for more than one candidate at a time; and
- is certified by an independent testing authority authorized by the federal Elections Assistance Commission.

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.

Summary of Bill:

The Secretary must develop a uniform ballot format in conjunction with the Washington State Association of County Auditors. The format must be implemented by 2027, or upon replacement of vote-tallying equipment. The Secretary may develop a master contract, in consultation with the Department of Enterprise Services and in consultation with the county auditors, for vote tallying equipment for counties to purchase.

County auditors may establish a fund exclusively used for the costs of replacing voting equipment. Election billing charges must be sufficient to fund the replacement of equipment no later than 2024.

Appropriation: None.

Fiscal Note: Available.

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