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SENATE BILL 5019

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State of Washington                      65th Legislature                      2017 Regular Session

By Senators Hasegawa, Palumbo, Hunt, Keiser, Pedersen, Conway, Wellman, Rolfes, and Frockt

Prefiled 12/30/16. Read first time 01/09/17. Referred to Committee on State Government.

1            AN ACT Relating to prepaid postage for primary and general  
2 election ballots; amending RCW 29A.04.420 and 29A.40.091; and  
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** The legislature finds that voting by mail  
6 has many advantages. However, the legislature also finds that the  
7 postage, while only a small amount, amounts to the poll tax for many  
8 of our citizens. The legislature finds that many citizens lack the  
9 necessary funds to purchase the necessary postage to return his or  
10 her ballot. The legislature further finds that in order to increase  
11 participation in our democracy, we must lower all barriers to  
12 participation in the democratic process. The legislature finds that  
13 voting should be free for all citizens.

14            **Sec. 2.** RCW 29A.04.420 and 2013 c 11 s 11 are each amended to  
15 read as follows:

16            (1) Whenever state officers or measures are voted upon at a state  
17 primary or general election held in an odd-numbered year under RCW  
18 29A.04.321, the state of Washington shall assume a prorated share of  
19 the costs of that state primary or general election.

1       (2) The state shall reimburse counties for the cost of return  
2 postage on mail and absentee ballots for primary and general  
3 elections.

4       (3) Whenever a primary or vacancy election is held to fill a  
5 vacancy in the position of United States senator or United States  
6 representative under chapter 29A.28 RCW, the state of Washington  
7 shall assume a prorated share of the costs of that primary or vacancy  
8 election.

9       (~~(3)~~) (4) The county auditor shall apportion the state's share  
10 of these expenses when prorating election costs under RCW 29A.04.410  
11 and shall file such expense claims with the secretary of state.

12       (~~(4)~~) (5) The secretary of state shall include in his or her  
13 biennial budget requests sufficient funds to carry out this section.  
14 Reimbursements for election costs shall be from appropriations  
15 specifically provided by law for that purpose.

16       **Sec. 3.** RCW 29A.40.091 and 2016 c 83 s 3 are each amended to  
17 read as follows:

18       (1) The county auditor shall send each voter a ballot, a security  
19 envelope in which to conceal the ballot after voting, a larger  
20 envelope in which to return the security envelope, a declaration that  
21 the voter must sign, and instructions on how to obtain information  
22 about the election, how to mark the ballot, and how to return the  
23 ballot to the county auditor.

24       (2) The voter must swear under penalty of perjury that he or she  
25 meets the qualifications to vote, and has not voted in any other  
26 jurisdiction at this election. The declaration must clearly inform  
27 the voter that it is illegal to vote if he or she is not a United  
28 States citizen; it is illegal to vote if he or she has been convicted  
29 of a felony and has not had his or her voting rights restored; and it  
30 is illegal to cast a ballot or sign a ballot declaration on behalf of  
31 another voter. The ballot materials must provide space for the voter  
32 to sign the declaration, indicate the date on which the ballot was  
33 voted, and include a telephone number.

34       (3) For overseas and service voters, the signed declaration  
35 constitutes the equivalent of a voter registration. Return envelopes  
36 for overseas and service voters must enable the ballot to be returned  
37 postage free if mailed through the United States postal service,  
38 United States armed forces postal service, or the postal service of a  
39 United States foreign embassy under 39 U.S.C. 3406.

1           (4) The voter must be instructed to either return the ballot to  
2 the county auditor no later than 8:00 p.m. the day of the election or  
3 primary, or mail the ballot to the county auditor with a postmark no  
4 later than the day of the election or primary. Return envelopes for  
5 primary and general election ballots must include prepaid postage.  
6 Service and overseas voters must be provided with instructions and a  
7 privacy sheet for returning the ballot and signed declaration by fax  
8 or email. A voted ballot and signed declaration returned by fax or  
9 email must be received by 8:00 p.m. on the day of the election or  
10 primary.

11           (5) The county auditor's name may not appear on the security  
12 envelope, the return envelope, or on any voting instructions or  
13 materials included with the ballot if he or she is a candidate for  
14 office during the same year.

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