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**State Government & Tribal Relations  
Committee**

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**HB 2111**

**Brief Description:** Concerning enhancing cybersecurity by eliminating the return of ballots by fax and email.

**Sponsors:** Representatives Boehnke, Tarleton, Hoff, Wylie, Smith, Shea and Van Werven; by request of Secretary of State.

**Brief Summary of Bill**

- Removes the option for overseas and service voters to return ballots by email or fax.
- Removes the requirement to include certain data about electronically transmitted ballots from county and statewide election reconciliation reports.

**Hearing Date:** 1/21/20

**Staff:** Jason Zolle (786-7124).

**Background:**

Ballot Materials and Information for Overseas and Service Voters.

County auditors must send each voter a ballot along with a security envelope in which to conceal the ballot and a larger return envelope. For overseas and service voters, the return envelope must enable the ballot to be returned postage free if it is mailed through the United States Postal Service, the United States Armed Forces Postal Service, or the postal service of a United States Foreign Embassy. Overseas and service voters are also permitted to return ballots by fax or email.

In addition to these ballot materials, the county auditors must send instructions on how to obtain information about the election, how to mark the ballot, and how to return the ballot to the county auditor. Overseas and service voters must also receive instructions and a privacy sheet for

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returning the ballot and signed declaration by fax or email. Ballots sent by fax or email must be received by 8:00 p.m. on the day of the election to be counted.

Election Reconciliation Reports.

When the county auditor certifies an election, the auditor must prepare an election reconciliation report that contains information about voter turnout and the number of provisional ballots, replacement ballots, and ballots rejected, along with the reason for the rejection. The report must separately tally the number of overseas and service ballots issued, received, and counted by email or fax. The Secretary of State must collect the counties' reconciliation reports and prepare a statewide reconciliation report that includes a comparison among counties of the rates of votes received, counted, and rejected that includes ballots transmitted electronically.

**Summary of Bill:**

The option for overseas and service voters to return ballots by email or fax is removed.

The county election reconciliation reports no longer need to include data about ballots received, counted, or rejected by email or fax. The statewide election reconciliation report no longer needs to include data about ballots transmitted electronically.

**Appropriation:** None.

**Fiscal Note:** Available.

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