

SENATE BILL REPORT

SSB 5063

As Amended by House, April 12, 2019

Title: An act relating to prepaid postage for all election ballots.

Brief Description: Providing prepaid postage for all election ballots.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Nguyen, Hasegawa, Billig, Carlyle, Cleveland, Conway, Darneille, Frockt, Palumbo, Hunt, Wilson, C., Pedersen, Keiser, Kuderer, Saldaña, Mullet and Takko; by request of Governor Inslee).

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 1/16/19, 1/23/19 [DP-WM].

Ways & Means: 2/05/19, 2/26/19 [DPS].

Floor Activity:

Passed Senate: 3/05/19, 42-3.

Passed House: 4/12/19, 83-10.

Brief Summary of First Substitute Bill

- Requires prepaid postage on return envelopes for all elections, with county costs for the postage to be reimbursed by the state.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Bailey, Hasegawa, Hawkins and Takko.

Staff: Samuel Brown (786-7470)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5063 be substituted therefor, and the substitute bill do pass.

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.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Hasegawa, Hunt, Keiser, Liias, Palumbo, Pedersen, Rivers, Schoesler, Van De Wege, Wagoner, Warnick and Wilson, L..

Staff: Sarian Scott (786-7729)

Background: All counties in the state conduct elections entirely by mail. County auditors must send each voter a ballot with a voter declaration that must be signed, a security envelope to conceal the ballot after voting, and a larger envelope to return the security envelope. The voter also must receive instructions on how to obtain information about the election, how to complete the ballot, and how to return the ballot to the county auditor.

For a ballot to be counted, the voter must either return the ballot to the county auditor no later than 8:00 p.m. on election day or mail the ballot to the county auditor with a postmark on the larger envelope, dated no later than election day. Many county auditors provide ballot drop boxes at sites, in addition to the county auditor's office, where voters may return completed ballots.

In 2018, the King County Council passed an ordinance authorizing its Department of Elections to provide prepaid return postage on envelopes for primary and general election ballots. Later that year, the Governor provided emergency funding for the remaining 38 counties to provide prepaid return postage on envelopes for primary and general election ballots.

Summary of First Substitute Bill: Subject to the availability of amounts appropriated for this specific reason, the state must reimburse counties for the cost of placing prepaid postage on mail and absentee ballots in primary and general elections.

Subject to the availability of amounts appropriated for this specific reason, return envelopes for ballots must include prepaid postage.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2019.

Staff Summary of Public Testimony (State Government, Tribal Relations & Elections):

PRO: This measure builds on work to increase access to democracy. It drives voter engagement and gives people a sense of ownership. This will ensure that each voter throughout the state is treated equally, since some counties do not have the resources to provide prepaid postage. Removing barriers tends to increase participation. Voters have come to expect prepaid postage. Youth do not buy stamps. This is a simple, elegant solution

so that young people can have their voices heard in the political process. Prepaid postage will help people participate who are not seen or heard in typical political processes, and who may have trouble paying for bus fare. Voting is a fundamental part of democracy, and requiring a stamp is a form of poll tax. Not everyone has money for a full book of stamps, and the only places you can buy single stamps require a flexible schedule to be there during business hours and a source of transportation to get there. We support the bill and want to make sure it is explicit about reimbursement for special elections. There is no turning back after providing postage for the 2018 election. Technology has reduced the number of interactions with the postal service. Voters have come to expect prepaid postage as have counties with heavily educated voters, so there would need to be additional voter outreach if this does not pass.

Persons Testifying (State Government, Tribal Relations & Elections): PRO: Senator Joe Nguyen, Prime Sponsor; Jay Jennings, Office of the Secretary of State; Guillermo Rogel, Washington Student Association; Mike Hoover, Washington State Association of Counties; Chris Esh, The Washington Bus; Hillary Coleman, Seattle/King County Coalition on Homelessness; Cindy Black, Fix Democracy First; Jessica Vavrus, Washington State School Directors' Association; Mary Hall, Thurston County Auditor; RaShelle Davis, Governor's Office; Kathy Sakahara, League of Women Voters.

Persons Signed In To Testify But Not Testifying (State Government, Tribal Relations & Elections): No one.

Staff Summary of Public Testimony on Original Bill (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: Postage is frequently cited as a barrier that disproportionately impacts young voters because they are less likely to regularly use the postal system and have a stamp on hand. USPS has a policy that the ballot shall never be returned to the voter for postage. This bill does apply to all elections, even special elections for that particular legislative district or county.

While we have yet to see a specific evidence that prepaid postage increased turnout consistently across the state, neither did we see any negative impact on turnout on doing so. The fundamental reason is to ensure each voter is treated equally. Many counties do not have the ability to provide pre-paid postage for the voters.

It is important to make the most amount of access to our democracy. We see from the figures, historically, that this definitely increases engagement and lowers barriers. This is a strong investment in our democracy and civil engagement.

We believe our democracy functions best when everyone participates and has their voice heard. Washington has already taken big steps to ensure that our democracy is accessible for everyone in the state.

This is the next step from registration to participation. The price of stamps can be a hindrance. Just locating where to get a stamp is a hindrance.

It will bring consistency across the state. There was grant funding allocated to the Counties in 2018.

Persons Testifying (Ways & Means): PRO: Senator Joe Nguyen, Prime Sponsor; Jay Jennings, OSOS; Elise Orlick, WashPirg; RaShelle Davis, Governor's Office; James Paribello, Washington Voting Justice Coalition.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

EFFECT OF HOUSE AMENDMENT(S): The sections limiting implementation to the availability of amounts appropriated for specific purposes in the bill are removed.