

SENATE BILL REPORT

ESB 5779

As Passed Senate, March 11, 2019

Title: An act relating to ballot drop box placement requirements.

Brief Description: Concerning ballot drop box placement requirements.

Sponsors: Senators Kuderer, Hunt, Takko, Dhingra and Nguyen.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 2/15/19, 2/21/19 [DP].

Floor Activity:

Passed Senate: 3/11/19, 48-0.

Brief Summary of Engrossed Bill

- Changes the population ratio requirement from one ballot drop box per 15,000 registered voters to one ballot drop box per 20,000 registered voters.
- Removes the requirement that a ballot drop box be placed in each city, town, and census-designated place with a post office.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass.

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

Staff: Samuel Brown (786-7470)

Background: Each county auditor must establish a voting center that must remain open during business hours 18 days before an election and until 8:00 p.m. on election day. The voting center must provide voter registration materials, replacement ballots, provisional ballots, disability access voting devices, sample ballots, instructions on how to vote using the ballot, a ballot drop box, and voters' pamphlets—if published. The voting center must be

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accessible to persons with disabilities and must provide at least one voting unit providing access to individuals who are blind or visually impaired.

County auditors are permitted to provide election services at locations in addition to the required voting center, including additional ballot drop boxes. Under legislation passed in 2017, the county auditor must establish a minimum of one ballot drop box for each 15,000 registered voters in the county and in each city, town, and census-designated place in the county that has a post office. Ballots must be removed according to statutory procedures and all ballot drop boxes must be secured at 8:00 p.m. on the day of the election.

Summary of Engrossed Bill: The population ratio is modified, so county auditors must only establish a minimum of one ballot drop box for each 20,000 registered voters in the county. The requirement that a ballot drop box be placed in each city, town, and census-designated place having a post office is removed.

Appropriation: None.

Fiscal Note: Not requested.

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

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony: PRO: This gives counties more flexibility to adjust drop box location based on local needs. It will save the counties money by reducing the number of drop boxes required while still providing access to voting. Geographic designations do not vote; people do. The current requirement mandates drop boxes in some of the most affluent communities in the state that neither need nor want a drop box. Siting this many drop boxes forces us to shift resources from programs targeted at underrepresented, underserved communities. Auditors would like the flexibility to shift drop boxes using local intelligence to locations that make sense.

Persons Testifying: PRO: Senator Patty Kuderer, Prime Sponsor; Mike Hoover, Washington State Association of Counties; Julie Wise, King County Director of Elections; Julie Anderson, Washington State Association of County Auditors.

Persons Signed In To Testify But Not Testifying: No one.