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HOUSE BILL 1822

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State of Washington

66th Legislature

2019 Regular Session

By Representatives Appleton, Hudgins, and Dolan

Read first time 01/31/19. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to enhancing election data by improving statewide  
2 election data collection and reporting standards; and amending RCW  
3 29A.60.290 and 29A.60.300.

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

5 **Sec. 1.** RCW 29A.60.290 and 2016 c 134 s 1 are each amended to  
6 read as follows:

7 (1) The secretary of state must develop statewide election data  
8 and reporting standards for how election-related data is maintained  
9 and reported by each county auditor.

10 (2) The secretary of state must develop uniform standards for how  
11 the following information is defined, collected, and recorded by  
12 county election administrators, and reported by each county auditor:

13 (a) Ballot rejections, including the total number of rejected  
14 ballots, the number of rejected ballots by type of ballot submitted,  
15 reasons for the ballot rejection, and uniform codes assigned to each  
16 reason for rejection;

17 (b) Voter registrations reported as a total and by method of  
18 application such as at an agency or online, including registration  
19 applications received, registration applications rejected, the  
20 reasons for the registration application rejection, and uniform codes  
21 assigned to each reason for rejection;

1 (c) Postelection audit information reported by type of audit  
2 performed, including the frequency that each audit was performed, the  
3 audit results, and discrepancies found during each audit;

4 (d) Number of ballots cast, including the number cast:

5 (i) In person on the day of the election, reported by type of  
6 ballot submitted, for each special election, primary, and general  
7 election;

8 (ii) Prior to the special election at a voting center or the  
9 county auditor's office, reported by type of ballot submitted, for  
10 each special election, primary, and general election;

11 (iii) By ballot box, reported by ballot box location;

12 (iv) By email or facsimile, categorized by ballots sent by  
13 military and overseas voters and nonmilitary and nonoverseas voters;  
14 and

15 (v) By mail;

16 (e) Using the United States census data or other best data  
17 available, an estimate of persons in each county who are eligible to  
18 register to vote and participate fully in all elections but are not  
19 registered;

20 (f) The number of unreturned ballots reported as:

21 (i) A total number;

22 (ii) By ballot type; and

23 (iii) By voter status including active and inactive voters;

24 (g) Residual vote rate, measured as the sum of over votes and  
25 under votes in a particular election, divided by the reported total  
26 turnout;

27 (h) Turnout rate, or the percentage of registered voters who  
28 voted in a particular election;

29 (i) Average voting wait time to vote in person at a voting center  
30 or the county auditor's office;

31 (j) An inventory of voting systems, including the type of system  
32 and year the system was procured by the county;

33 (k) Complaints submitted to county election officials or  
34 administrators by persons experiencing problems with the  
35 administration of any election, including voter registration and  
36 access by persons with disabilities; and

37 (l) Any other category necessary as determined by the secretary  
38 of state.

39 (2) The secretary of state must develop a uniform county-based  
40 administrative complaint procedure for persons experiencing any

1 problems with the administration of any election. Each county auditor  
2 must implement the county-based administrative complaint procedure  
3 consistent with the uniform procedures developed by the secretary of  
4 state under this subsection.

5 (3) Each county auditor must collect, record, maintain, and  
6 report the election-related data according to the uniform standards  
7 developed by the secretary of state under subsection (1) of this  
8 section.

9 (4) The secretary may make reasonable rules as necessary to  
10 develop statewide standards.

11 ~~((2))~~ (5) The statewide standards should focus on the goals of  
12 improving:

13 (a) The types of data files and procedures used to collect and  
14 maintain election information;

15 (b) The public's access to election data collected, reported, and  
16 made available by each county auditor including, but not limited to:

17 (i) Records of voters who were issued a ballot and voters who  
18 voted in an election, pursuant to RCW 29A.40.130;

19 (ii) Tabulation results made available pursuant to RCW  
20 29A.60.160; and

21 (iii) Information collected and reported in the county election  
22 reconciliation report, pursuant to RCW 29A.60.235; and

23 (c) The efficient compilation of data from all counties for  
24 research and analysis of election practices and trends at a statewide  
25 level.

26 ~~((3))~~ (6) The secretary of state may convene a work group,  
27 including county auditors and other interested stakeholders to  
28 evaluate how county election data is collected and maintained and to  
29 develop and recommend ways for improving election data reporting.

30 ~~((4))~~ (7) The statewide standards must be made public with  
31 ongoing analysis on whether counties are in compliance with current  
32 standards.

33 **Sec. 2.** RCW 29A.60.300 and 2016 c 134 s 3 are each amended to  
34 read as follows:

35 (1) Every ~~(odd-numbered)~~ year, the secretary of state must  
36 conduct and publish a statewide survey of voted ballot rejection  
37 rates and the reasons for those rejections by county auditors and  
38 canvassing boards. The secretary of state must collect data from  
39 reconciliation reports and county auditors in order to compare county

1 and statewide averages for rates of rejected ballots and reasons for  
2 those ballots being rejected. The data collected must include  
3 rejection rates and reasons for rejection of voted ballots for (~~all~~  
4 elections) each special election, primary election, and general  
5 election. The survey must include an analysis of current practices by  
6 county auditors and canvassing boards in the acceptance and rejection  
7 of ballots, and include recommendations for improvements that  
8 minimize rejections in those practices, with a goal of statewide  
9 standardization where applicable. The results must also be analyzed  
10 and compared with available national data and recognized best  
11 practices. The secretary of state's recommendations and reports must  
12 be made available to the public.

13 (2) Every county auditor must report to the secretary of state  
14 the ballot rejection rates and reasons for ballot rejections in  
15 accordance with the uniform standards and rejection codes developed  
16 by the secretary of state pursuant to RCW 29A.60.290.

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