
SUBSTITUTE HOUSE BILL 1989

State of Washington

66th Legislature

2019 Regular Session

By House State Government & Tribal Relations (originally sponsored by Representatives Hudgins, Shea, Gregerson, Appleton, and Pellicciotti)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to addressing the shortage of certified elections
2 administrators by expanding those that may enter the training and
3 testing programs currently available; amending RCW 29A.04.530; and
4 adding new sections to chapter 29A.04 RCW.

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

6 **Sec. 1.** RCW 29A.04.530 and 2009 c 415 s 8 are each amended to
7 read as follows:

8 (1) The secretary of state shall:

9 ~~((1))~~ (a) Establish and operate, or provide by contract,
10 training and certification programs for state and county elections
11 administration officials, elections professionals, and personnel,
12 including training on election laws, the various types of election
13 law violations, and discrimination;

14 ~~((2))~~ (b) Offer trainings and certification programs and
15 courses at reasonably dispersed times throughout the year;

16 (c) Administer tests for state and county officials, elections
17 professionals, and personnel who have received such training and
18 issue certificates to those who have successfully completed the
19 training and passed such tests;

20 ~~((3))~~ (d) Maintain a record of those individuals who have
21 received such training and certificates; ~~((and~~

1 ~~(4))~~ (e) Provide the staffing and support services required by
2 the board created under RCW 29A.04.510; and

3 (f) Make available certification applications to elections
4 administrators and personnel, and elections professionals.

5 (2) The secretary of state must keep the costs of training and
6 certification programs and testing competitive and comparable to
7 other states and accredited programs. The secretary of state must
8 maintain a record of whether public or private dollars are used to
9 fund a person's participation in a training or certification program.

10 (3) Elections professionals may participate in training and
11 certification programs and testing administered or sponsored by the
12 secretary of state, in accordance with section 2 of this act. The
13 secretary of state may not require additional qualifications for
14 participation.

15 (4) For purposes of this section and sections 2 and 3 of this
16 act, an "elections professional" means a person:

17 (a) Having two or more years of experience in:

18 (i) Election law;

19 (ii) Election administration;

20 (iii) Membership on an elections county canvassing board; or

21 (iv) Service as a state or federal elected official, or as a
22 member of a county legislative authority; or

23 (b) Who is a Washington state resident and has proof of
24 certification from another state.

25 NEW SECTION. Sec. 2. A new section is added to chapter 29A.04
26 RCW to read as follows:

27 (1) Subject to subsection (4) of this section, each calendar
28 year, the secretary of state shall make available at least thirty
29 openings total in training, certification, and testing programs,
30 offered pursuant to RCW 29A.04.530, for election professionals who
31 are nominated to attend, pursuant to subsection (2) of this section.
32 If less than thirty openings are made available, the secretary of
33 state must report the reason to the appropriate committee of the
34 legislature, in compliance with RCW 43.01.036.

35 (2) Elections professionals are nominated to attend training,
36 certification, and testing programs as follows:

37 (a) Each of the two major political parties in the state may
38 nominate ten elections professionals. The political parties shall

1 select elections professionals from each of the ten congressional
2 districts, to the extent feasible.

3 (b) The speaker of the house of representatives may nominate two
4 elections professionals, which may include elected officials,
5 professional legislative staff, or other appropriate nominees.

6 (c) The president of the senate may nominate two elections
7 professionals, which may include elected officials, professional
8 legislative staff, or other appropriate nominees.

9 (d) A statewide organization representing counties with
10 membership including county commissioners, council members, and
11 county executives may nominate two election professionals.

12 (e) The office of the secretary of state may nominate four
13 elections professionals who:

14 (i) Are federal or city elected officials, or their relevant
15 staff;

16 (ii) Have election administration certifications from another
17 state; or

18 (iii) Are currently serving as a member on a county canvassing
19 board.

20 (3) A person nominated under subsection (2) of this section may
21 participate in training, certification, and testing programs for up
22 to two years immediately succeeding the nomination.

23 (4) The office of the secretary of state may prioritize
24 individuals currently administering elections in the state when
25 filling openings at trainings, certifications, or testing programs
26 based on factors such as capacity, available dates, and the need to
27 provide training to those currently administering elections. The
28 office of the secretary of state may refuse to accept any nominee
29 into a training, certification, or testing program who does not meet
30 the qualifications of an elections professional or who has been
31 disruptive at a prior testing, training, or certification program.
32 The office of the secretary of state must notify the nominee in
33 writing within five business days detailing the reason for its
34 refusal to accept the nominee in the program. The office of the
35 secretary of state may request that a nominee leave a testing,
36 training, or certification program if he or she is being actively
37 disruptive.

38 (5) On December 1st of each year, the office of the secretary of
39 state shall solicit new nominations from the nominating parties under
40 subsection (2) of this section. The nominating parties must provide

1 the office of the secretary of state with the names of their nominees
2 by December 31st of each year. The new nominations take effect on the
3 following January 1st.

4 (6) If the thirty seats reserved pursuant to subsection (1) of
5 this section are not filled by two weeks prior to the date of the
6 training, certification, or testing being offered, the office of the
7 secretary of state may fill the vacancies with nonnominated
8 applicants.

9 (7) For purposes of this section, "elections professional" has
10 the same meaning as in RCW 29A.04.530.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.04
12 RCW to read as follows:

13 The office of the secretary of state shall send a report to the
14 appropriate committees of the legislature, in accordance with RCW
15 43.01.036, by November 30th of each year. The report must include:

16 (1) An anonymized comparison of pass rates between elections
17 professionals, nominated pursuant to section 2 of this act, and those
18 admitted under traditional criteria that has resulted in a shortage
19 of certified elections administrators;

20 (2) To measure the effectiveness of the trainings, certification
21 courses, and testing offered under RCW 29A.04.530, an evaluation of
22 the attendance rates and completion rates for the aggregate of all
23 trainings, certification courses, and testing offered that calendar
24 year; and

25 (3) Recommendations for increasing oversight of elections
26 administrators in order to create more trust and accountability in
27 the elections system, while addressing the current shortage of
28 certified elections administrators in the state. In developing its
29 recommendations, the office of the secretary of state must evaluate
30 the cost for training all members of the canvassing boards, the time
31 needed to train all canvassing board members, and any other pertinent
32 policy considerations that should be taken into account with the goal
33 of increasing trust, transparency, and the number of certified
34 elections administrators.

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