

SENATE BILL REPORT

ESHB 1716

As Reported by Senate Committee On:
State Government & Elections, February 16, 2022

Title: An act relating to locations at which ballots may be cast.

Brief Description: Concerning locations at which ballots may be cast.

Sponsors: House Committee on State Government & Tribal Relations (originally sponsored by Representatives Valdez, Dolan and Pollet).

Brief History: Passed House: 1/28/22, 92-3.

Committee Activity: State Government & Elections: 2/09/22, 2/16/22 [DP].

Brief Summary of Bill

- Requires that county auditors open a voting center during a special election only if the county is conducting a special election.
- Requires that county auditors open a voting center, rather than only conduct in-person voter registration, at certain locations.
- Restricts certain political activity near voting centers, student engagement hubs, and ballot drop boxes during the voting period.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Wilson, J., Ranking Member; Hasegawa.

Staff: Samuel Brown (786-7470)

Background: Voter Registration. A person registering to vote, or updating details on their voter registration, must submit a registration application electronically, by mail, or in

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person. In-person voter registrations and updates are accepted at county auditor's offices, county divisions of elections if in a separate city from the county auditor's office, voting centers, student engagement hubs, and other locations designated by the county auditor. For each presidential general election, county auditors must establish voting centers in each city with a population of 100,000 or greater and which does not already have a voting center to accept voter registrations and updates.

Voting Centers. County auditors must open a voting center for each primary, special election, and general election which provides, among other things, ballot materials and in-person voter registration.

From 18 days before an election through the end of the election, a person may not influence or interfere with a voter attempting to vote in a voting center, upon penalty of a gross misdemeanor, by:

- suggesting or persuading a voter to vote a certain way;
- circulating political materials or soliciting signatures;
- engaging in any practice that disrupts the administration of the voting center; or
- obstructing doors or entries to a voting center or ballot drop location.

Summary of Bill: Voter Registration. The county auditor must open a voting center, rather than only conduct in-person voter registration, at the following locations:

- the county auditor's office or the division of elections, if it is located in a separate location from the auditor's office; and
- at a location in each city with a population of over 100,000 for each presidential general election.

Voting Centers. County auditors are only required to open a voting center for a special election if the county is conducting one.

A person may not influence or interfere with a voter at a student engagement hub, any public street or room within a 100-foot radius of a voting center, or in any public street or room within a 25-foot radius of a ballot drop box. A person may not influence or interfere with voters using electronic amplification if the person can be understood within 100 feet of the voting center or student engagement hub or 25 feet of a ballot drop box. The prohibitions on activities at or near a voting center, student engagement hub, or ballot drop box do not restrict authorized political party observers from observing the election process.

At each voting center, county auditors must:

- designate a specific point or points as the entrance to ensure the unimpeded arrival and departure of voters; and
- post a sign at each designated entrance with notice of the prohibition against influencing or interfering with voters near voting centers, student engagement hubs, and ballot drop boxes.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Small, rural counties experience budget and staffing impacts when required to open a voting center because there's a special election elsewhere in the state. Different prosecutors have interpreted whether voting centers must be open even if there's no special election in the county differently, so this will provide clarity. Elections officials can serve voters better and deploy resources more efficiently by housing voting centers where elections operations are located. Washington is one of the few states that does not have an electioneering buffer zone in place. This brings us into alignment with many other states—the national standard is anywhere from 30 to 300 feet. Prohibiting electioneering around the entrance to voting centers and hubs will allow voters to cast ballots without interference.

Persons Testifying: PRO: Representative Javier Valdez, Prime Sponsor; Mary Hall, Thurston County Auditor; Paddy McGuire, Mason County Auditor; Julie Wise, King County Director of Elections.

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