State Government & Tribal Relations Committee

SB 5837

Brief Description: Codifying the state election database to publish, evaluate, and analyze certain election data.

Sponsors: Senators Valdez, Kuderer, Hasegawa, Hunt, Nobles and Trudeau.

Brief Summary of Bill

- Codifies the University of Washington's responsibility to create a Washington Elections Database with specified elections data, and to assist the state and political subdivisions with evaluating their existing laws and practices related to voting and elections, implementing best practices, and investigating potential infringements on the right to vote.

Hearing Date: 2/16/24

Staff: Jason Zolle (786-7124).

Background:

The 2023 State Operating Budget included funding for the University of Washington to establish a data repository to assist the state and all political subdivisions with:

- evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy;
- implementing best practices in voting and elections; and
- investigating potential infringements on the right to vote.

The budget proviso requires the repository to be operated by a Governor-appointed director with doctoral level expertise in demography, statistical analysis, and electoral systems. The

---

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

repository must include at least 12 years of data regarding:
- total, voting-age, and citizen voting-age population data by race, ethnicity, and language-minority groups, broken down to the election district and precinct level on a year-by-year basis for every political subdivision in the state, relying on United States Census Bureau and American Community Survey data;
- election results at the precinct level for every statewide and local election;
- data about voters, such as voter registration lists and voter history files;
- data about election-related locations, such as voting center locations and ballot drop box locations;
- data about returned ballots, such as ballot rejection and curing lists;
- data about election geography, such as district maps and apportionment plans; and
- a list of political subdivisions in the state required to provide minority language voting assistance under the federal Voting Rights Act.

Repository data must be updated within 30 business days after the certification of each election. The Secretary of State is required to provide relevant data to the repository after each election.

All data must be made available online for the public at no cost, except to the extent to which it identifies individual voters. The repository is currently available online as the Washington State Election Database on the website for the University of Washington Center for the Study of Demography and Ecology.

Summary of Bill:

The University of Washington's responsibility to create an election data repository is codified into statute and named "the Washington Election Database" (Database). The statutory requirements for the Database largely mirror those from the 2022 budget proviso that established the repository, described above. A few changes are made in the bill, however, including the following:
- The director is no longer appointed by the Governor and is required to have training and experience in specified topics, rather than doctoral level expertise.
- The type of ballot-related information the Database must display is modified to include more specific information about rejected ballots, including information about when voters were contacted to cure a missing or mismatched signature and when the voter responded.
- Database staff are permitted to work with the Secretary of State and county auditors to examine new practices and solutions for reducing ballot rejections and increasing ballot cure rates.

Appropriation: None.

Fiscal Note: Requested on February 12, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.