SENATE BILL 5837

State of Washington   **68th Legislature**   **2024 Regular Session**

By Senators Valdez, Kuderer, Hasegawa, Hunt, Nobles, and Trudeau

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1   AN ACT Relating to codifying the state election database to
2 publish, evaluate, and analyze certain election data; and adding a
3 new section to chapter 29A.04 RCW.

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

5   NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.04
6 RCW to read as follows:
7   (1) The Washington election database is established to assist the
8 state and all political subdivisions with evaluating whether and to
9 what extent existing laws and practices with respect to voting and
10 elections are consistent with public policy, implementing best
11 practices in voting and elections, and investigating potential
12 infringements upon the right to vote.
13   (2) The operation of the database shall be the responsibility of
14 the director of the database, who shall be employed by the University
15 of Washington with training and experience in demography, statistical
16 analysis, and electoral systems. The director shall appoint necessary
17 staff to implement and maintain the database.
18   (3) The database shall maintain in electronic format at least the
19 following data and records, where available, for at least the
20 previous 12-year period:

(a) Estimates of the total population, voting age population, and citizen voting age population 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, based on data from the United States census bureau, American community survey, or data of comparable quality collected by a public office;

(b) Election results at the precinct level for every statewide election and every election in every political subdivision;

(c) Regularly updated voter registration lists, voter history files, voting center locations, ballot drop box locations, and student engagement hub locations for every election in every political subdivision;

(d) Contemporaneous maps, descriptions of boundaries, and shapefiles for election districts and precincts;

(e) The following records for every election in every political subdivision:

(i) Records of all voters issued a ballot and all voters who returned a ballot; and

(ii) Records of all ballots with missing and mismatched signatures, including the date on which the voter was contacted or the notice was mailed, as well as the date on which the voter submitted updated information;

(f) Apportionment plans for every election in every political subdivision; and

(g) Any other data that the director deems advisable.

(4) Upon the certification of election results and the completion of the voter history file after each general election, the secretary shall transmit copies of the following to the director of the database:

(a) Election results at the precinct level, including information about rejected and cured ballots;

(b) Voter history files;

(c) Shapefiles for election districts; and

(d) Lists of voting centers, ballot drop boxes, and student engagement hubs.

(5) The director and staff shall update election data in the database as soon as it is available from the office of the secretary of state, following certification of each election as required by RCW 29A.60.190 or 29A.60.250.

1   (6) Except for any data, information, or estimates that identify
2   individual voters, the data, information, and estimates maintained by
3   the database shall be posted online and made available to the public
4   at no cost.

5   (7) The database shall prepare any estimates made pursuant to
6   this section by applying scientifically rigorous and validated
7   methodologies.

8   (8) On or before January 1, 2025, the database shall publish on
9   its website and transmit to the state for dissemination to county
10   auditors and the secretary a list of political subdivisions required,
11   pursuant to section 203 of the federal voting rights act, 52 U.S.C.
12   Sec. 10503, to provide assistance to members of language-minority
13   groups and each language in which those political subdivisions are
14   required to provide assistance. Each county auditor shall transmit
15   the list described in this subsection to all political subdivisions
16   within their jurisdiction.

17   (9) The database will complete regular analysis of ballot
18   rejections and cures, identifying population subgroups with higher
19   than average ballot rejection rates. An annual report of ballot
20   rejections will be posted online and made available to the public at
21   no cost. Database staff may work with the secretary of state and
22   county auditors to examine new practices and solutions for reducing
23   ballot rejections and increasing ballot cure rates.

24   (10) Staff at the database may provide nonpartisan technical
25   assistance to political subdivisions, scholars, and the general
26   public seeking to use the resources of the database.

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