

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5890**

68th Legislature  
2024 Regular Session

Passed by the Senate March 4, 2024  
Yeas 49 Nays 0

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**President of the Senate**

Passed by the House February 22, 2024  
Yeas 93 Nays 0

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5890** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 5890**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

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

**By** Senate State Government & Elections (originally sponsored by Senators Valdez, Hunt, Dhingra, Kuderer, Nguyen, Nobles, and Pedersen)

READ FIRST TIME 01/15/24.

1            AN ACT Relating to reducing ballot rejection rates through  
2 updates to ballot curing, canvassing, reporting, and outreach  
3 processes; amending RCW 29A.60.165, 29A.40.091, 29A.40.091,  
4 29A.60.140, 29A.08.210, and 29A.08.210; reenacting and amending RCW  
5 29A.40.110; adding a new section to chapter 29A.08 RCW; adding new  
6 sections to chapter 29A.60 RCW; providing effective dates; and  
7 providing expiration dates.

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

9            **Sec. 1.** RCW 29A.60.165 and 2019 c 167 s 1 are each amended to  
10 read as follows:

11            (1) If the voter neglects to sign the ballot declaration, the  
12 auditor shall notify the voter by first-class mail and, if the  
13 auditor has a telephone number or email address on file for a voter,  
14 by telephone, text message, or email, and advise the voter both that  
15 their ballot is unsigned and of the correct procedures for completing  
16 the unsigned declaration. If the ballot is received within (~~three~~)  
17 five business days of the final meeting of the canvassing board, or  
18 the voter has been notified by first-class mail and has not responded  
19 at least (~~three~~) five business days before the final meeting of the  
20 canvassing board, then the auditor shall attempt to notify the voter  
21 by telephone, using the voter registration record information.

1 (2) (a) If the handwriting of the signature on a ballot  
2 declaration is not the same as the handwriting of the signature on  
3 the registration file, the auditor shall notify the voter by first-  
4 class mail, and, if the auditor has a telephone number or email  
5 address on file for a voter, by telephone, text message, or email,  
6 enclosing a copy of the declaration if notified by first-class mail  
7 or email, and advise the voter both that the signature on the ballot  
8 declaration does not match the signature on file and of the correct  
9 procedures for updating his or her signature on the voter  
10 registration file. If the ballot is received within (~~three~~) five  
11 business days of the final meeting of the canvassing board, or the  
12 voter has been notified by first-class mail and has not responded at  
13 least (~~three~~) five business days before the final meeting of the  
14 canvassing board, then the auditor shall attempt to notify the voter  
15 by telephone, text message, or email, using the voter registration  
16 record information.

17 (b) If the signature on a ballot declaration is not the same as  
18 the signature on the registration file because the voter's name (~~is~~  
19 ~~different~~) has changed, the ballot may be counted as long as the  
20 handwriting is clearly the same. The auditor shall send the voter a  
21 change-of-name form under RCW 29A.08.440 and direct the voter to  
22 complete the form.

23 (c) If the signature on a ballot declaration is not the same as  
24 the signature on the registration file because the voter used  
25 initials or a common nickname, the ballot may be counted as long as  
26 the surname and handwriting are clearly the same.

27 (3) If the auditor calls a voter who neglected to sign the ballot  
28 declaration or whose signature on the ballot declaration does not  
29 match the signature in the registration file and the voter does not  
30 answer, but voice mail is available, the auditor shall leave a voice  
31 mail message.

32 (4) An auditor who provides electronic means for submission of a  
33 ballot declaration signature shall establish appropriate privacy and  
34 security protocols that ensure that the information transmitted is  
35 received directly and securely by the auditor and is only used for  
36 the stated purposes of verifying the signature on the voter's ballot.

37 (5) If a voter's ballot is rejected in two consecutive primary or  
38 general elections due to a mismatched signature, the auditor must  
39 contact the voter by telephone, text message, or email, if the  
40 auditor has a telephone number or email address on file for the

1 voter, and request that the voter update their signature for the  
2 voter's registration file.

3 (6) A voter may not cure a missing or mismatched signature for  
4 purposes of counting the ballot in a recount.

5 ~~((4))~~ (7) A record must be kept of all ballots with missing and  
6 mismatched signatures. The record must contain the date on which the  
7 voter was contacted or the notice was mailed, as well as the date on  
8 which the voter submitted updated information. The record must be  
9 updated each day that ballots are processed under RCW 29A.60.160,  
10 each time a voter was contacted or the notice was mailed, and when  
11 the voter submitted updated information. The auditor shall send the  
12 record, and any updated records, to the secretary of state no later  
13 than forty-eight hours after the record is created or updated. The  
14 secretary of state shall make all records publicly available no later  
15 than twenty-four hours after receiving the record.

16 NEW SECTION. Sec. 2. A new section is added to chapter 29A.08  
17 RCW to read as follows:

18 After certification of general, primary, and presidential primary  
19 election results, county auditors are encouraged to contact each  
20 registered voter to obtain an updated signature for the voter's  
21 registration file. Failure to respond to contact from the county  
22 auditor under this section shall not impact the voter's registration  
23 status. Any contact from a county auditor under this section must  
24 clearly state that the voter is not required to provide an updated  
25 signature and that providing an updated signature is not a  
26 requirement to vote in any future election.

27 NEW SECTION. Sec. 3. A new section is added to chapter 29A.60  
28 RCW to read as follows:

29 (1) The secretary of state shall:

30 (a) Adopt and regularly review statewide standards for  
31 determining whether the voter's signature on the ballot declaration  
32 is the same as the signature of that voter in the county's  
33 registration files as required by RCW 29A.40.110(3);

34 (b) Adopt, publish, and regularly update a training manual,  
35 reviewed by appropriate experts, for the use of local election  
36 personnel in implementing the standards adopted under (a) of this  
37 subsection; and

1 (c) Design and implement tools intended to confirm compliance  
2 with these standards. These tools shall be available to county  
3 auditors for compliance, and may include comparisons, at random  
4 intervals, of whether rejections of signatures on ballot declarations  
5 for failure to match the voter's signature in the county's  
6 registration files comply with the standards adopted under (a) of  
7 this subsection.

8 (2) All training materials for canvassing review board members  
9 and election personnel on the statewide standards for signature  
10 verification established in this section must be open to the public  
11 for observation.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 29A.60  
13 RCW to read as follows:

14 The secretary of state shall design forms for voters to use in  
15 completing incomplete ballot declarations and forms to be used by  
16 voters in updating a voter's signature in the county's registration  
17 files in the various languages required of state agencies. The forms  
18 must include the oath and warning language used on voter registration  
19 forms. Each county auditor shall provide these forms on the auditor's  
20 website and in the auditor's office.

21 NEW SECTION. **Sec. 5.** A new section is added to chapter 29A.60  
22 RCW to read as follows:

23 (1) Each county auditor shall develop a community outreach plan  
24 to educate voters about signature verification requirements and the  
25 importance of ballot signatures matching signatures in voter  
26 registration files. The outreach plan shall include materials for  
27 publication on the county auditor's website and distribution in  
28 communities throughout the county that clearly explain signature  
29 verification requirements and the process of updating signatures in  
30 voter registration files or curing challenged ballots under RCW  
31 29A.60.165. Materials prepared under the outreach plan should be  
32 written clearly and in plain language. Materials must be produced in  
33 English, Spanish, and any other language required by the federal  
34 voting rights act. Materials prepared as part of the outreach plan  
35 should be informed by the data collected in the survey required by  
36 RCW 29A.60.300 and should target groups with higher rates of ballot  
37 rejection. The secretary of state may assist in preparation of  
38 materials for a county's outreach plan, including coordinating

1 between multiple counties and providing information about statewide  
2 requirements.

3 (2) County auditors are encouraged to establish partnerships with  
4 trusted community organizations as part of the community outreach  
5 plan to maximize resources.

6 **Sec. 6.** RCW 29A.40.091 and 2021 c 10 s 3 are each amended to  
7 read as follows:

8 (1) The county auditor shall send each voter a ballot, a security  
9 envelope in which to conceal the ballot after voting, a larger  
10 envelope in which to return the security envelope, a declaration that  
11 the voter must sign, and instructions on how to obtain information  
12 about the election, how to mark the ballot, and how to return the  
13 ballot to the county auditor. The calendar date of the election must  
14 be prominently displayed in bold type, twenty-point font or larger,  
15 on the envelope sent to the voter containing the ballot and other  
16 materials listed in this subsection((÷

17 ~~(a) For all general elections in 2020 and after;~~

18 ~~(b) For all primary elections in 2021 and after; and~~

19 ~~(c) For all elections in 2022 and after)).~~

20 (2) (a) The voter must swear under penalty of perjury that he or  
21 she meets the qualifications to vote, and has not voted in any other  
22 jurisdiction at this election. The declaration must clearly inform  
23 the voter that it is illegal to vote if he or she is not a United  
24 States citizen; it is illegal to vote if he or she is serving a  
25 sentence of total confinement under the jurisdiction of the  
26 department of corrections for a felony conviction or is currently  
27 incarcerated for a federal or out-of-state felony conviction; and it  
28 is illegal to cast a ballot or sign a ballot declaration on behalf of  
29 another voter. The ballot materials must provide space for the voter  
30 to sign the declaration, indicate the date on which the ballot was  
31 voted, and include a telephone number.

32 (b) By June 1, 2025, the declaration in (a) of this subsection  
33 must also clearly inform the voter that the signature on the  
34 declaration will be compared to the signature in the voter's  
35 registration file.

36 (3) For overseas and service voters, the signed declaration  
37 constitutes the equivalent of a voter registration. Return envelopes  
38 for overseas and service voters must enable the ballot to be returned  
39 postage free if mailed through the United States postal service,

1 United States armed forces postal service, or the postal service of a  
2 United States foreign embassy under 39 U.S.C. 3406.

3 (4) The voter must be instructed to either return the ballot to  
4 the county auditor no later than 8:00 p.m. the day of the election or  
5 primary, or mail the ballot to the county auditor with a postmark no  
6 later than the day of the election or primary. Return envelopes for  
7 all election ballots must include prepaid postage. Service and  
8 overseas voters must be provided with instructions and a privacy  
9 sheet for returning the ballot and signed declaration by fax or  
10 email. A voted ballot and signed declaration returned by fax or email  
11 must be received by 8:00 p.m. on the day of the election or primary.

12 (5) The county auditor's name may not appear on the security  
13 envelope, the return envelope, or on any voting instructions or  
14 materials included with the ballot if he or she is a candidate for  
15 office during the same year.

16 (6) For purposes of this section, "prepaid postage" means any  
17 method of return postage paid by the county or state.

18 **Sec. 7.** RCW 29A.40.091 and 2021 c 10 s 3 are each amended to  
19 read as follows:

20 (1) The county auditor shall send each voter a ballot, a security  
21 envelope in which to conceal the ballot after voting, a larger  
22 envelope in which to return the security envelope, a declaration that  
23 the voter must sign, and instructions on how to obtain information  
24 about the election, how to mark the ballot, and how to return the  
25 ballot to the county auditor. The calendar date of the election must  
26 be prominently displayed in bold type, twenty-point font or larger,  
27 on the envelope sent to the voter containing the ballot and other  
28 materials listed in this subsection((÷

29 ~~(a) For all general elections in 2020 and after;~~

30 ~~(b) For all primary elections in 2021 and after; and~~

31 ~~(c) For all elections in 2022 and after)).~~

32 (2) The voter must swear under penalty of perjury that he or she  
33 meets the qualifications to vote, and has not voted in any other  
34 jurisdiction at this election. The declaration must clearly inform  
35 the voter that it is illegal to vote if he or she is not a United  
36 States citizen; it is illegal to vote if he or she is serving a  
37 sentence of total confinement under the jurisdiction of the  
38 department of corrections for a felony conviction or is currently  
39 incarcerated for a federal or out-of-state felony conviction; ((and))

1 it is illegal to cast a ballot or sign a ballot declaration on behalf  
2 of another voter; and that the signature on the declaration will be  
3 compared to the signature in the voter's registration file. The  
4 ballot materials must provide space for the voter to sign the  
5 declaration, indicate the date on which the ballot was voted, and  
6 include a telephone number.

7 (3) For overseas and service voters, the signed declaration  
8 constitutes the equivalent of a voter registration. Return envelopes  
9 for overseas and service voters must enable the ballot to be returned  
10 postage free if mailed through the United States postal service,  
11 United States armed forces postal service, or the postal service of a  
12 United States foreign embassy under 39 U.S.C. 3406.

13 (4) The voter must be instructed to either return the ballot to  
14 the county auditor no later than 8:00 p.m. the day of the election or  
15 primary, or mail the ballot to the county auditor with a postmark no  
16 later than the day of the election or primary. Return envelopes for  
17 all election ballots must include prepaid postage. Service and  
18 overseas voters must be provided with instructions and a privacy  
19 sheet for returning the ballot and signed declaration by fax or  
20 email. A voted ballot and signed declaration returned by fax or email  
21 must be received by 8:00 p.m. on the day of the election or primary.

22 (5) The county auditor's name may not appear on the security  
23 envelope, the return envelope, or on any voting instructions or  
24 materials included with the ballot if he or she is a candidate for  
25 office during the same year.

26 (6) For purposes of this section, "prepaid postage" means any  
27 method of return postage paid by the county or state.

28 **Sec. 8.** RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and  
29 2011 c 10 s 41 are each reenacted and amended to read as follows:

30 (1) The opening and subsequent processing of return envelopes for  
31 any primary or election may begin upon receipt. The tabulation of  
32 absentee ballots must not commence until after 8:00 p.m. on the day  
33 of the primary or election.

34 (2) All received return envelopes must be placed in secure  
35 locations from the time of delivery to the county auditor until their  
36 subsequent opening. After opening the return envelopes, the county  
37 canvassing board shall place all of the ballots in secure storage  
38 until processing. Ballots may be taken from the inner envelopes and



1 all the normal procedural steps may be performed to prepare these  
2 ballots for tabulation.

3 (3) The canvassing board, or its designated representatives,  
4 shall examine the postmark on the return envelope and signature on  
5 the declaration before processing the ballot. The ballot must either  
6 be received no later than 8:00 p.m. on the day of the primary or  
7 election, or must be postmarked no later than the day of the primary  
8 or election. All personnel assigned to verify signatures must receive  
9 training on statewide standards for signature verification. The  
10 county auditor shall publish on its website the names of all  
11 canvassing board members who received training on statewide standards  
12 for signature verification and the dates on which the training was  
13 completed. Personnel shall verify that the voter's signature on the  
14 ballot declaration is the same as the signature of that voter in the  
15 registration files of the county. Verification may be conducted by an  
16 automated verification system approved by the secretary of state. A  
17 variation between the signature of the voter on the ballot  
18 declaration and the signature of that voter in the registration files  
19 due to the substitution of initials or the use of common nicknames is  
20 permitted so long as the surname and handwriting are clearly the  
21 same.

22 (4) If the postmark is missing or illegible, the date on the  
23 ballot declaration to which the voter has attested determines the  
24 validity, as to the time of voting, for that ballot. For overseas  
25 voters and service voters, the date on the declaration to which the  
26 voter has attested determines the validity, as to the time of voting,  
27 for that ballot. Any overseas voter or service voter may return the  
28 signed declaration and voted ballot by fax or email by 8:00 p.m. on  
29 the day of the primary or election, and the county auditor must use  
30 established procedures to maintain the secrecy of the ballot.

31 **Sec. 9.** RCW 29A.60.140 and 2008 c 308 s 1 are each amended to  
32 read as follows:

33 (1) Members of the county canvassing board are the county  
34 auditor, who is the chair, the county prosecuting attorney, and the  
35 chair of the county legislative body. If a member of the board is not  
36 available to carry out the duties of the board, then the auditor may  
37 designate a deputy auditor, the prosecutor may designate a deputy  
38 prosecuting attorney, and the chair of the county legislative body  
39 may designate another member of the county legislative body or, in a

1 county with a population over one million, an employee of the  
2 legislative body who reports directly to the chair. An "employee of  
3 the legislative body" means an individual who serves in any of the  
4 following positions: Chief of staff; legal counsel; clerk of the  
5 council; policy staff director; and any successor positions to these  
6 positions should these original positions be changed. Any such  
7 designation may be made on an election-by-election basis or may be on  
8 a permanent basis until revoked by the designating authority. Any  
9 such designation must be in writing, and if for a specific election,  
10 must be filed with the county auditor not later than the day before  
11 the first day duties are to be undertaken by the canvassing board. If  
12 the designation is permanent until revoked by the designating  
13 authority, then the designation must be on file in the county  
14 auditor's office no later than the day before the first day the  
15 designee is to undertake the duties of the canvassing board. Members  
16 of the county canvassing board designated by the county auditor,  
17 county prosecuting attorney, or chair of the county legislative body  
18 shall complete training as provided in RCW 29A.04.540 and shall take  
19 an oath of office similar to that taken by county auditors and deputy  
20 auditors in the performance of their duties.

21 (2) The county canvassing board may adopt rules that delegate in  
22 writing to the county auditor or the county auditor's staff the  
23 performance of any task assigned by law to the canvassing board.

24 (3) The county canvassing board may not delegate the  
25 responsibility of certifying the returns of a primary or election, of  
26 determining the validity of challenged ballots, or of determining the  
27 validity of provisional ballots referred to the board by the county  
28 auditor.

29 (4) The county canvassing board shall adopt administrative rules  
30 to facilitate and govern the canvassing process in that jurisdiction.

31 (5) Meetings of the county canvassing board are public meetings  
32 under chapter 42.30 RCW. Meetings must be conducted at times and  
33 locations that are accessible to the public to ensure that the public  
34 is informed and able to attend or observe. The time and location of  
35 county canvassing board meetings must be published in accordance with  
36 chapter 42.30 RCW. All rules adopted by the county canvassing board  
37 must be adopted in a public meeting under chapter 42.30 RCW, and once  
38 adopted must be available to the public to review and copy under  
39 chapter 42.56 RCW.

1       **Sec. 10.** RCW 29A.08.210 and 2020 c 208 s 3 are each amended to  
2 read as follows:

3       An applicant for voter registration shall complete an application  
4 providing the following information concerning his or her  
5 qualifications as a voter in this state:

6       (1) The former address of the applicant if previously registered  
7 to vote;

8       (2) The applicant's full name;

9       (3) The applicant's date of birth;

10       (4) The address of the applicant's residence for voting purposes;

11       (5) The mailing address of the applicant if that address is not  
12 the same as the address in subsection (4) of this section;

13       (6) The sex of the applicant;

14       (7) The applicant's Washington state driver's license number,  
15 Washington state identification card number, or the last four digits  
16 of the applicant's social security number if he or she does not have  
17 a Washington state driver's license or Washington state  
18 identification card;

19       (8) A check box allowing the applicant to indicate that he or she  
20 is a member of the armed forces, national guard, or reserves, or that  
21 he or she is an overseas voter;

22       (9) A check box allowing the applicant to acknowledge that he or  
23 she is at least sixteen years old;

24       (10) Clear and conspicuous language, designed to draw the  
25 applicant's attention, stating that:

26       (a) The applicant must be a United States citizen in order to  
27 register to vote; and

28       (b) The applicant may register to vote if the applicant is at  
29 least sixteen years old and may vote if the applicant will be at  
30 least eighteen years old by the next general election, or is at least  
31 eighteen years old for special elections;

32       (11) A check box and declaration confirming that the applicant is  
33 a citizen of the United States;

34       (12) The following warning:

35       "If you knowingly provide false information on this voter  
36 registration form or knowingly make a false declaration about your  
37 qualifications for voter registration you will have committed a class  
38 C felony that is punishable by imprisonment for up to five years, a  
39 fine of up to ten thousand dollars, or both."

1 (13) The oath required by RCW 29A.08.230 and a space for the  
2 applicant's signatures. The secretary of state is encouraged to  
3 provide applications for voter registration with multiple signature  
4 blocks to assist in comparing signatures on ballot declarations; and

5 (14) Any other information that the secretary of state determines  
6 is necessary to establish the identity of the applicant and prevent  
7 duplicate or fraudulent voter registrations.

8 This information shall be recorded on a single registration form  
9 to be prescribed by the secretary of state.

10 **Sec. 11.** RCW 29A.08.210 and 2023 c 466 s 6 are each amended to  
11 read as follows:

12 An applicant for voter registration shall complete an application  
13 providing the following information concerning the applicant's  
14 qualifications as a voter in this state:

15 (1) The applicant's full name;

16 (2) The applicant's date of birth;

17 (3) The address of the applicant's residence for voting purposes;

18 (4) The mailing address of the applicant if that address is not  
19 the same as the address in subsection (3) of this section;

20 (5) The gender of the applicant;

21 (6) The former address of the applicant if previously registered  
22 to vote;

23 (7) The applicant's Washington state driver's license number,  
24 Washington state identification card number, or the last four digits  
25 of the applicant's social security number if the applicant does not  
26 have a Washington state driver's license or Washington state  
27 identification card;

28 (8) A check box allowing the applicant to indicate membership in  
29 the armed forces, national guard, or reserves, or overseas voter  
30 status;

31 (9) Clear and conspicuous language, designed to draw the  
32 applicant's attention, stating that:

33 (a) The applicant must be a United States citizen in order to  
34 register to vote; and

35 (b) The applicant may register to vote if the applicant is at  
36 least sixteen years old and may vote if the applicant will be at  
37 least eighteen years old by the next general election, or is at least  
38 eighteen years old for special elections;

1 (10) A check box and declaration confirming that the applicant is  
2 a citizen of the United States;

3 (11) The following warning:

4 "If you knowingly provide false information on this voter  
5 registration form or knowingly make a false declaration about your  
6 qualifications for voter registration you will have committed a class  
7 C felony that is punishable by imprisonment for up to five years, a  
8 fine of up to ten thousand dollars, or both."

9 (12) The oath required by RCW 29A.08.230 and a space for the  
10 applicant's signatures. The secretary of state is encouraged to  
11 provide applications for voter registration with multiple signature  
12 blocks to assist in comparing signatures on ballot declarations; and

13 (13) Any other information that the secretary of state determines  
14 is necessary to establish the identity of the applicant and prevent  
15 duplicate or fraudulent voter registrations.

16 This information shall be recorded on a single registration form  
17 to be prescribed by the secretary of state.

18 NEW SECTION. **Sec. 12.** A new section is added to chapter 29A.60  
19 RCW to read as follows:

20 (1) A work group is established to approve a uniform ballot  
21 envelope design to be used by all counties in each election beginning  
22 with the 2026 primary election.

23 (2) The work group must be chaired by the secretary of state, or  
24 the secretary's designee, and include at a minimum the following  
25 members, appointed by the secretary of state:

26 (a) Two county auditors or their designees, with one auditor  
27 residing in western Washington and one auditor residing in eastern  
28 Washington;

29 (b) A representative from the University of Washington Evans  
30 school of public policy and governance;

31 (c) A representative from a nonprofit educational research  
32 organization with expertise in designing voting materials; and

33 (d) Other recognized experts and staff as deemed necessary by the  
34 work group's chair.

35 (3) This section expires January 1, 2027.

36 NEW SECTION. **Sec. 13.** Section 6 of this act expires June 1,  
37 2025.

1        NEW SECTION.    **Sec. 14.**    Section 7 of this act takes effect June  
2 1, 2025.

3        NEW SECTION.    **Sec. 15.**    Section 10 of this act expires July 15,  
4 2024.

5        NEW SECTION.    **Sec. 16.**    Section 11 of this act takes effect July  
6 15, 2024.

--- END ---