

RCW 29A.60.165 Unsigned ballot declarations. (1) If the voter neglects to sign the ballot declaration, the auditor shall notify the voter by first-class mail and, if the auditor has a telephone number or email address on file for a voter, by telephone, text message, or email, and advise the voter both that their ballot is unsigned and of the correct procedures for completing the unsigned declaration. If the ballot is received within five business days of the final meeting of the canvassing board, or the voter has been notified by first-class mail and has not responded at least five business days before the final meeting of the canvassing board, then the auditor shall attempt to notify the voter by telephone, using the voter registration record information.

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

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

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

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

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

(5) If a voter's ballot is rejected in two consecutive primary or general elections due to a mismatched signature, the auditor must contact the voter by telephone, text message, or email, if the auditor has a telephone number or email address on file for the voter, and request that the voter update their signature for the voter's registration file.

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

(7) A record must be kept of all ballots with missing and mismatched signatures. The record must contain 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. The record must be updated each day that ballots are processed under RCW 29A.60.160, each time a voter was contacted or the notice was mailed, and when the voter submitted updated information. The auditor shall send the record, and any updated records, to the secretary of state no later than forty-eight hours after the record is created or updated. The secretary of state shall make all records publicly available no later than twenty-four hours after receiving the record. [2024 c 269 s 1; 2019 c 167 s 1; 2013 c 11 s 63; 2011 c 10 s 54. Prior: 2006 c 209 s 4; 2006 c 208 s 1; 2005 c 243 s 8.]

Notice to registered poll voters—Elections by mail—2011 c 10:

See note following RCW 29A.04.008.