
HOUSE BILL 1880

State of Washington

61st Legislature

2009 Regular Session

By Representatives Armstrong, Hunt, Appleton, Alexander, and Nelson

Read first time 02/02/09. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to ballot envelopes; and amending RCW 29A.40.091.

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

3 **Sec. 1.** RCW 29A.40.091 and 2005 c 246 s 21 are each amended to
4 read as follows:

5 The county auditor shall send each ((absentee)) voter a ballot, a
6 security envelope in which to seal the ballot after voting, a larger
7 envelope in which to return the security envelope, and instructions on
8 how to mark the ballot and how to return it to the county auditor. The
9 instructions that accompany ((an-absentee)) a ballot for a partisan
10 primary must include instructions for voting the applicable ballot
11 style, as provided in chapter 29A.36 RCW. The ((absentee)) voter's
12 name and address must be printed on the larger return envelope, which
13 must also contain a declaration by the ((absentee)) voter reciting his
14 or her qualifications and stating that he or she has not voted in any
15 other jurisdiction at this election, together with a summary of the
16 penalties for any violation of any of the provisions of this chapter.
17 The declaration must clearly inform the voter that it is illegal to
18 vote if he or she is not a United States citizen; it is illegal to vote
19 if he or she has been convicted of a felony and has not had his or her

1 voting rights restored; and, except as otherwise provided by law, it is
2 illegal to cast a ballot or sign ~~((an absentee))~~ a return envelope on
3 behalf of another voter. The return envelope must provide space for
4 the voter to indicate the date on which the ballot was voted and for
5 the voter to sign the oath. It must also contain a space so that the
6 voter may include a telephone number. A summary of the applicable
7 penalty provisions of this chapter must be printed on the return
8 envelope immediately adjacent to the space for the voter's signature.
9 The signature of the voter on the return envelope must affirm and
10 attest to the statements regarding the qualifications of that voter and
11 to the validity of the ballot. The return envelope ~~((must also have~~
12 ~~a))~~ may provide secrecy ~~((flap that the voter may seal that will~~
13 ~~cover))~~ for the voter's signature and optional telephone number. For
14 ~~((out-of-state voters,))~~ overseas ~~((voters,))~~ and service voters, the
15 signed declaration on the return envelope constitutes the equivalent of
16 a voter registration for the election or primary for which the ballot
17 has been issued. The voter must be instructed to either return the
18 ballot to the county auditor by whom it was issued or attach sufficient
19 first-class postage, if applicable, and mail the ballot to the
20 appropriate county auditor no later than the day of the election or
21 primary for which the ballot was issued.

22 If the county auditor chooses to forward ~~((absentee))~~ ballots, he
23 or she must include with the ballot a clear explanation of the
24 qualifications necessary to vote in that election and must also advise
25 a voter with questions about his or her eligibility to contact the
26 county auditor. This explanation may be provided on the ballot
27 envelope, on an enclosed insert, or printed directly on the ballot
28 itself. If the information is not included, the envelope must clearly
29 indicate that the ballot is not to be forwarded and that return postage
30 is guaranteed.

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