
HOUSE BILL 2112

State of Washington 61st Legislature 2009 Regular Session

By Representatives Hasegawa, Green, Chase, and Santos

Read first time 02/10/09. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to prepaid postage for primary and general election
2 ballots; amending RCW 29A.04.420, 29A.40.091, and 29A.48.050; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that voting by mail
6 has many advantages. However, the legislature also finds that the
7 postage, while only a small amount, amounts to the poll tax for many of
8 our citizens. The legislature finds that many citizens lack the
9 necessary funds to purchase the necessary postage to return his or her
10 ballot. The legislature further finds that in order to increase
11 participation in our democracy, we must lower all barriers to
12 participation in the democratic process. The legislature finds that
13 voting should be free for all citizens.

14 **Sec. 2.** RCW 29A.04.420 and 2003 c 111 s 147 are each amended to
15 read as follows:

16 (1) Whenever state officers or measures are voted upon at a state
17 primary or general election held in an odd-numbered year under RCW

1 (~~29A.04.320~~) 29A.04.321, the state of Washington shall assume a
2 prorated share of the costs of that state primary or general election.

3 (2) The state shall reimburse counties for the cost of return
4 postage on mail and absentee ballots for primary and general elections.

5 (3) Whenever a primary or vacancy election is held to fill a
6 vacancy in the position of United States senator or United States
7 representative under chapter 29A.28 RCW, the state of Washington shall
8 assume a prorated share of the costs of that primary or vacancy
9 election.

10 (~~(+3)~~) (4) The county auditor shall apportion the state's share of
11 these expenses when prorating election costs under RCW 29A.04.410 and
12 shall file such expense claims with the secretary of state.

13 (~~(+4)~~) (5) The secretary of state shall include in his or her
14 biennial budget requests sufficient funds to carry out this section.
15 Reimbursements for election costs shall be from appropriations
16 specifically provided by law for that purpose.

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

19 The county auditor shall send each absentee voter a ballot, a
20 security envelope in which to seal the ballot after voting, a larger
21 envelope in which to return the security envelope, and instructions on
22 how to mark the ballot and how to return it to the county auditor. The
23 instructions that accompany an absentee ballot for a partisan primary
24 must include instructions for voting the applicable ballot style, as
25 provided in chapter 29A.36 RCW. The absentee voter's name and address
26 must be printed on the larger return envelope, which must also contain
27 a declaration by the absentee voter reciting his or her qualifications
28 and stating that he or she has not voted in any other jurisdiction at
29 this election, together with a summary of the penalties for any
30 violation of any of the provisions of this chapter. The declaration
31 must clearly inform the voter that it is illegal to vote if he or she
32 is not a United States citizen; it is illegal to vote if he or she has
33 been convicted of a felony and has not had his or her voting rights
34 restored; and, except as otherwise provided by law, it is illegal to
35 cast a ballot or sign an absentee envelope on behalf of another voter.
36 The return envelope must provide space for the voter to indicate the
37 date on which the ballot was voted and for the voter to sign the oath.

1 It must also contain a space so that the voter may include a telephone
2 number. A summary of the applicable penalty provisions of this chapter
3 must be printed on the return envelope immediately adjacent to the
4 space for the voter's signature. The signature of the voter on the
5 return envelope must affirm and attest to the statements regarding the
6 qualifications of that voter and to the validity of the ballot. The
7 return envelope must also have a secrecy flap that the voter may seal
8 that will cover the voter's signature and optional telephone number.
9 For out-of-state voters, overseas voters, and service voters, the
10 signed declaration on the return envelope constitutes the equivalent of
11 a voter registration for the election or primary for which the ballot
12 has been issued. The voter must be instructed to either return the
13 ballot to the county auditor by whom it was issued or attach sufficient
14 first class postage, if applicable, and mail the ballot to the
15 appropriate county auditor no later than the day of the election or
16 primary for which the ballot was issued. Return envelopes for primary
17 and general election ballots shall include prepaid postage.

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

27 **Sec. 4.** RCW 29A.48.050 and 2006 c 206 s 8 are each amended to read
28 as follows:

29 The voter shall return the ballot to the county auditor in the
30 return identification envelope. If mailed, a ballot must be postmarked
31 not later than the date of the primary or election. Return envelopes
32 for primary and general election ballots shall include prepaid postage.
33 Otherwise, the ballot must be deposited at the office of the county
34 auditor or the designated place of deposit not later than 8:00 p.m. on
35 the date of the primary or election. All personnel assigned to verify

1 signatures on the return envelope must receive training on statewide
2 standards for signature verification.

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