
HOUSE BILL 1278

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Bergquist, Van De Wege, Fitzgibbon, Hunt, Appleton, Jinkins, Ryu, Reykdal, Stanford, Tharinger, Hudgins, Santos, Pollet, and Ormsby

Read first time 01/22/13. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to prepaid postage for ballot envelopes; amending
2 RCW 29A.04.420; and reenacting and amending RCW 29A.40.091.

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

4 **Sec. 1.** RCW 29A.04.420 and 2003 c 111 s 147 are each amended to
5 read as follows:

6 (1) Whenever state officers or measures are voted upon at a state
7 primary or general election held in an odd-numbered year under RCW
8 (~~29A.04.320~~) 29A.04.321, the state of Washington shall assume a
9 prorated share of the costs of that state primary or general election.

10 (2) Whenever a primary or vacancy election is held to fill a
11 vacancy in the position of United States senator or United States
12 representative under chapter 29A.28 RCW, the state of Washington shall
13 assume a prorated share of the costs of that primary or vacancy
14 election.

15 (3) The state shall reimburse counties for the cost of return
16 postage on ballot return envelopes for primary and general elections
17 held in even-numbered years, and for special elections to fill
18 unexpired terms of statewide elected officials and state legislators.

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

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

8 **Sec. 2.** RCW 29A.40.091 and 2011 c 349 s 17, 2011 c 348 s 3, 2011
9 c 182 s 1, and 2011 c 10 s 39 are each reenacted and amended to read as
10 follows:

11 (1) The county auditor shall send each voter a ballot, a security
12 envelope in which to conceal the ballot after voting, a larger envelope
13 in which to return the security envelope, a declaration that the voter
14 must sign, and instructions on how to obtain information about the
15 election, how to mark the ballot, and how to return the ballot to the
16 county auditor. The return envelope must include prepaid postage for
17 the primary and general election in even-numbered years, and for
18 special elections to fill unexpired terms of statewide elected
19 officials and state legislators.

20 (2) The voter must swear under penalty of perjury that he or she
21 meets the qualifications to vote, and has not voted in any other
22 jurisdiction at this election. The declaration must clearly inform the
23 voter that it is illegal to vote if he or she is not a United States
24 citizen; it is illegal to vote if he or she has been convicted of a
25 felony and has not had his or her voting rights restored; and it is
26 illegal to cast a ballot or sign a ~~((return envelope))~~ ballot
27 declaration on behalf of another voter. The ballot materials must
28 provide space for the voter ~~((must))~~ to sign the declaration, indicate
29 the date on which the ballot was voted, and ~~((sign the declaration.~~
30 ~~The ballot materials must also contain a space so that the voter may))~~
31 include a telephone number.

32 (3) For overseas and service voters, the signed declaration ~~((on~~
33 ~~the return envelope))~~ constitutes the equivalent of a voter
34 registration for the election or primary ~~((for which the ballot has~~
35 ~~been issued))~~. Return envelopes for overseas and service voters must
36 enable the ballot to be returned postage free if mailed through the

1 United States postal service, United States armed forces postal
2 service, or the postal service of a United States foreign embassy under
3 39 U.S.C. 3406.

4 (4) The voter must be instructed to either return the ballot to the
5 county auditor no later than 8:00 p.m. the day of the election or
6 primary, or mail the ballot to the county auditor with a postmark no
7 later than the day of the election or primary. Service and overseas
8 voters must be provided with instructions and a ((~~secrecy—cover~~))
9 privacy sheet for returning the ballot and signed declaration by fax or
10 e-mail. A voted ballot and signed declaration returned by fax or e-
11 mail must be received by 8:00 p.m. on the day of the election or
12 primary.

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