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SENATE BILL 5727

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State of Washington

54th Legislature

1995 Regular Session

By Senators Drew, Haugen, C. Anderson, Sheldon, Swecker, Winsley and Kohl; by request of Secretary of State

Read first time 02/02/95. Referred to Committee on Government Operations.

1 AN ACT Relating to accessibility of polling and registration  
2 places; amending RCW 29.57.010, 29.57.070, 29.57.090, 29.57.100,  
3 29.57.130, 29.57.140, 29.57.150, and 29.57.160; and repealing RCW  
4 29.57.030, 29.57.080, 29.57.110, and 29.57.120.

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

6 **Sec. 1.** RCW 29.57.010 and 1985 c 205 s 1 are each amended to read  
7 as follows:

8 The intent of this chapter is to (~~implement Public Law 98-435~~  
9 ~~which~~) require(~~s~~) state and local election officials(~~(, wherever~~  
10 ~~possible,~~) to designate and use polling places in (~~federal~~) all  
11 elections and permanent registration locations which are accessible to  
12 elderly and handicapped persons. County auditors (~~are encouraged to~~)  
13 shall:

14 (1) Make modifications such as installation of temporary ramps or  
15 relocation of polling places within buildings, where appropriate;

16 (2) Designate new, accessible polling places to replace those that  
17 are inaccessible; and

18 (3) Continue to use polling places and voter registration locations  
19 which are accessible to elderly and handicapped persons.

1       **Sec. 2.** RCW 29.57.070 and 1985 c 205 s 3 are each amended to read  
2 as follows:

3       No later than April 1st of each even-numbered year (~~((until and~~  
4 ~~including 1994))~~), each county auditor shall (~~((report))~~) submit to the  
5 secretary of state(~~(, on the form provided by the secretary of state,)~~)  
6 a list showing the number of (~~((all))~~) polling places in the county(~~((,))~~)  
7 and specifying any that have been found inaccessible. The auditor  
8 shall indicate the reasons for inaccessibility, and what efforts have  
9 been made pursuant to this chapter to locate alternative polling places  
10 or to make the existing facilities temporarily accessible. (~~((Each~~  
11 ~~county auditor shall notify the secretary of state of any changes in~~  
12 ~~polling place locations before the next state general election,~~  
13 ~~including any changes required due to alteration of precinct~~  
14 ~~boundaries.))~~)

15       **Sec. 3.** RCW 29.57.090 and 1985 c 205 s 5 are each amended to read  
16 as follows:

17       The secretary of state shall establish procedures to assure that,  
18 in any (~~((state))~~) primary or (~~((state general))~~) election (~~((in an even-~~  
19 ~~numbered year))~~), any handicapped or elderly voter assigned to an  
20 inaccessible polling place will, upon advance request of that voter,  
21 either be permitted to vote at an alternative accessible polling place  
22 not overly inconvenient to that voter or be provided with an  
23 alternative means of casting a ballot on the day of the primary or  
24 election. The county auditor shall make any accommodations in voting  
25 procedures necessary to allow the use of alternative polling places by  
26 elderly or handicapped voters under this section.

27       **Sec. 4.** RCW 29.57.100 and 1985 c 205 s 6 are each amended to read  
28 as follows:

29       Each polling place (~~((for a state primary or state general election~~  
30 ~~in an even-numbered year shall))~~) must be accessible unless:

31       (1) The (~~((secretary of state has reviewed that polling place,))~~)  
32 county auditor has determined that it is inaccessible, that no  
33 alternative accessible polling place is available, that no temporary  
34 modification of that polling place or any alternative polling place is  
35 possible, and that the county auditor has complied with the procedures  
36 established under RCW 29.57.090; or

1           (2) The secretary of state determines that a state of emergency  
2 exists that would otherwise interfere with the efficient administration  
3 of ~~((that))~~ the primary or election.

4           **Sec. 5.** RCW 29.57.130 and 1985 c 205 s 9 are each amended to read  
5 as follows:

6           (1) Each county auditor shall provide voting and registration  
7 instructions, printed in large type, to be conspicuously displayed at  
8 each polling place and permanent registration facility.

9           (2) The ~~((secretary of state))~~ county auditor shall make  
10 information available for deaf persons throughout the state by  
11 telecommunications.

12           **Sec. 6.** RCW 29.57.140 and 1985 c 205 s 10 are each amended to read  
13 as follows:

14           The ~~((secretary of state))~~ county auditor shall provide public  
15 notice of the availability of registration and voting aids, assistance  
16 to elderly and handicapped persons ~~((under RCW 29.51.200 and 42 U.S.C.~~  
17 ~~Section 1973aa-6))~~, and procedures for voting by absentee ballot  
18 calculated to reach elderly and handicapped persons not later than  
19 public notice of the closing of registration for ~~((the state))~~ a  
20 primary ~~((and state general))~~ or election ~~((in each even-numbered~~  
21 ~~year))~~.

22           **Sec. 7.** RCW 29.57.150 and 1985 c 205 s 11 are each amended to read  
23 as follows:

24           Each county auditor shall include a notice of the accessibility of  
25 polling places in the notice of election published under RCW 29.27.030  
26 and 29.27.080 ~~((for the state primary and state general election in~~  
27 ~~each even-numbered year))~~.

28           **Sec. 8.** RCW 29.57.160 and 1985 c 205 s 12 are each amended to read  
29 as follows:

30           (1) County auditors shall seek alternative polling places or other  
31 low-cost alternatives including, but not limited to, procedural changes  
32 and assistance from local disabled groups, service organizations, and  
33 other private sources before incurring costs for modifications under  
34 this chapter ~~((and Public Law 98-435))~~.

1       (2) (~~In a state primary or state general election in an even-~~  
2 ~~numbered year,~~) The cost of those modifications to buildings or other  
3 facilities, including signs designating handicapped accessible parking  
4 and entrances, that are necessary to permit the use of those facilities  
5 for polling places under this chapter (~~and Public Law 98-435~~) or any  
6 procedures established under RCW 29.57.090 shall be treated as election  
7 costs and prorated under RCW 29.13.045.

8       NEW SECTION. **Sec. 9.** The following acts or parts of acts are each  
9 repealed:

- 10       (1) RCW 29.57.030 and 1985 c 205 s 2 & 1979 ex.s. c 64 s 3;  
11       (2) RCW 29.57.080 and 1985 c 205 s 4;  
12       (3) RCW 29.57.110 and 1985 c 205 s 7; and  
13       (4) RCW 29.57.120 and 1985 c 205 s 8.

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