ELECTIONS--MAIL BALLOTS--VOTING CENTERS

EFFECTIVE DATE: 07/22/11 - Except sections 53 and 58, which become effective 07/01/13.

Passed by the Senate March 4, 2011
YEAS 26  NAYS 23

BRAD OWEN
President of the Senate

Passed by the House March 25, 2011
YEAS 52  NAYS 43

FRANK CHOPP
Speaker of the House of Representatives

Approved April 5, 2011, 1:19 p.m.

CERTIFICATE
I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is ENGROSSED SUBSTITUTE SENATE BILL 5124 as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN
Secretary

FILED
April 5, 2011

CHRISTINE GREGOIRE
Governor of the State of Washington

Secretary of State
State of Washington
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 29A.04.008 and 2007 c 38 s 1 are each amended to read as follows:

As used in this title:

(1) "Ballot" means, as the context implies, either:

(a) The issues and offices to be voted upon in a jurisdiction or portion of a jurisdiction at a particular primary, general election, or special election;

(b) A facsimile of the contents of a particular ballot whether printed on a paper ballot or ballot card or as part of a voting machine or voting device;

(c) A physical or electronic record of the choices of an individual voter in a particular primary, general election, or special election; or

(d) The physical document on which the voter's choices are to be recorded;

(2) "Paper ballot" means a piece of paper on which the ballot for a particular election or primary has been printed, on which a voter may record his or her choices for any candidate or for or against any measure, and that is to be tabulated manually;
(3) "Ballot card" means any type of card or piece of paper of any size on which a voter may record his or her choices for any candidate and for or against any measure and that is to be tabulated on a vote tallying system;

(4) "Sample ballot" means a printed facsimile of all the issues and offices on the ballot in a jurisdiction and is intended to give voters notice of the issues, offices, and candidates that are to be voted on at a particular primary, general election, or special election;

(5) "Provisional ballot" means a ballot issued ((at the polling place on election day by the precinct election board)) to a voter who would otherwise be denied an opportunity to vote a regular ballot, for any reason authorized by the Help America Vote Act, including but not limited to the following:

(a) The voter's name does not appear in the ((poll book)) list of registered voters for the county;

(b) There is an indication in the ((poll book that the voter has requested an absentee ballot, but the voter wishes to vote at the polling place)) voter registration system that the voter has already voted in that primary, special election, or general election, but the voter wishes to vote again;

(c) There is a question on the part of the voter concerning the issues or candidates on which the voter is qualified to vote;

(d) Any other reason allowed by law;

(6) "Party ballot" means a primary election ballot specific to a particular major political party that lists all candidates for partisan office who affiliate with that same major political party, as well as the nonpartisan races and ballot measures to be voted on at that primary;

(7) "Nonpartisan ballot" means a primary election ballot that lists all nonpartisan races and ballot measures to be voted on at that primary.

Sec. 2. RCW 29A.04.013 and 2003 c 111 s 103 are each amended to read as follows:

"Canvassing" means the process of examining ballots or groups of ballots, subtotals, and cumulative totals in order to determine the official returns of a primary or general election and includes the
tabulation of any votes that were not previously tabulated (at the
precinct or in a counting center on the day of the primary or
election).

Sec. 3. RCW 29A.04.019 and 2003 c 111 s 104 are each amended to
read as follows:
"Counting center" means the facility or facilities designated by
the county auditor to count and canvass (mail) ballots, and polling place ballots that are transferred to a central
site to be counted, rather than being counted by a poll-site ballot
counting device, on the day of a primary or election).

Sec. 4. RCW 29A.04.031 and 2003 c 111 s 106 are each amended to
read as follows:
For registered voters voting by (absentee or) mail (ballot),
"date of mailing" means the date of the postal cancellation on the
envelope in which the ballot is returned to the election official by
whom it was issued. For all (nonregistered absentee) service and
overseas voters, "date of mailing" means the date stated by the voter
on the (envelope in which the ballot is returned to the election
official by whom it was issued) declaration.

Sec. 5. RCW 29A.04.037 and 2010 c 161 s 1103 are each amended to
read as follows:
"Disabled voter" means any registered voter who qualifies for
special parking privileges under RCW 46.19.010, or who is defined as
blind under RCW 74.18.020, or who qualifies to require assistance with
voting under (RCW 29A.44.240) section 43 of this act.

Sec. 6. RCW 29A.04.216 and 2004 c 271 s 104 are each amended to
read as follows:
The county auditor of each county shall be ex officio the
supervisor of all primaries and elections, general or special, and it
shall be the county auditor's duty to provide places for holding such
primaries and elections; (to appoint the precinct election officers
and to provide for their compensation) to provide the supplies and
materials necessary for the conduct of elections (to the precinct
election officers); and to publish and post notices of calling such
primaries and elections in the manner provided by law. The notice of a primary held in an even-numbered year must indicate that the office of precinct committee officer will be on the ballot. The auditor shall also apportion to each city, town, or district, and to the state of Washington in the odd-numbered year, its share of the expense of such primaries and elections. This section does not apply to general or special elections for any city, town, or district that is not subject to RCW 29A.04.321 and 29A.04.330, but all such elections must be held and conducted at the time, in the manner, and by the officials (with such notice, requirements for filing for office, and certifications by local officers) as provided and required by the laws governing such elections.

Sec. 7. RCW 29A.04.220 and 2003 c 111 s 135 are each amended to read as follows:

The county auditor shall provide public notice of the availability of registration and voting aids, assistance to elderly and disabled persons, and procedures for voting (by absentee ballot) calculated to reach elderly and disabled persons not later than public notice of the closing of registration for a primary or election.

Sec. 8. RCW 29A.04.235 and 2003 c 111 s 138 are each amended to read as follows:

The secretary of state shall ensure that each county auditor is provided with the most recent version of the election laws of the state, as contained in this title. Where amendments have been enacted after the last compilation of the election laws, he or she shall ensure that each county auditor receives a copy of those amendments before the next primary or election. ((The county auditor shall ensure that any statutory information necessary for the precinct election officers to perform their duties is supplied to them in a timely manner.))

Sec. 9. RCW 29A.04.255 and 2004 c 266 s 5 are each amended to read as follows:

The secretary of state or a county auditor shall accept and file in his or her office electronic facsimile transmissions of the following documents:

(1) Declarations of candidacy;
(2) County canvass reports;
(3) Voters' pamphlet statements;
(4) Arguments for and against ballot measures that will appear in a voters' pamphlet;
(5) Requests for recounts;
(6) Certification of candidates and measures by the secretary of state;
(7) Direction by the secretary of state for the conduct of a mandatory recount;
(8) Requests for absentee ballots;
(9) Any other election related document authorized by rule adopted by the secretary of state under RCW 29A.04.610.

The acceptance by the secretary of state or the county auditor is conditional upon the document being filed in a timely manner, being legible, and otherwise satisfying the requirements of state law or rules with respect to form and content.

If the original copy of a document must be signed and a copy of the document is filed by facsimile transmission under this section, the original copy must be subsequently filed with the official with whom the facsimile was filed. The original copy must be filed by a deadline established by the secretary by rule. The secretary may by rule require that the original of any document, a copy of which is filed by facsimile transmission under this section, also be filed by a deadline established by the secretary by rule.

Sec. 10. RCW 29A.04.470 and 2004 c 267 s 203 are each amended to read as follows:

(1) The secretary of state shall create an advisory committee and adopt rules governing project eligibility, evaluation, awarding of grants, and other criteria for administering the local government grant program, which may include a preference for grants that include a match of local funds.

(2) The advisory committee shall review grant proposals and establish a prioritized list of projects to be considered for funding by the third Tuesday in May of each year beginning in 2004 and continuing as long as funds in the election account established by (chapter 48, Laws of 2003 [RCW 29A.04.440]) are available. The grant award may have an effective date other than the
date the project is placed on the prioritized list, including money spent previously by the county that would qualify for reimbursement under the Help America Vote Act (P.L. 107-252).

(3) Examples of projects that would be eligible for local government grant funding include, but are not limited to the following:

(a) Replacement or upgrade of voting equipment, including the replacement of punch card voting systems;

(b) Purchase of additional voting equipment, including the purchase of equipment to meet the disability requirements of the Help America Vote Act (P.L. 107-252);

(c) Purchase of new election management system hardware and software capable of integrating with the statewide voter registration system required by the Help America Vote Act (P.L. 107-252);

(d) Development and production of election worker training materials;

(e) Voter education programs;

(f) Publication of a local voters' pamphlet;

(g) Toll-free access system to provide notice of the outcome of provisional ballots; and

(h) Training for local election officials.

Sec. 11. RCW 29A.04.540 and 2009 c 415 s 9 are each amended to read as follows:

A person having responsibility for the administration or conduct of elections, other than precinct election officers, shall, within eighteen months of undertaking those responsibilities, receive general training regarding the conduct of elections and specific training regarding their responsibilities and duties as prescribed by this title or by rules adopted by the secretary of state under this title. Included among those persons for whom such training is mandatory are the following:

(1) Secretary of state elections division personnel;

(2) County elections administrators under RCW 36.22.220; and

(3) Any other person or group charged with election administration responsibilities if the person or group is designated by rule adopted by the secretary of state as requiring the training.

Neither this section nor RCW 29A.04.530 may be construed as
requiring an elected official to receive training or a certificate of
training as a condition for seeking or holding elective office or as a
condition for carrying out constitutional duties.

Sec. 12. RCW 29A.04.580 and 2003 c 111 s 156 are each amended to
read as follows:

The county auditor may designate any person who has been certified
under this chapter, other than the auditor, to participate in a review
conducted in the county under this chapter. Each county auditor and
canvassing board shall cooperate fully during an election review by
making available to the reviewing staff any material requested by the
staff. The reviewing staff shall have full access to ((ballot pages,
absentee voting materials, any other election material normally kept in
a secure environment after the election, and other requested)) the
county's election material. If ballots are reviewed by the staff, they
shall be reviewed in the presence of the canvassing board or its
designees. Ballots shall not leave the custody of the canvassing
board. During the review and after its completion, the review staff
may make appropriate recommendations to the county auditor or
canvassing board, or both, to bring the county into compliance with the
training required under this chapter, and the laws or rules of the
state of Washington, to safeguard election material or to preserve the
integrity of the elections process.

Sec. 13. RCW 29A.04.611 and 2009 c 369 s 5 are each amended to
read as follows:

The secretary of state as chief election officer shall make
reasonable rules in accordance with chapter 34.05 RCW not inconsistent
with the federal and state election laws to effectuate any provision of
this title and to facilitate the execution of its provisions in an
orderly, timely, and uniform manner relating to any federal, state,
county, city, town, and district elections. To that end the secretary
shall assist local election officers by devising uniform forms and
procedures.

In addition to the rule-making authority granted otherwise by this
section, the secretary of state shall make rules governing the
following provisions:

(1) The maintenance of voter registration records;
(2) The preparation, maintenance, distribution, review, and filing of precinct maps;

(3) Standards for the design, layout, and production of ballots;

(4) The examination and testing of voting systems for certification;

(5) The source and scope of independent evaluations of voting systems that may be relied upon in certifying voting systems for use in this state;

(6) Standards and procedures for the acceptance testing of voting systems by counties;

(7) Standards and procedures for testing the programming of vote tallying software for specific primaries and elections;

(8) Standards and procedures for the preparation and use of each type of certified voting system including procedures for the operation of counting centers where vote tallying systems are used;

(9) Standards and procedures to ensure the accurate tabulation and canvassing of ballots;

(10) Consistency among the counties of the state in the preparation of ballots, the operation of vote tallying systems, and the canvassing of primaries and elections;

(11) Procedures to ensure the secrecy of a voter's ballot when a small number of ballots are counted ((at the polls or at a counting center));

(12) The use of substitute devices or means of voting when a voting device ((at the polling place)) is found to be defective, the counting of votes cast on the defective device, the counting of votes cast on the substitute device, and the documentation that must be submitted to the county auditor regarding such circumstances;

(13) Procedures for the transportation of sealed containers of voted ballots or sealed voting devices;

(14) The acceptance and filing of documents via electronic transmission;

(15) Voter registration applications and records;

(16) The use of voter registration information in the conduct of elections;

(17) The coordination, delivery, and processing of voter registration records accepted by driver licensing agents or the department of licensing;
The coordination, delivery, and processing of voter registration records accepted by agencies designated by the governor to provide voter registration services;

(19) Procedures to receive and distribute voter registration applications by mail;

(20) Procedures for a voter to change his or her voter registration address within a county by telephone;

(21) Procedures for a voter to change the name under which he or she is registered to vote;

(22) Procedures for canceling dual voter registration records and for maintaining records of persons whose voter registrations have been canceled;

(23) Procedures for the electronic transfer of voter registration records between county auditors and the office of the secretary of state;

(24) Procedures and forms for declarations of candidacy;

(25) Procedures and requirements for the acceptance and filing of declarations of candidacy by electronic means;

(26) Procedures for the circumstance in which two or more candidates have a name similar in sound or spelling so as to cause confusion for the voter;

(27) Filing for office;

(28) The order of positions and offices on a ballot;

(29) Sample ballots;

(30) Independent evaluations of voting systems;

(31) The testing, approval, and certification of voting systems;

(32) The testing of vote tallying software programming;

(33) Standards and procedures to prevent fraud and to facilitate the accurate processing and canvassing of absentee ballots and mail ballots, including standards for the approval and implementation of hardware and software for automated signature verification systems;

(34) Standards and procedures to guarantee the secrecy of absentee ballots and mail ballots;

(35) Uniformity among the counties of the state in the conduct of absentee voting and mail ballot elections;

(36) Standards and procedures to accommodate overseas voters and service voters;
(37) The tabulation of paper ballots (before the close of the polls);

(38) The accessibility of polling places and registration facilities that are accessible to elderly and disabled persons voting centers;

(39) The aggregation of precinct results if reporting the results of a single precinct could jeopardize the secrecy of a person's ballot;

(40) Procedures for conducting a statutory recount;

(41) Procedures for filling vacancies in congressional offices if the general statutory time requirements for availability of absentee ballots, certification, canvassing, and related procedures cannot be met;

(42) Procedures for the statistical sampling of signatures for purposes of verifying and canvassing signatures on initiative, referendum, and recall election petitions;

(43) Standards and deadlines for submitting material to the office of the secretary of state for the voters' pamphlet;

(44) Deadlines for the filing of ballot titles for referendum bills and constitutional amendments if none have been provided by the legislature;

(45) Procedures for the publication of a state voters' pamphlet;

(46) Procedures for conducting special elections regarding nuclear waste sites if the general statutory time requirements for availability of absentee ballots, certification, canvassing, and related procedures cannot be met;

(47) Procedures for conducting partisan primary elections;

(48) Standards and procedures for the proper conduct of voting during the early voting period to provide accessibility for the blind or visually impaired on accessible voting devices;

(49) Standards for voting technology and systems used by the state or any political subdivision to be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as other voters;

(50) All data formats for transferring voter registration data on electronic or machine-readable media for the purpose of administering
the statewide voter registration list required by the Help America Vote Act (P.L. 107-252);

(51) Defining the interaction of electronic voter registration election management systems employed by each county auditor to maintain a local copy of each county's portion of the official state list of registered voters;

(52) Provisions and procedures to implement the state-based administrative complaint procedure as required by the Help America Vote Act (P.L. 107-252);

(53) Facilitating the payment of local government grants to local government election officers or vendors; and

(54) Standards for the verification of signatures on ((absentee, mail, and provisional)) ballot ((envelopes)) declarations.

Sec. 14. RCW 29A.08.130 and 2009 c 369 s 13 are each amended to read as follows:

Election officials shall not include inactive voters in the count of registered voters for the purpose of dividing precincts, (creating vote-by-mail precincts,) determining voter turnout, or other purposes in law for which the determining factor is the number of registered voters. ((Election officials shall not include persons who are ongoing absentee voters under RCW 29A.40.040 in determining the maximum permissible size of vote-by-mail precincts or in determining the maximum permissible size of precincts. Nothing in this section may be construed as altering the vote tallying requirements of RCW 29A.60.230.)

Sec. 15. RCW 29A.08.140 and 2009 c 369 s 15 are each amended to read as follows:

(1) In order to vote in any primary, special election, or general election, a person who is not registered to vote in Washington must:

(a) Submit a registration application no later than twenty-nine days before the day of the primary, special election, or general election; or

(b) Register in person at the county auditor's office in his or her county of residence no later than eight days before the day of the primary, special election, or general election. ((A person registering under this subsection will be issued an absentee ballot.))
(2) A person who is already registered to vote in Washington may update his or her registration no later than twenty-nine days before the day of the primary, special election, or general election to be in effect for that primary, special election, or general election. A registered voter who fails to transfer his or her residential address by this deadline may vote according to his or her previous registration address.

(3) Prior to each primary and general election, the county auditor shall give notice of the registration deadlines by one publication in a newspaper of general circulation in the county at least thirty-five days before the primary or general election.)

Sec. 16. RCW 29A.08.440 and 2009 c 369 s 25 are each amended to read as follows:

A registered voter who changes his or her name shall notify the county auditor regarding the name change by submitting a notice clearly identifying the name under which he or she is registered to vote, the voter's new name, and the voter's residence, and providing a signature of the new name, or by submitting a voter registration application.

(A properly registered voter who files a change-of-name notice at the voter's precinct polling place during a primary or election and who desires to vote at that primary or election shall sign the poll book using the voter’s former and new names.)

Sec. 17. RCW 29A.08.620 and 2009 c 369 s 29 are each amended to read as follows:

(1) Each county auditor must request change of address information from the postal service for all (absentee and) mail ballots. (A voter who votes at the polls must be mailed an election related document, with change of address information requested, at least once every two years and at least ninety days prior to the date of a primary or general election for federal office.)

(2) The county auditor shall transfer the registration of a voter and send an acknowledgement notice to the new address informing the voter of the transfer if change of address information received by the county auditor from the postal service, the department of licensing, or another agency designated to provide voter registration services indicates that the voter has moved within the county.
The county auditor shall place a voter on inactive status and send to all known addresses a confirmation notice and a voter registration application if change of address information received by the county auditor from the postal service, the department of licensing, or another agency designated to provide voter registration services indicates that the voter has moved from one county to another.

(4) The county auditor shall place a voter on inactive status and send to all known addresses a confirmation notice if any of the following occur:

(a) Any document mailed by the county auditor to a voter is returned by the postal service as undeliverable without address correction information; or

(b) Change of address information received from the postal service, the department of licensing, or another state agency designated to provide voter registration services indicates that the voter has moved out of the state.

Sec. 18. RCW 29A.08.720 and 2009 c 369 s 34 are each amended to read as follows:

(1) In the case of voter registration records received through the department of licensing or an agency designated under RCW 29A.08.310, the identity of the office or agency at which any particular individual registered to vote is not available for public inspection and shall not be disclosed to the public. Any record of a particular individual's choice not to register to vote at an office of the department of licensing or a state agency designated under RCW 29A.08.310 is not available for public inspection and any information regarding such a choice by a particular individual shall not be disclosed to the public.

(2) Subject to the restrictions of RCW 29A.08.710 and 40.24.060, precinct lists and current lists of registered voters are public records and must be made available for public inspection and copying under such reasonable rules and regulations as the county auditor or secretary of state may prescribe. The county auditor or secretary of state shall promptly furnish current lists of registered voters in his or her possession, at actual reproduction cost, to any person requesting such information. The lists shall not be used for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or...
service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value. However, the lists and labels may be used for any political purpose. The county auditor or secretary of state must provide a copy of RCW 29A.08.740 to the person requesting the material that is released under this section.

(3) For the purposes of this section, "political purpose" means a purpose concerned with the support of or opposition to any candidate for any partisan or nonpartisan office or concerned with the support of or opposition to any ballot proposition or issue. "Political purpose" includes, but is not limited to, such activities as the advertising for or against any candidate or ballot measure or the solicitation of financial support.

Sec. 19. RCW 29A.08.775 and 2005 c 246 s 20 are each amended to read as follows:

Only voters who appear on the official statewide voter registration list are eligible to participate in elections. Each county shall maintain a copy of that county's portion of the state list. The county must ensure that voter registration data used for the production, issuance, and processing of ballots in the administration of each election are the same as the official statewide voter registration list.

Sec. 20. RCW 29A.08.810 and 2006 c 320 s 4 are each amended to read as follows:

(1) Registration of a person as a voter is presumptive evidence of his or her right to vote. A challenge to the person's right to vote must be based on personal knowledge of one of the following:

(a) The challenged voter has been convicted of a felony and the voter's civil rights have not been restored;

(b) The challenged voter has been judicially declared ineligible to vote due to mental incompetency;

(c) The challenged voter does not live at the residential address provided, in which case the challenger must either:

(i) Provide the challenged voter's actual residence on the challenge form; or

(ii) Submit evidence that he or she exercised due diligence to verify that the challenged voter does not reside at the address provided.
provided and to attempt to contact the challenged voter to learn the
calendered voter's actual residence, including that the challenger
personally:

(A) Sent a letter with return service requested to the challenged
voter's residential address provided, and to the challenged voter's
mailing address, if provided;

(B) Visited the residential address provided and contacted persons
at the address to determine whether the voter resides at the address
and, if not, obtained and submitted with the challenge form a signed
affidavit subject to the penalties of perjury from a person who owns or
manages property, resides, or is employed at the address provided, that
to his or her personal knowledge the challenged voter does not reside
at the address as provided on the voter registration;

(C) Searched local telephone directories, including online
directories, to determine whether the voter maintains a telephone
listing at any address in the county;

(D) Searched county auditor property records to determine whether
the challenged voter owns any property in the county; and

(E) Searched the statewide voter registration database to determine
if the voter is registered at any other address in the state;

(d) The challenged voter will not be eighteen years of age by the
next election; or

(e) The challenged voter is not a citizen of the United States.

(2) A person's right to vote may be challenged((a)) by another
registered voter or the county prosecuting attorney ((at any time, or
by the poll site judge or inspector if the challenge is filed on
election day regarding a voter who presents himself or herself to vote
at the poll site)).

(3) The challenger must file a signed affidavit subject to the
penalties of perjury swearing that, to his or her personal knowledge
and belief, having exercised due diligence to personally verify the
evidence presented, the challenged voter either is not qualified to
vote or does not reside at the address given on his or her voter
registration record based on one of the reasons allowed in subsection
(1) of this section. The challenger must provide the factual basis for
the challenge, including any information required by subsection (1)(c)
of this section, in the signed affidavit. The challenge may not be
based on unsupported allegations or allegations by anonymous third parties. All documents pertaining to the challenge are public records.

(4) Challenges based on a felony conviction under RCW 29A.08.520 must be heard according to RCW 29A.08.520 and rules adopted by the secretary of state.

Sec. 21. RCW 29A.08.820 and 2006 c 320 s 5 are each amended to read as follows:

(1) Challenges initiated by a registered voter against a voter who registered to vote less than sixty days before the election, or who changed residence less than sixty days before the election without transferring his or her registration, must be filed not later than ten days before any primary or election, general or special, or within ten days of the voter being added to the voter registration database, whichever is later, at the office of the appropriate county auditor. Challenges initiated by a registered voter (against any other voter) or county prosecuting attorney must be filed not later than forty-five days before the election. (Challenges initiated by the office of the county prosecuting attorney must be filed in the same manner as challenges initiated by a registered voter.)

(2)(a) If the challenge is filed within forty-five days before an election at which the challenged voter is eligible to vote, a notation of the challenge must be made immediately in the voter registration system, and the county canvassing board presides over the hearing.

(b) If the challenge is filed before the challenged voter's ballot is received, the ballot must be treated as a challenged ballot. (A challenged ballot received at a polling place must be placed in a sealed envelope separate from other voted ballots.)

(c) If the challenge is filed after the challenged voter's ballot is received, the challenge cannot affect the current election.

(3) If the challenge is filed at least forty-five days before an election at which the challenged voter is eligible to vote, the county auditor presides over the hearing.

Sec. 22. RCW 29A.12.085 and 2005 c 242 s 1 are each amended to read as follows:

Beginning on January 1, 2006, all direct recording electronic
voting devices must produce a paper record of each vote that may be
accepted or rejected by the voter before finalizing his or her vote. This record may not be removed from the voting center, and must be human readable without an interface and machine readable for counting purposes. If the device is programmed to display the ballot in multiple languages, the paper record produced must be printed in the language used by the voter. Rejected records must either be destroyed or marked in order to clearly identify the record as rejected. Paper records produced by direct recording electronic voting devices are subject to all the requirements of chapter 29A.60 RCW for ballot handling, preservation, reconciliation, transit, and storage. The paper records must be preserved in the same manner and for the same period of time as ballots.

Sec. 23. RCW 29A.12.110 and 2003 c 111 s 311 are each amended to read as follows:

In preparing a voting device for a primary or election, a record shall be made of the programming installed in each device ((and the precinct or portion of a precinct for which that device has been prepared)). Except where provided by a rule adopted under RCW 29A.04.610, after being prepared for a primary or election, each device shall be sealed with a uniquely numbered seal ((and provided to the inspector of the appropriate polling place)). The programmed memory pack for each voting device must be sealed into the device during final preparation and logic and accuracy testing. Except in the case of a device breakdown or error in programming, the memory pack must remain sealed in the device until after 8:00 p.m. on the day of the primary, special election, or general election.

Sec. 24. RCW 29A.12.120 and 2003 c 111 s 312 are each amended to read as follows:

(1) Before each state primary or general election at which voting systems are to be used, the county auditor shall instruct all counting center personnel((, and political party observers designated under RCW 29A.60.170)) who will operate a voting system in the proper conduct of their voting system duties.
(2) The county auditor may waive instructional requirements for counting center personnel who have previously received instruction and who have served for a sufficient length of time to be fully qualified to perform their duties. The county auditor shall keep a record of each person who has received instruction and is qualified to serve at the subsequent primary or election.

(3) As compensation for the time spent in receiving instruction, each precinct election officer who qualifies and serves at the subsequent primary or election shall receive an additional two hours compensation, to be paid at the same time and in the same manner as compensation is paid for services on the day of the primary or election.

(4) Except for the appointment of a precinct election officer to fill a vacancy under RCW 29A.44.440, no inspector or judge may serve at any primary or election at which voting systems are used unless he or she has received the required instruction and is qualified to perform his or her duties in connection with the voting devices.) No person may work in a counting center at a primary or election at which a vote tallying system is used unless that person has received the required instruction and is qualified to perform his or her duties in connection with the handling and tallying of ballots for that primary or election. (No person may serve as a political party observer unless that person has received the required instruction and is familiar with the operation of the counting center and the vote tallying system and the procedures to be employed to verify the accuracy of the programming for that vote tallying system.)

Sec. 25. RCW 29A.12.160 and 2004 c 267 s 701 are each amended to read as follows:

(1) At each voting center, at least one voting unit certified by the secretary of state shall provide access to individuals who are blind or visually impaired.

(2) Compliance with this provision in regard to voting technology and systems purchased prior to July 27, 2003, shall be achieved at the time of procurement of an upgrade of technology compatible with nonvisual voting methods or replacement of existing voting equipment or systems.
(3) Compliance with subsection (2) of this section is contingent on available funds to implement this provision.

(4)) For purposes of this section, the following definitions apply:

(a) "Accessible" includes receiving, using, selecting, and manipulating voter data and controls.
(b) "Nonvisual" includes synthesized speech, Braille, and other output methods.
(c) "Blind and visually impaired" excludes persons who are both deaf and blind.

((5) This section does not apply to voting by absentee ballot.)

Sec. 26. RCW 29A.16.040 and 2004 c 266 s 10 are each amended to read as follows:

The county legislative authority of each county in the state ((hereafter formed)) shall((, at their first session,)) divide ((their respective counties)) the county into election precincts and establish the boundaries of the precincts. ((The county auditor shall thereupon designate the voting place for each such precinct or whether the precinct is a vote by mail precinct.))

(1) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored. Except as permitted under subsection ((5)) (3) of this section, no precinct ((boundaries)) changes may be made during the period starting ((on the thirtieth)) fourteen days prior to the first day for candidates to file for the primary election and ending with the day of the general election.

(2) The county legislative authority may establish by ordinance a limitation on the maximum number of active registered voters in each precinct within its jurisdiction. The ((limitation may be different for precincts based upon the method of voting used for such precincts and the)) number may be less than the number established by law, but in no case may the number exceed ((that authorized by law)) one thousand five hundred active registered voters.

(3) ((Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred active registered voters. The number of poll-site ballot counting devices at each

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 polling place is at the discretion of the auditor. The number of
devices must be adequate to meet the expected voter turnout.

(4) On petition of twenty-five or more voters resident more than
ten miles from any polling site, the county legislative authority shall
establish a separate voting precinct therefor.

(5+) The county auditor shall temporarily adjust precinct
boundaries when a city or town annexes unincorporated territory to the
city or town, or whenever unincorporated territory is incorporated as
a city or town. The adjustment must be made as soon as possible after
the approval of the annexation or incorporation. The temporary
adjustment must be limited to the minimum changes necessary to
accommodate the addition of the territory to the city or town, or to
establish the eligible voters within the boundaries of the new city or
town, and remains in effect only until precinct boundary modifications
reflecting the annexation or incorporation are adopted by the county
legislative authority.

((6) In determining the number of active registered voters for the
purposes of this section, persons who are ongoing absentee voters under
RCW 29A.40.040 shall not be counted. Nothing in this subsection may be
construed as altering the vote tallying requirements of—RCW
29A.60.230.—)

Sec. 27. RCW 29A.24.081 and 2004 c 271 s 159 are each amended to
read as follows:

Any candidate may mail his or her declaration of candidacy for an
office to the filing officer. Such declarations of candidacy shall be
processed by the filing officer in the following manner:

(1) Any declaration received by the filing officer by mail before
the tenth business day immediately preceding the first day for
candidates to file for office shall be returned to the candidate
submitting it, together with a notification that the declaration of
candidacy was received too early to be processed. The candidate shall
then be permitted to resubmit his or her declaration of candidacy
during the filing period.

(2) Any properly executed declaration of candidacy received by mail
on or after the tenth business day immediately preceding the first day
for candidates to file for office and before the close of business on
the last day of the filing period shall be included with filings made
in person during the filing period.  (In partisan and judicial elections the filing officer shall determine by lot the order in which the names of those candidates shall appear upon sample and absentee primary ballots.)

(3) Any declaration of candidacy received by the filing officer after the close of business on the last day for candidates to file for office shall be rejected and returned to the candidate attempting to file it.

Sec. 28.  RCW 29A.28.061 and 2004 c 271 s 119 are each amended to read as follows:

The general election laws and laws relating to partisan primaries shall apply to the special primaries and vacancy elections provided for in chapter 29A.28 RCW to the extent that they are not inconsistent with the provisions of these sections.  Minor political party and independent candidates may appear only on the general election ballot.  Statutory time deadlines relating to availability of ((absentee)) ballots, certification, canvassing, and related procedures that cannot be met in a timely fashion may be modified for the purposes of a specific primary or vacancy election under this chapter by the secretary of state through emergency rules adopted under RCW 29A.04.611.

Sec. 29.  RCW 29A.32.241 and 2004 c 271 s 123 are each amended to read as follows:

The local voters' pamphlet shall include but not be limited to the following:

(1) Appearing on the cover, the words "official local voters' pamphlet," the name of the jurisdiction producing the pamphlet, and the date of the election or primary;

(2) A list of jurisdictions that have measures or candidates in the pamphlet;

(3) Information on how a person may register to vote and obtain ((an absentee)) a ballot;

(4) The text of each measure accompanied by an explanatory statement prepared by the prosecuting attorney for any county measure or by the attorney for the jurisdiction submitting the measure if other than a county measure.  All explanatory statements for city, town, or
district measures not approved by the attorney for the jurisdiction
submitting the measure shall be reviewed and approved by the county
prosecuting attorney or city attorney, when applicable, before
inclusion in the pamphlet;

(5) The arguments for and against each measure submitted by
committees selected pursuant to RCW 29A.32.280; and

(6) For partisan primary elections, information on how to vote the
applicable ballot format and an explanation that minor political party
candidates and independent candidates will appear only on the general
election ballot.

Sec. 30. RCW 29A.32.260 and 2003 c 111 s 818 are each amended to
read as follows:

As soon as practicable before the primary, special election, or
general election, the county auditor, or if applicable, the city clerk
of a first-class or code city, as appropriate, shall mail the local
voters' pamphlet to every residence in each jurisdiction that has
included information in the pamphlet. The county auditor or city
clerk, as appropriate, may choose to mail the pamphlet to each
registered voter in each jurisdiction that has included information in
the pamphlet, if in his or her judgment, a more economical and
effective distribution of the pamphlet would result. ((If the county
or city chooses to mail the pamphlet to each residence, no notice of
election otherwise required by RCW 29A.52.350 need be published.))

Sec. 31. RCW 29A.36.115 and 2005 c 243 s 3 are each amended to
read as follows:

All provisional ((and absentee)) ballots must be visually
distinguishable from ((each)) other ballots and ((must be either:
(1) Printed on colored paper; or

(2) Imprinted with a bar code for the purpose of identifying the
ballot as a provisional or absentee ballot. The bar code must not
identify the voter.

Provisional and absentee ballots must be)) incapable of being
tabulated by ((poll-site counting devices)) a voting system.

Sec. 32. RCW 29A.36.131 and 2004 c 271 s 130 are each amended to
read as follows:
After the close of business on the last day for candidates to file for office, the filing officer shall, from among those filings made in person and by mail, determine by lot the order in which the names of those candidates will appear on all ((primary, sample, and absentee)) ballots. The determination shall be done publicly and may be witnessed by the media and by any candidate. If no primary is required for any nonpartisan office under RCW 29A.52.011 or 29A.52.220, or if any independent or minor party candidate files a declaration of candidacy, the names shall appear on the general election ballot in the order determined by lot.

Sec. 33. RCW 29A.36.161 and 2010 c 32 s 1 are each amended to read as follows:

(1) On the top of each ballot must be printed clear and concise instructions directing the voter how to mark the ballot, including write-in votes. On the top of each primary ballot must be printed the instructions required by this chapter.

(2) The ballot must have a clear delineation between the ballot instructions and the first ballot measure or office through the use of white space, illustration, shading, color, symbol, font size, or bold type. The secretary of state shall establish standards for ballot design and layout consistent with this section and RCW 29A.04.611.

(3) The questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters at that election must appear after the instructions and before any offices.

(4) In a year that president and vice president appear on the general election ballot, the names of candidates for president and vice president for each political party must be grouped together with a single response position for a voter to indicate his or her choice.

(5) On a general election ballot, the candidate or candidates of the major political party that received the highest number of votes from the electors of this state for the office of president of the United States at the last presidential election must appear first following the appropriate office heading. The candidate or candidates of the other major political parties will follow according to the votes cast for their nominees for president at the last presidential
election, and independent candidates and the candidate or candidates of all other parties will follow in the order of their qualification with the secretary of state.

((6) All paper ballots and ballot cards used at a polling place must be sequentially numbered in such a way to permit removal of such numbers without leaving any identifying marks on the ballot.))

Sec. 34. RCW 29A.36.220 and 2003 c 111 s 922 are each amended to read as follows:

The cost of printing and mailing ballots, (ballot cards) envelopes, and instructions (and the delivery of this material to the precinct election officers) shall be an election cost that shall be borne as determined under RCW 29A.04.410 and 29A.04.420, as appropriate.

Sec. 35. RCW 29A.40.010 and 2009 c 369 s 36 are each amended to read as follows:

(Any) Each registered voter of the state (or any) overseas voter (or) and service voter (may vote by absentee) shall automatically be issued a mail ballot (in any) for each general election, special election, or primary (in the manner provided in this chapter). Overseas voters and service voters are authorized to cast the same ballots, including those for special elections, as a registered voter of the state would receive under this chapter. Each registered voter shall continue to receive a ballot by mail until the death or disqualification of the voter, cancellation of the voter's registration, or placing the voter on inactive status.

Sec. 36. RCW 29A.40.020 and 2009 c 369 s 37 are each amended to read as follows:

(1) (Except as otherwise provided by law, a registered voter, overseas voter, or service voter desiring to cast an absentee ballot at a single election or primary must request the absentee ballot from his or her county auditor no earlier than ninety days nor later than the day before the election or primary at which the person seeks to vote. Except as otherwise provided by law, the request may be made orally in person, by telephone, electronically, or in writing. An application or
request for an absentee ballot made under the authority of a federal statute or regulation will be considered and given the same effect as a request for an absentee ballot under this chapter.

(2) A voter requesting an absentee ballot for a primary may also request an absentee ballot for the following general election. A request by an overseas voter or service voter for an absentee ballot for a primary election will be considered as a request for an absentee ballot for the following general election.

(3) In requesting an absentee ballot, the voter shall state the address to which the absentee ballot should be sent. A request for a ballot from an overseas voter or service voter must include the address of the last residence in the state of Washington and either a written application or the oath on the return envelope must include a declaration of the other qualifications of the applicant as an elector of this state. A request for an absentee ballot from any other voter must state the address at which that voter is currently registered to vote in the state of Washington or the county auditor shall verify that information from the voter registration records of the county.

(4) A request for an absentee ballot from a registered voter who is within this state must be made directly to the auditor of the county in which the voter is registered. An absentee ballot request from a registered voter who is temporarily outside this state or from an overseas voter or service voter may be made either to the appropriate county auditor or to the secretary of state, who shall promptly forward the request to the appropriate county auditor.

(5) No person, organization, or association may distribute any ballot materials that contain a return address other than that of the appropriate county auditor.

Sec. 37. RCW 29A.40.050 and 2003 c 111 s 1005 are each amended to read as follows:

(1) County auditors shall provide special absentee ballots to be used for state primary or state general elections. An auditor shall provide a special absentee ballot only to a registered voter who completes an application stating that she or he
will be unable to vote and return a regular (absentee) ballot by normal mail delivery within the period provided for regular (absentee) ballots.

(The application for) A special absentee ballot may not be requested more than ninety days before the applicable state primary or general election. The special absentee ballot will list the offices and measures, if known, scheduled to appear on the state primary or general election ballot. The voter may use the special absentee ballot to write in the name of any eligible candidate for each office and vote on any measure.

(2) (With any special absentee ballot issued under this section,) The county auditor shall include a listing of any candidates who have filed before the time of the application for offices that will appear on the ballot at that primary or election and a list of any issues that have been referred to the ballot before the time of the application.

(3) Write-in votes on special absentee ballots must be counted in the same manner provided by law for the counting of other write-in votes. The county auditor shall process and canvass the special absentee ballots provided under this section in the same manner as other (absentee) ballots under this chapter and chapter 29A.60 RCW.

(4) A voter who requests a special absentee ballot under this section may also request a regular ballot (under RCW 29A.40.020(4)). If the regular absentee ballot is properly voted and returned, the special absentee ballot is void, and the county auditor shall reject it in whole when special absentee ballots are canvassed.

Sec. 38. RCW 29A.40.070 and 2006 c 344 s 13 are each amended to read as follows:

(1) Except where a recount or litigation (under RCW 29A.68.011) is pending, the county auditor (shall have sufficient absentee ballots available for absentee voters of that county, other than overseas voters and service voters, at least twenty days before any primary, general election, or special election. The county auditor) must mail (absentee) ballots to each voter (for whom the county auditor has received a request nineteen days before the primary or election) at least eighteen days before (the) each primary or election, and as soon as possible for all subsequent registration changes. (For a request for an absentee ballot received after the nineteenth day before
the primary or election, the county auditor shall make every effort to mail ballots within one business day, and shall mail the ballots within two business days.)

(2) (At least thirty days before any primary, general election, or special election, the county auditor shall mail ballots to all overseas and service voters.) Except where a recount or litigation is pending, the county auditor must mail ballots to each service and overseas voter at least thirty days before each primary or election. A request for a ballot made by an overseas or service voter after that day must be processed immediately.

(3) A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. The voter may obtain the ballot by telephone request, by mail, electronically, or in person. The county auditor shall keep a record of each request for a replacement ballot.

(4) Each county auditor shall certify to the office of the secretary of state the dates the ballots prescribed in subsection (1) of this section were available and mailed.

(4) If absentee ballots will not be available or mailed as prescribed in subsection (1) of this section, the county auditor shall immediately certify to the office of the secretary of state when absentee ballots will be available and mailed. Copies of this certification must be provided to the county canvassing board, the press, jurisdictions with issues on the ballot in the election, and any candidates.

(5) If absentee ballots were not available or mailed as prescribed in subsection (1) of this section, for a reason other than a recount or litigation, the county auditor, in consultation with the certification and training program of the office of the secretary of state, shall submit a report to the office of the secretary of state outlining why the deadline was missed and what corrective actions will be taken in future elections to ensure that absentee ballots are available and mailed as prescribed in subsection (1) of this section.

(6) Failure to mail ballots as prescribed in subsection (1) of this section does not by itself provide a basis for an election contest or other legal challenge to the results of a primary, general election, or special election.
Sec. 39.  RCW 29A.40.091 and 2010 c 125 s 1 are each amended to read as follows:

(1) The county auditor shall send each voter a ballot, a security envelope in which to seal the ballot after voting, a larger envelope in which to return the security envelope, a declaration that the voter must sign, and instructions on how to obtain information about the election, how to mark the ballot and how to return it to the county auditor.

(2) The instructions that accompany a ballot for a partisan primary must include instructions for voting the applicable ballot style, as provided in chapter 29A.36 RCW. The voter's name and address must be printed on the larger return envelope, which must also contain a declaration by the voter reciting his or her qualifications and stating that he or she) voter must swear under penalty of perjury that he or she meets the qualifications to vote, and has not voted in any other jurisdiction at this election((, together with a summary of the penalties for any violation of any of the provisions of this chapter)). The declaration must clearly inform the voter that it is illegal to vote if he or she is not a United States citizen; it is illegal to vote if he or she has been convicted of a felony and has not had his or her voting rights restored; and((, except as otherwise provided by law)) it is illegal to cast a ballot or sign a return envelope on behalf of another voter. The return envelope ballot materials must provide space for the voter to indicate the date on which the ballot was voted and for the voter to sign the oath. It must also contain a space so that the voter may include) declaration, and to provide a telephone number. (A summary of the applicable penalty provisions of this chapter must be printed on the return envelope immediately adjacent to the space for the voter's signature. The signature of the voter on the return envelope must affirm and attest to the statements regarding the qualifications of that voter and to the validity of the ballot. The return envelope may provide secrecy for the voter's signature and optional telephone number.)

(3) For overseas and service voters, the signed declaration on the return envelope constitutes the equivalent of a voter registration for the election or primary for which the ballot has been issued. Return envelopes for overseas and service voters must enable the ballot to be
retumed_postage_free_if_mailed_through_the_United_States_postal
service, United_States_armed_forces_postal_service, or the_postal

(4) The voter must be instructed to either return the ballot to the
county auditor (by whom it was issued or attach sufficient first-class
postage, if applicable, and) no later than 8:00 p.m. the day of the
election or primary, or mail the ballot to the (appropriate) county
auditor with a postmark no later than the day of the election or
primary (for which the ballot was issued).

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

Sec. 40. RCW 29A.40.100 and 2003 c 111 s 1010 are each amended to
read as follows:

  County auditors must request that observers be appointed by the
  major political parties to be present during the processing of
  (absentee) ballots at the counting center. County auditors have
discretion to also request that observers be appointed by any campaigns
or organizations. The absence of the observers will not prevent the
processing of (absentee) ballots if the county auditor has requested
their presence.

Sec. 41. RCW 29A.40.110 and 2009 c 369 s 40 are each amended to
read as follows:

  (1) The opening and subsequent processing of return envelopes for
any primary or election may begin upon receipt. The tabulation of
absentee ballots must not commence until after 8:00 p.m. on the day of
the primary or election.

  (2) All received (absentee) return envelopes must be placed in
secure locations from the time of delivery to the county auditor until
their subsequent opening. After opening the return envelopes, the
county canvassing board shall place all of the ballots in secure
storage until (after 8:00 p.m. of the day of the primary or election) processing. (Absentee ballots that are to be tabulated on an electronic vote tallying system) Ballots may be taken from the inner envelopes and all the normal procedural steps may be performed to prepare these ballots for tabulation.

(3) (Before opening a returned absentee ballot) The canvassing board, or its designated representatives, shall examine the postmark (on the return envelope and signature on the (return envelope that contains the security envelope and absentee ballot)) declaration before processing the ballot. The ballot must either be received no later than 8:00 p.m. on the day of the primary or election, or must be postmarked no later than the day of the primary or election. All personnel assigned to verify signatures must receive training on statewide standards for signature verification. Personnel shall verify that the voter's signature on the (return envelope) ballot declaration is the same as the signature of that voter in the registration files of the county. Verification may be conducted by an automated verification system approved by the secretary of state. For any absentee ballot, a variation between the signature of the voter on the (return envelope) ballot declaration and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same.

(4) (For registered voters casting absentee ballots) If the postmark is missing or illegible, the date on the (return envelope) ballot declaration to which the voter has attested determines the validity, as to the time of voting, for that (absentee) ballot (if the postmark is missing or is illegible). For overseas voters and service voters, the date on the (return envelope) declaration to which the voter has attested determines the validity as to the time of voting for that (absentee) ballot.

**Sec. 42.** RCW 29A.40.130 and 2003 c 111 s 1013 are each amended to read as follows:

Each county auditor shall maintain in his or her office, open for public inspection, a record of (the requests he or she has received for absentee ballots under this chapter).
The information from the requests shall be recorded and lists of this information shall be available no later than twenty-four hours after their receipt.

This information about absentee voters shall be available according to the date of the requests and by legislative district. It shall include the name of each applicant, the address and precinct in which the voter maintains a voting residence, the date on which an absentee ballot was issued to this voter, if applicable, the type of absentee ballot, and the address to which the ballot was or is to be mailed, if applicable.

The auditor shall make copies of these records available to the public for the actual cost of production or copying) all voters issued a ballot and all voters who returned a ballot. For each primary, special election, or general election, any political party, committee, or person may request a list of all registered voters who have or have not voted. Such requests shall be handled as public records requests pursuant to chapter 42.56 RCW.

NEW SECTION. Sec. 43. A new section is added to chapter 29A.44 RCW to read as follows:

(1) Each county auditor shall open a voting center each primary, special election, and general election. The voting center shall be open during business hours during the voting period, which begins eighteen days before, and ends at 8:00 p.m. on the day of, the primary, special election, or general election.

(2) The voting center must provide voter registration materials, ballots, provisional ballots, disability access voting units, sample ballots, instructions on how to properly vote the ballot, a ballot drop box, and voters' pamphlets, if a voters' pamphlet has been published.

(3) The voting center must be accessible to persons with disabilities. Each state agency and entity of local government shall permit the use of any of its accessible facilities as voting centers when requested by a county auditor.

(4) The voting center must provide at least one voting unit certified by the secretary of state that provides access to individuals who are blind or visually impaired, enabling them to vote with privacy and independence.
(5) No person may interfere with a voter attempting to vote in a voting center. Interfering with a voter attempting to vote is a violation of RCW 29A.84.510.

(6) Before opening the voting center, the voting equipment shall be inspected to determine if it has been properly prepared for voting. If the voting equipment is capable of direct tabulation of each voter's choices, the county auditor shall verify that no votes have been registered for any issue or office, and that the device has been sealed with a unique numbered seal at the time of final preparation and logic and accuracy testing. A log must be made of all device numbers and seal numbers.

(7) The county auditor shall require any person desiring to vote at a voting center to either sign a ballot declaration or provide identification.

(a) The signature on the declaration must be compared to the signature on the voter registration record before the ballot may be counted. If the voter registered using a mark, or can no longer sign his or her name, the election officers shall require the voter to be identified by another registered voter.

(b) The identification must be valid photo identification, such as a driver's license, state identification card, student identification card, tribal identification card, or employer identification card. Any individual who desires to vote in person but cannot provide identification shall be issued a provisional ballot, which shall be accepted if the signature on the declaration matches the signature on the voter's registration record.

(8) Provisional ballots must be accompanied by a declaration and security envelope, as required by RCW 29A.40.091, and space for the voter's name, date of birth, current and former registered address, reason for the provisional ballot, and disposition of the provisional ballot. The voter shall vote and return the provisional ballot at the voting center. The voter must be provided information on how to ascertain whether the provisional ballot was counted and, if applicable, the reason why the vote was not counted.

(9) Any voter may take printed or written material into the voting device to assist in casting his or her vote. The voter shall not use this material to electioneer and shall remove it when he or she leaves the voting center.
(10) If any voter states that he or she is unable to cast his or her votes due to a disability, the voter may designate a person of his or her choice, or two election officers, to enter the voting booth and record the votes as he or she directs.

(11) No voter is entitled to vote more than once at a primary, special election, or general election. If a voter incorrectly marks a ballot, he or she may be issued a replacement ballot.

(12) A voter who has already returned a ballot but requests to vote at a voting center shall be issued a provisional ballot. The canvassing board shall not count the provisional ballot if it finds that the voter has also voted a regular ballot in that primary, special election, or general election.

(13) The county auditor must prevent overflow of each ballot drop box to allow a voter to deposit his or her ballot securely. Ballots must be removed from a ballot drop box by at least two people, with a record kept of the date and time ballots were removed, and the names of people removing them. Ballots from drop boxes must be returned to the counting center in secured transport containers. A copy of the record must be placed in the container, and one copy must be transported with the ballots to the counting center, where the seal number must be verified by the county auditor or a designated representative. All ballot drop boxes must be secured at 8:00 p.m. on the day of the primary, special election, or general election.

(14) Any voter who is inside or in line at the voting center at 8:00 p.m. on the day of the primary, special election, or general election must be allowed to vote.

(15) For each primary, special election, and general election, the county auditor may provide election services at locations in addition to the voting center. The county auditor has discretion to establish which services will be provided at the additional locations, and which days and hours the locations will be open.

Sec. 44. RCW 29A.46.260 and 2010 c 215 s 5 are each amended to read as follows:

(1) The legislature finds that the elimination of polling places resulting from the transition to vote by mail creates barriers that restrict the ability of many voters with disabilities from achieving the independence and privacy in voting provided by the accessible
voting devices required under the help America vote act. Counties
((adopting a vote-by-mail system)) must take appropriate steps to
mitigate these impacts and to address the obligation to provide voters
with disabilities an equal opportunity to vote independently and
privately, to the extent that this can be achieved without incurring
undue administrative and financial burden.

(2) Each county shall establish and maintain an advisory committee
that includes persons with diverse disabilities and persons with
expertise in providing accommodations for persons with disabilities.
The committee shall assist election officials in developing a plan to
identify and implement changes to improve the accessibility of
elections for voters with disabilities. The plan shall include
recommendations for the following:

(a) The number of ((polling places)) voting centers that will be
maintained in order to ensure that people with disabilities have
reasonable access to accessible voting devices, and a written
explanation for how the determination was made;

(b) The locations of ((polling places,)) ballot drop-off
facilities, voting centers, and other election-related functions
necessary to maximize accessibility to persons with disabilities;

(c) Outreach to voters with disabilities on the availability of
disability accommodation, including in-person disability access voting;

(d) Transportation of voting devices to locations convenient for
voters with disabilities in order to ensure reasonable access for
voters with disabilities; and

(e) Implementation of the provisions of the help America vote act
related to persons with disabilities.

Counties must update the plan at least annually. The election
review staff of the secretary of state shall review and evaluate the
plan in conformance with the review procedure identified in RCW
29A.04.570.

(3) Counties may form a joint advisory committee to develop the
plan identified in subsection (2) of this section if no more than one
of the participating counties has a population greater than seventy
thousand.

NEW SECTION. Sec. 45. A new section is added to chapter 29A.52
RCW to read as follows:
Notice for any state, county, district, or municipal primary or election, whether special or general, must be given by the county auditor between five and fifteen days prior to the deadline for mail-in registrations. The notice must be published in one or more newspapers of general circulation and must contain, at a minimum, the last date to register online or through the mail, the last date to transfer or update an existing registration, the last date to register in person for first-time voters, information on where a person can register, the type of election, the date of the election, how a voter can obtain a ballot, a list of all jurisdictions involved in the election, including positions and short titles for ballot measures appearing on the ballot, and the times and dates of any public meetings associated with the election. The notice shall also include where additional information regarding the election may be obtained. This is the only notice required for a state, county, district, or municipal primary or special or general election. If the county or city chooses to mail a local voters' pamphlet as described in RCW 29A.32.210 to each residence, the notice required in this section need only include the last date to register online or through the mail, the last date to transfer or update an existing registration, the last date to register in person for first-time voters, information on where a person can register, and the times and dates of any public meetings associated with the election.

Sec. 46. RCW 29A.56.490 and 2003 c 111 s 1438 are each amended to read as follows:

The election officials shall count and determine the number of votes cast for each individual; and shall also count and determine the aggregate number of votes cast for all candidates whose names appear under each of the respective headings. Where more than the required number have been voted for, the ballot must be rejected. (The figures determined by the various counts must be entered in the poll books of the respective precincts.) The vote must be canvassed in each county by the county canvassing board, and certificate of results must within fifteen days after the election be transmitted to the secretary of state. Upon receiving the certificate, the secretary of state may require precinct returns ((or poll books)) from any county ((precinct)) to be forwarded for the secretary's examination.
Where a district embraces precincts of more than one county, the
secretary of state shall combine the votes from all the precincts
included in each district. The delegates elected in each district will
be the number of candidates corresponding to the number of state
representatives from the district, who receive the highest number of
votes in the group (either "for" or "against") that received an
aggregate number of votes for all candidates in the group greater than
the aggregate number of votes for all the candidates in the other
group. The secretary of state shall issue certificates of election to
the delegates so elected.

Sec. 47. RCW 29A.60.040 and 2009 c 414 s 2 are each amended to
read as follows:

A ballot is invalid and no votes on that ballot may be counted if
it is found folded together with another ballot.

Those parts of a ballot are invalid and no votes may be counted for
those issues or offices where more votes are cast for the office or
issue than are permitted by law; write-in votes do not contain all of
the information required under RCW 29A.60.021; or that issue or office
is not marked with sufficient definiteness to determine the voter's
choice or intention. No write-in vote may be rejected due to a
variation in the form of the name if the ((election board or the))
canvassing board can determine the issue for or against which or the
person and the office for which the voter intended to vote.

Sec. 48. RCW 29A.60.050 and 2005 c 243 s 13 are each amended to
read as follows:

Whenever the ((precinct election officers or the)) counting center
personnel have a question about the validity of a ballot or the votes
for an office or issue that they are unable to resolve, they shall
prepare and sign a concise record of the facts in question or dispute.
These ballots shall be delivered to the canvassing board for
processing. A ballot is not considered rejected until the canvassing
board has rejected the ballot individually, or the ballot was included
in a batch or on a report of ballots that was rejected in its entirety
by the canvassing board. All ballots shall be preserved in the same
manner as valid ballots for that primary or election.
Sec. 49. RCW 29A.60.060 and 2003 c 111 s 1506 are each amended to read as follows:

After the close of the (polls, counties employing poll-site ballot counting devices may telephonically or electronically transmit the accumulated tally for each device to a central reporting location. Before making a telephonic or electronic transmission the precinct election officer must create a printed record of the results of the election for that poll site. During the canvassing period the results transmitted telephonically or electronically must be considered unofficial until a complete reconciliation of the results has been performed. This reconciliation may be accomplished by a direct loading of) voting center at 8:00 p.m., the county auditor must directly load the results from (the) any direct recording electronic memory pack into the central accumulator (, or a comparison of the report produced at the poll site on election night with the results received by the central accumulating device).

Sec. 50. RCW 29A.60.110 and 2003 c 111 s 1511 are each amended to read as follows:

Immediately after their tabulation, all ballots counted at a ballot counting center must be sealed in containers that identify the primary or election and be retained for at least sixty days or according to federal law, whichever is longer. (All ballots tallied by poll-site ballot counting devices must be returned to the elections department in sealed ballot containers on election day. Counties composed entirely of islands or portions of counties composed of islands shall collect the ballots within twenty-four hours of the close of the polls.

Ballots tabulated in poll-site ballot counting devices must be sealed by two of the election precinct officers at the polling place, and a log of the seal and the names of the people sealing the container must be completed. One copy of this log must be retained by the inspector, one copy must be placed in the ballot transfer case, and one copy must be transported with the ballots to the elections department, where the seal number must be verified by the county auditor or a designated representative. Ballots may be transported by one election employee if the container is sealed at the poll and then verified when returned to the elections department. Auditors using poll-site ballot
counting devices may conduct early pickup of counted ballots on election day.

In the presence of major party observers who are available, ballots may be removed from the sealed containers at the elections department and consolidated into one sealed container for storage purposes. The containers may only be opened by the canvassing board as part of the canvass, or to conduct recounts, or under RCW 29A.60.170(3), or by order of the superior court in a contest or election dispute. If the canvassing board opens a ballot container, it shall make a full record of the additional tabulation or examination made of the ballots. This record must be added to any other record of the canvassing process in that county.

Sec. 51. RCW 29A.60.120 and 2003 c 111 s 1512 are each amended to read as follows:

(1) The ballots picked up from the precincts during the polling hours may be counted only at the counting center before the polls have closed. Election returns from the count of these ballots must be held in secrecy until the polls have been closed.

(2) Upon breaking the seals and opening the ballot containers from the precincts, all voted ballots must be manually inspected for damage, write-in votes, and incorrect or incomplete marks. If it is found that any ballot is damaged so that it cannot properly be counted by the vote tallying system, a true duplicate copy must be made of the damaged ballot in the presence of witnesses and substituted for the damaged ballot. All damaged ballots must be kept by the county auditor until sixty days after the primary or election or according to federal law, whichever is longer.

Sec. 52. RCW 29A.60.160 and 2007 c 373 s 1 are each amended to read as follows:

(1) Except for an election conducted under the instant runoff voting method for the pilot project authorized by RCW 29A.53.020, the county auditor, as delegated by the county canvassing board, shall
process (absentee) ballots and canvass the votes cast at that primary or election on a daily basis in counties with a population of seventy-five thousand or more, or at least every third day for counties with a population of less than seventy-five thousand, if the county auditor is in possession of more than five hundred ballots that have yet to be canvassed.

(2) Saturdays, Sundays, and legal holidays are not counted for purposes of this section.

(3) In order to protect the secrecy of a ballot, the county auditor may use discretion to decide when to process absentee ballots and canvass the votes.

(4) Tabulation results must be made available to the public immediately upon completion of the canvass.

Sec. 53. RCW 29A.60.160 and 2007 c 373 s 2 are each amended to read as follows:

(1) The county auditor, as delegated by the county canvassing board, shall process (absentee) ballots and canvass the votes cast at that primary or election on a daily basis in counties with a population of seventy-five thousand or more, or at least every third day for counties with a population of less than seventy-five thousand, if the county auditor is in possession of more than five hundred ballots that have yet to be canvassed.

(2) Saturdays, Sundays, and legal holidays are not counted for purposes of this section.

(3) In order to protect the secrecy of a ballot, the county auditor may use discretion to decide when to process absentee ballots and canvass the votes.

(4) Tabulation results must be made available to the public immediately upon completion of the canvass.

Sec. 54. RCW 29A.60.165 and 2006 c 209 s 4 and 2006 c 208 s 1 are each reenacted and amended to read as follows:

(1) If the voter neglects to sign the (outside envelope of an absentee or provisional) ballot declaration, the auditor shall notify the voter by first-class mail and advise the voter of the correct procedures for completing the unsigned (affidavit) declaration. If the (absentee) ballot is received within three 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 three 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. ((In order for the ballot to be
counted, the voter must either:

(a) Appear in person and sign the envelope no later than the day
before the certification of the primary or election; or

(b) Sign a copy of the envelope provided by the auditor, and return
it to the auditor no later than the day before the certification of the
primary or election.))

(2)(a) If the handwriting of the signature on ((an absentee or
provisional ballot envelope)) 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, enclosing a copy of the
((envelope affidavit)) declaration, and advise the voter of the correct
procedures for updating his or her signature on the voter registration
file. If the ((absentee or provisional)) ballot is received within
three 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 three 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. ((In order for the
ballot to be counted, the voter must either:

(i) Appear in person and sign a new registration form no later than
the day before the certification of the primary or election; or

(ii) Sign a copy of the affidavit provided by the auditor and
return it to the auditor no later than the day before the certification
of the primary or election. The voter may enclose with the affidavit
a photocopy of a valid government or tribal-issued identification
document that includes the voter’s current signature. If the signature
on the copy of the affidavit does not match the signature on file or
the signature on the copy of the identification document, the voter
must appear in person and sign a new registration form no later than
the day before the certification of the primary or election in order
for the ballot to be counted.))

(b) If the signature on ((an absentee or provisional ballot
envelope)) a ballot declaration is not the same as the signature on the
registration file because the name is different, 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 (an absentee or provisional ballot envelope) 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) A voter may not cure a missing or mismatched signature for purposes of counting the ballot in a recount.

(4) 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 signed the envelope, a copy of the envelope, a new registration form, or a change-of-name form. That record is a public record under chapter 42.56 RCW and may be disclosed to interested parties on written request.

Sec. 55. RCW 29A.60.170 and 2007 c 373 s 3 are each amended to read as follows:

(1) At least twenty-eight days prior to any special election, general election, or primary, the county auditor shall request from the chair of the county central committee of each major political party a list of individuals who are willing to serve as observers. The county auditor has discretion to also request observers from any campaign or organization. The county auditor may delete from the lists names of those persons who indicate to the county auditor that they cannot or do not wish to serve as observers, and names of those persons who, in the judgment of the county auditor, lack the ability to properly serve as observers after training has been made available to them by the auditor.

(2) The counting center ((in a county using voting systems)) is under the direction of the county auditor and must be ((observed)) open to observation by one representative from each major political party, if representatives have been appointed by the respective major political parties and these representatives are present while the counting center is operating. The proceedings must be open to the
public, but no persons except those employed and authorized by the county auditor may touch any ballot or ballot container or operate a vote tallying system.

((2) In counties in which ballots are not counted at the polling place, the official political party observers, upon mutual agreement, may request that a precinct be selected at random on receipt of the ballots from the polling place and that a manual count be made of the number of ballots and of the votes cast on any office or issue. The ballots for that precinct must then be counted by the vote tallying system, and this result will be compared to the results of the manual count. This may be done as many as three times during the tabulation of ballots on the day of the primary or election.

(3) In counties using poll-site ballot counting devices, the political party observers, upon mutual agreement, may choose as many as three precincts and request that a manual count be made of the number of ballots and the votes cast on any office or issue. The results of this count will be compared to the count of the precinct made by the poll-site ballot counting device. These selections must be made no later than thirty minutes after the close of the polls. The manual count must be completed within forty-eight hours after the close of the polls. The process must take place at a location designated by the county auditor for that purpose. The political party observers must receive timely notice of the time and location, and have the right to be present. However, the process must proceed as scheduled if the observers are unable to attend.

(4) In counties voting entirely by mail,) (3) A random check of the ballot counting equipment may be conducted upon mutual agreement of the political party observers or at the discretion of the county auditor. The random check procedures must be adopted by the county canvassing board prior to the processing of ballots. The random check process shall involve a comparison of a manual count to the machine count and may involve up to either three precincts or six batches depending on the ballot counting procedures in place in the county. The random check will be limited to one office or issue on the ballots in the precincts or batches that are selected for the check. The selection of the precincts or batches to be checked must be selected according to procedures established by the county canvassing board and
the check must be completed no later than forty-eight hours after
election day.

Sec. 56. RCW 29A.60.180 and 2003 c 111 s 1518 are each amended to
read as follows:
Each registered voter casting ((an absentee)) a valid ballot will
be credited with voting on his or her voter registration record.
((Absentee ballots must be retained for the same length of time and in
the same manner as ballots cast at the precinct polling places.))

Sec. 57. RCW 29A.60.190 and 2006 c 344 s 16 are each amended to
read as follows:
(1) Except as provided by subsection (3) of this section, fifteen
days after a primary or special election and twenty-one days after a
general election, the county canvassing board shall complete the
canvass and certify the results. Each ((absentee)) ballot that was
returned before ((the closing of the polls)) 8:00 p.m. on the day of
the special election, general election, or primary, and each
(absentee) ballot bearing a postmark on or before the date of the
(primary or) special election, general election, or primary and
received on or before the date on which the primary or election is
certified, must be included in the canvass report.
(2) At the request of a caucus of the state legislature, the county
auditor shall transmit copies of all unofficial returns of state and
legislative primaries or elections prepared by or for the county
canvassing board to either the secretary of the senate or the chief
clerk of the house of representatives.
(3) On or before the thirtieth day after an election conducted
under the instant runoff voting method for the pilot project authorized
by RCW 29A.53.020, the canvassing board shall complete the canvass and
certify the results.

Sec. 58. RCW 29A.60.190 and 2006 c 344 s 17 are each amended to
read as follows:
(1) Fifteen days after a primary or special election and twenty-one
days after a general election, the county canvassing board shall
complete the canvass and certify the results. Each ((absentee)) ballot
that was returned before ((the closing of the polls)) 8:00 p.m. on the
day of the special election, general election, or primary, and each absentee ballot bearing a postmark on or before the date of the special election, general election, or primary and received on or before the date on which the primary or election is certified, must be included in the canvass report.

(2) At the request of a caucus of the state legislature, the county auditor shall transmit copies of all unofficial returns of state and legislative primaries or elections prepared by or for the county canvassing board to either the secretary of the senate or the chief clerk of the house of representatives.

Sec. 59. RCW 29A.60.195 and 2005 c 243 s 9 are each amended to read as follows:

Before certification of the primary or election, the county auditor must examine and investigate all received provisional ballots to determine whether the ballot can be counted. The auditor shall provide the disposition of the provisional ballot and, if the ballot was not counted, the reason why it was not counted, on a free access system such as a toll-free telephone number, web site, mail, or other means. The auditor must notify the voter in accordance with RCW 29A.60.165 when the declaration is unsigned or when the signatures do not match.

Sec. 60. RCW 29A.60.200 and 2003 c 111 s 1520 are each amended to read as follows:

Before canvassing the returns of a primary or election, the chair of the county legislative authority or the chair's designee shall administer an oath to the county auditor or the auditor's designee attesting to the authenticity of the information presented to the canvassing board. This oath must be signed by the county auditor or designee and filed with the returns of the primary or election.

The county canvassing board shall proceed to verify the results from the precincts and the absentee ballots received. The board shall execute a certificate of the results of the primary or election signed by all members of the board or their designees. Failure to certify the returns, if they can be ascertained with reasonable certainty, is a crime under RCW 29A.84.720.
Sec. 61. RCW 29A.60.230 and 2003 c 111 s 1523 are each amended to read as follows:

(((1))) Immediately after the official results of a state primary or general election in a county are ascertained, the county auditor or other election officer shall make an abstract of the number of registered voters in each precinct and of all the votes cast in the county at such state primary or general election for and against state measures and for each candidate for federal, state, and legislative office or for any other office which the secretary of state is required by law to canvass. The cumulative report of the election and a copy of the certificate of the election must be transmitted to the secretary of state immediately through electronic means and mailed with the abstract of votes no later than the next business day following the certification by the county canvassing board.

(2) After each general election, the county auditor or other election officer shall provide to the secretary of state a report of the number of absentee ballots cast in each precinct for and against state measures and for each candidate for federal, state, and legislative office or for any other office which the secretary of state is required by law to canvass. The report may be included in the abstract required by this section or may be transmitted to the secretary of state separately, but in no event later than March 31st of the year following the election. Absentee ballot results may be incorporated into votes cast at the polls for each precinct or may be reported separately on a precinct-by-precinct basis.

(3) If absentee ballot results are not incorporated into votes cast at the polls, the county auditor or other election official may aggregate results from more than one precinct if the auditor, pursuant to rules adopted by the secretary of state, finds that reporting a single precinct's absentee ballot results would jeopardize the secrecy of a person's ballot. To the extent practicable, precincts for which results are aggregated must be contiguous.

Sec. 62. RCW 29A.60.235 and 2009 c 369 s 41 are each amended to read as follows:

(((1))) The county auditor shall prepare, make publicly available at the auditor's office or on the auditor's web site, and submit at the
time of certification an election reconciliation report that discloses
the following information:

((a) The number of registered voters;
(b) The number of ballots counted;
(c) The number of provisional ballots issued;
(d) The number of provisional ballots counted;
(e) The number of provisional ballots rejected;
(f) The number of absentee ballots issued;
(g) The number of absentee ballots counted;
(h) The number of absentee ballots rejected;
(i) The number of federal write-in ballots counted;
(j) The number of overseas and service ballots issued;
(k) The number of overseas and service ballots counted, and
(l) The number of overseas and service ballots rejected.

(2) The county auditor shall prepare and make publicly available at
the auditor's office or on the auditor's web site within thirty days of
certification a final election reconciliation report that discloses the
following information:

(a) The number of registered voters;
(b) The total number of voters credited with voting;
(c) The number of poll voters credited with voting;
(d) The number of provisional voters credited with voting;
(e) The number of absentee voters credited with voting;
(f) The number of federal write-in voters credited with voting;
(g) The number of overseas and service voters credited with voting;
(h) The total number of voters credited with voting even though
their ballots were postmarked after election day and were not counted;
and

(i++) (1) The number of registered voters;
(2) The number of ballots issued;
(3) The number of ballots received;
(4) The number of ballots counted;
(5) The number of ballots rejected;
(6) The number of provisional ballots issued;
(7) The number of provisional ballots received;
(8) The number of provisional ballots counted;
(9) The number of provisional ballots rejected;
(10) The number of federal write-in ballots received;
1. The number of federal write-in ballots counted;
2. The number of federal write-in ballots rejected;
3. The number of overseas and service ballots issued;
4. The number of overseas and service ballots received;
5. The number of overseas and service ballots counted;
6. The number of overseas and service ballots rejected;
7. The number of voters credited with voting; and
8. Any other information the auditor or secretary of state deems necessary to reconcile the number of ballots counted with the number of voters credited with voting.

((3) The county auditor may also prepare such reports for jurisdictions located, in whole or in part, in the county.))

Sec. 63. RCW 29A.64.041 and 2004 c 271 s 179 are each amended to read as follows:

(1) At the time and place established for a recount, the canvassing board or its duly authorized representatives, in the presence of all witnesses who may be in attendance, shall open the sealed containers containing the ballots to be recounted, and shall recount the votes for the offices or issues for which the recount has been ordered. Ballots shall be handled only by the members of the canvassing board or their duly authorized representatives.

((Witnesses shall be permitted to observe the ballots and the process of tabulating the votes, but they shall not be permitted to handle the ballots.)) The canvassing board shall not permit the tabulation of votes for any nomination, election, or issue other than the ones for which a recount was applied for or required.

(2) At any time before the ballots from all of the precincts listed in the application for the recount have been recounted, the applicant may file with the board a written request to stop the recount.

(3) The recount may be observed by persons representing the candidates affected by the recount or the persons representing both sides of an issue that is being recounted. Witnesses shall be permitted to observe the ballots and the process of tabulating the votes, but they shall not be permitted to handle the ballots. The observers may not make a record of the names, addresses, or other information on the ballots, ((poll books, or applications for absentee ballots)) declarations, or lists of voters unless authorized by the
superior court. The secretary of state or county auditor may limit the
number of observers to not less than two on each side if, in his or her
opinion, a greater number would cause undue delay or disruption of the
recount process.

Sec. 64. RCW 29A.68.020 and 2007 c 374 s 4 are each amended to
read as follows:
Any of the following causes may be asserted by a registered voter
to challenge the right to assume office of a candidate declared elected
to that office:
(1) For misconduct on the part of any member of any precinct
election board involved therein;
(2) Because the person whose right is being contested was not at
the time the person was declared elected eligible to that office;
(3) Because the person whose right is being contested was previous
to the election convicted of a felony by a court of competent
jurisdiction, the conviction not having been reversed nor the person's
civil rights restored after the conviction;
(4) Because the person whose right is being contested gave a bribe
or reward to a voter or to an ((inspector or judge of)) election
officer for the purpose of procuring the election, or offered to do so;
(5) On account of illegal votes.
(a) Illegal votes include but are not limited to the following:
(i) More than one vote cast by a single voter;
(ii) A vote cast by a person disqualified under Article VI, section
3 of the state Constitution.
(b) Illegal votes do not include votes cast by improperly
registered voters who were not properly challenged under RCW 29A.08.810
and 29A.08.820.
All election contests must proceed under RCW 29A.68.011.

Sec. 65. RCW 29A.68.070 and 2003 c 111 s 1707 are each amended to
read as follows:
No irregularity or improper conduct in the proceedings of any
((election)) county canvassing board or any member of the board amounts
to such misconduct as to annul or set aside any election unless the
irregularity or improper conduct was such as to procure the person

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whose right to the office may be contested, to be declared duly elected although the person did not receive the highest number of legal votes.

Sec. 66. RCW 29A.68.080 and 2003 c 111 s 1708 are each amended to read as follows:

When any election for an office exercised in and for a county is contested on account of any malconduct on the part of (any election) a county canvassing board, or any member thereof, the election shall not be annulled and set aside upon any proof thereof, unless the rejection of the vote of such precinct or precincts will change the result as to such office in the remaining vote of the county.

Sec. 67. RCW 29A.84.020 and 2003 c 111 s 2102 are each amended to read as follows:

Every officer who willfully violates RCW 29A.56.110 through 29A.56.270, for the violation of which no penalty is prescribed in this title or who willfully fails to comply with the provisions of (this chapter) RCW 29A.56.110 through 29A.56.270 is guilty of a gross misdemeanor.

Sec. 68. RCW 29A.84.050 and 2005 c 243 s 23 are each amended to read as follows:

(1) A person who knowingly destroys, alters, defaces, conceals, or discards a completed voter registration form or signed (absentee or provisional ballot signature affidavit) ballot declaration is guilty of a gross misdemeanor. This section does not apply to (1) (a) the voter who completed the (voter registration) form or declaration, or (2) (b) a county auditor (registration assistant) who acts as authorized by (voter registration) law.

(2) Any person who intentionally fails to return another person's completed voter registration form or signed ballot declaration to the proper state or county elections office by the applicable deadline is guilty of a gross misdemeanor.

Sec. 69. RCW 29A.84.510 and 2003 c 111 s 2121 are each amended to read as follows:

(1) (On the day of any primary or general or special election) During the voting period that begins eighteen days before and ends the
day of a special election, general election, or primary, no person may, within a (polling place, or in any public area within three hundred feet of any entrance to such polling place) voting center:

(a) Suggest or persuade or attempt to suggest or persuade any voter to vote for or against any candidate or ballot measure;
(b) Circulate cards or handbills of any kind;
(c) Solicit signatures to any kind of petition; or
(d) Engage in any practice which interferes with the freedom of voters to exercise their franchise or disrupts the administration of the (polling place) voting center.

(2) No person may obstruct the doors or entries to a building in which a (polling place) voting center or ballot drop location is located or prevent free access to and from any (polling place) voting center or ballot drop location. Any sheriff, deputy sheriff, or municipal law enforcement officer shall prevent such obstruction, and may arrest any person creating such obstruction.

(3) (No person may:
(a) Except as provided in RCW 29A.44.050, remove any ballot from the polling place before the closing of the polls; or
(b) Solicit any voter to show his or her ballot.
(4) No person other than an inspector or judge of election may receive from any voter a voted ballot or deliver a blank ballot to such elector.

(5)) Any violation of this section is a gross misdemeanor, punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021, and the person convicted may be ordered to pay the costs of prosecution.

Sec. 70. RCW 29A.84.520 and 2003 c 111 s 2122 are each amended to read as follows:

Any election officer who does any electioneering (on primary or election day) during the voting period that begins eighteen days before and ends the day of a special election, general election, or primary, is guilty of a misdemeanor, and upon conviction must be fined in any sum not exceeding one hundred dollars and pay the costs of prosecution.
Sec. 71. RCW 29A.84.530 and 2003 c 111 s 2123 are each amended to read as follows:

Deliberately impeding other voters from casting their votes by refusing to leave a voting booth or voting device is a misdemeanor and is subject to the penalties provided in chapter 9A.20 RCW. (The precinct) Election officers may provide assistance in the manner provided by ((RCW 29A.44.240)) section 43 of this act to any voter who requests it.

Sec. 72. RCW 29A.84.540 and 2003 c 111 s 2124 are each amended to read as follows:

Any person who, without lawful authority, removes a ballot from a voting center or ballot drop location is guilty of a gross misdemeanor punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

Sec. 73. RCW 29A.84.545 and 2005 c 242 s 6 are each amended to read as follows:

Anyone who, without authorization, removes from a voting center a paper record produced by ((an)) a direct recording electronic voting device is guilty of a class C felony punishable under RCW 9A.20.021.

Sec. 74. RCW 29A.84.550 and 2003 c 111 s 2125 are each amended to read as follows:

Any person who willfully defaces, removes, or destroys any of the supplies or materials that the person knows are intended both for use in a voting center and for enabling a voter to prepare his or her ballot is guilty of a class C felony punishable under RCW 9A.20.021.

Sec. 75. RCW 29A.84.655 and 2003 c 111 s 2132 are each amended to read as follows:

Any election officer who (knowingly permits any voter to cast a second vote at any primary or general or special election, or knowingly permits any person not a qualified voter to vote at any primary or general or special election) intentionally tabulates or
causes to be tabulated, through any act or omission, an invalid ballot when the person has actual knowledge that the ballot is invalid, is guilty of a class C felony punishable under RCW 9A.20.021.

Sec. 76. RCW 29A.84.680 and 2003 c 111 s 2136 and 2003 c 53 s 179 are each reenacted and amended to read as follows:

(1) A person who willfully violates any provision of chapter 29A.40 RCW regarding the assertion or declaration of qualifications to receive or cast ((an absentee)) a ballot or unlawfully casts a ((vote by absentee)) ballot is guilty of a class C felony punishable under RCW 9A.20.021.

(2) Except as provided in this chapter, a person who willfully violates any other provision of chapter 29A.40 RCW is guilty of a misdemeanor.

Sec. 77. RCW 29A.84.730 and 2003 c 111 s 2139 are each amended to read as follows:

(1) In any location in which ballots are counted, no person authorized by law to be present while votes are being counted may divulge any results of the count of the ballots at any time prior to ((the closing of the polls for that)) 8:00 p.m. on the day of the primary or special or general election.

(2) A violation of this section is a gross misdemeanor punishable to the same extent as a gross misdemeanor that is punishable under RCW 9A.20.021.

Sec. 78. RCW 27.12.370 and 2006 c 344 s 19 are each amended to read as follows:

The county legislative authority or authorities shall by resolution call a special election to be held in such city or town at the next special election date according to RCW 29A.04.321, and shall cause notice of such election to be given as provided for in ((RCW 29A.52.351)) section 45 of this act.

The election on the annexation of the city or town into the library district shall be conducted by the auditor of the county or counties in which the city or town is located in accordance with the general election laws of the state and the results thereof shall be canvassed by the canvassing board of the county or counties. No person shall be
entitled to vote at such election unless he or she is registered to
vote in said city or town for at least thirty days preceding the date
of the election. The ballot proposition shall be in substantially the
following form:

"Shall the city or town of...... be annexed to and be
a part of...... library district?

YES .......................... □
NO .......................... □"

If a majority of the persons voting on the proposition shall vote
in favor thereof, the city or town shall thereupon be annexed and shall
be a part of such library district.

Sec. 79. RCW 36.83.110 and 1996 c 292 s 4 are each amended to read
as follows:

Any registered voter residing within the boundaries of the road and
bridge service district may file a referendum petition to call an
election to retain any or all commissioners. Any referendum petition
to call such election shall be filed with the county auditor no later
than one year before the end of a commissioner's term. Within ten days
of the filing of a petition, the county auditor shall confer with the
petitioner concerning form and style of the petition, issue an
identification number for the petition, and write a ballot title for
the measure. The ballot title shall be posed as a question: "Shall
(name of commissioner) be retained as a road and bridge service
district commissioner?" and the question shall be posed separately for
each commissioner. The petitioner shall be notified of the
identification number and ballot title within this ten-day period.

After this notification, the petitioner shall have thirty days in
which to secure on petition forms the signatures of not less than
twenty-five percent of the registered voters residing within the
boundaries of the service district and file the signed petitions with
the county auditor. Each petition form shall contain the ballot title.
The county auditor shall verify the sufficiency of the signatures on
the petitions. If sufficient valid signatures are properly submitted,
the county auditor shall submit the referendum measure to the
registered voters residing in the service district in a special
election no later than one hundred twenty days after the signed petition has been filed with the county auditor. ((The special election may be conducted by mail ballot as provided for in chapter 29.36 RCW.))

The office of any commissioner for whom there is not a majority vote to retain shall be declared vacant.

Sec. 80. RCW 36.93.030 and 2006 c 344 s 28 are each amended to read as follows:

(1) There is hereby created and established in each county with a population of two hundred ten thousand or more a board to be known and designated as a "boundary review board".

(2) A boundary review board may be created and established in any other county in the following manner:

(a) The county legislative authority may, by majority vote, adopt a resolution establishing a boundary review board; or

(b) A petition seeking establishment of a boundary review board signed by qualified electors residing in the county equal in number to at least five percent of the votes cast in the county at the last county general election may be filed with the county auditor.

Upon the filing of such a petition, the county auditor shall examine the same and certify to the sufficiency of the signatures thereon. No person may withdraw his or her name from a petition after it has been filed with the auditor. Within thirty days after the filing of such petition, the county auditor shall transmit the same to the county legislative authority, together with his or her certificate of sufficiency.

After receipt of a valid petition for the establishment of a boundary review board, the county legislative authority shall submit the question of whether a boundary review board should be established to the electorate at the next primary or general election according to RCW 29A.04.321. Notice of the election shall be given as provided in ((RCW 29A.52.351)) section 45 of this act and shall include a clear statement of the proposal to be submitted.

If a majority of the persons voting on the proposition shall vote in favor of the establishment of the boundary review board, such board shall thereupon be deemed established.
Sec. 81.  RCW 40.24.060 and 2008 c 18 s 4 are each amended to read as follows:

((A program participant who is otherwise qualified to vote may register as an ongoing absentee voter under RCW 29A.40.040.)) The county auditor shall ((transmit the absentee)) mail a ballot to ((the)) a program participant qualified and registered at the mailing address provided. Neither the name nor the address of a program participant shall be included in any list of registered voters available to the public.

Sec. 82.  RCW 52.04.071 and 2009 c 115 s 2 are each amended to read as follows:

The county legislative authority or authorities shall by resolution call a special election to be held in the city, partial city as set forth in RCW 52.04.061(2), or town and in the fire protection district at the next date according to RCW 29A.04.321, and shall cause notice of the election to be given as provided for in ((RCW 29A.52.351)) section 45 of this act.

The election on the annexation of the city, partial city as set forth in RCW 52.04.061(2), or town into the fire protection district shall be conducted by the auditor of the county or counties in which the city, partial city as set forth in RCW 52.04.061(2), or town and the fire protection district are located in accordance with the general election laws of the state. The results thereof shall be canvassed by the canvassing board of the county or counties. No person is entitled to vote at the election unless he or she is a qualified elector in the city, partial city as set forth in RCW 52.04.061(2), or town or unless he or she is a qualified elector within the boundaries of the fire protection district. The ballot proposition shall be in substantially the following form:

"Shall the city, partial city as set forth in RCW 52.04.061(2), or town of . . . . . . . . . . be annexed to and be a part of . . . . . . . . fire protection district?"

YES . . . . . . . . . .

NO . . . . . . . . . . "

If a majority of the persons voting on the proposition in the city, partial city as set forth in RCW 52.04.061(2), or town and a majority
of the persons voting on the proposition in the fire protection district vote in favor thereof, the city, partial city as set forth in RCW 52.04.061(2), or town shall be annexed and shall be a part of the fire protection district.

Sec. 83. RCW 85.38.125 and 1991 c 349 s 15 are each amended to read as follows:

(1) If a special district has less than five hundred qualified voters, then the special district must contract with the county auditor to conduct the special district elections. ((The county auditor has the discretion as to whether to conduct the election by mail.))

(2) If a special district has at least five hundred qualified voters, the special district may ((contract with the county auditor to staff the voting site during the election or)) contract with the county auditor to conduct the election ((by mail)). A special district with at least five hundred qualified voters may also choose to conduct its own elections. A special district that conducts its own elections must enter into an agreement with the county auditor that specifies the responsibilities of both parties.

((3) If the county auditor conducts a special district election by mail, then the provisions of chapter 29.36 RCW which govern elections by mail, except for the requirements of RCW 29.36.120, shall apply.))

Sec. 84. RCW 90.72.040 and 1997 c 447 s 20 are each amended to read as follows:

(1) The county legislative authority may create a shellfish protection district on its own motion or by submitting the question to the voters of the proposed district and obtaining the approval of a majority of those voting. The boundaries of the district shall be determined by the legislative authority. The legislative authority may create more than one district. A district may include any area or areas within the county, whether incorporated or unincorporated. Counties shall coordinate and cooperate with cities, towns, and water-related special districts within their boundaries in establishing shellfish protection districts and carrying out shellfish protection programs. Where a portion of the proposed district lies within an incorporated area, the county shall develop procedures for the participation of the city or town in the determination of the
boundaries of the district and the administration of the district, including funding of the district's programs. The legislative authority of more than one county may by agreement provide for the creation of a district including areas within each of those counties. County legislative authorities are encouraged to coordinate their plans and programs to protect shellfish growing areas, especially where shellfish growing areas are located within the boundaries of more than one county. The legislative authority or authorities creating a district may abolish a shellfish protection district on its or their own motion or by submitting the question to the voters of the district and obtaining the approval of a majority of those voting.

(2) If the county legislative authority creates a shellfish protection district by its own motion, any registered voter residing within the boundaries of the shellfish protection district may file a referendum petition to repeal the ordinance that created the district. Any referendum petition to repeal the ordinance creating the shellfish protection district shall be filed with the county auditor within seven days of passage of the ordinance. Within ten days of the filing of a petition, the county auditor shall confer with the petitioner concerning form and style of the petition, issue an identification number for the petition, and write a ballot title for the measure. The ballot title shall be posed as a question so that an affirmative answer to the question and an affirmative vote on the measure results in creation of the shellfish protection district and a negative answer to the question and a negative vote on the measure results in the shellfish protection district not being created. The petitioner shall be notified of the identification number and ballot title within this ten-day period.

After this notification, the petitioner shall have thirty days in which to secure on petition forms the signatures of not less than twenty-five percent of the registered voters residing within the boundaries of the shellfish protection district and file the signed petitions with the county auditor. Each petition form shall contain the ballot title and full text of the measure to be referred. The county auditor shall verify the sufficiency of the signatures on the petitions. If sufficient valid signatures are properly submitted, the county auditor shall submit the referendum measure to the registered voters residing in the shellfish protection district in a special
election no later than one hundred twenty days after the signed petition has been filed with the county auditor.  ((The special election may be conducted by mail ballot as provided for in chapter 29.36 RCW.))

(3) The county legislative authority shall not impose fees, rates, or charges for shellfish protection district programs upon properties on which fees, rates, or charges are imposed under chapter 36.89 or 36.94 RCW for substantially the same programs and services.

NEW SECTION. Sec. 85. The county auditor of any county that maintained poll sites as of the effective date of this section shall notify by mail each registered poll voter that all future primaries, special elections, and general elections will be conducted by mail.

NEW SECTION. Sec. 86. The following acts or parts of acts are each repealed:

(1) RCW 29A.04.049 (Election board) and 2003 c 111 s 109 & 1986 c 167 s 1;

(2) RCW 29A.04.115 (Poll-site ballot counting devices) and 2003 c 111 s 120;

(3) RCW 29A.04.128 (Primary) and 2004 c 271 s 152;

(4) RCW 29A.08.430 (Transfer on day of primary, special election, or general election) and 2009 c 369 s 24, 2004 c 267 s 123, & 2003 c 111 s 230;

(5) RCW 29A.12.090 (Single district and precinct) and 2003 c 111 s 309;

(6) RCW 29A.16.010 (Intent--Duties of county auditors) and 2004 c 267 s 315, 2003 c 111 s 401, 1999 c 298 s 13, 1985 c 205 s 1, & 1979 ex.s. c 64 s 1;

(7) RCW 29A.16.020 (Alternative polling places or procedures) and 2003 c 111 s 402, 1999 c 298 s 15, & 1985 c 205 s 5;

(8) RCW 29A.16.030 (Costs for modifications--Alternatives--Election costs) and 2003 c 111 s 403, 1999 c 298 s 20, & 1985 c 205 s 12;

(9) RCW 29A.16.060 (Combining or dividing precincts, election boards) and 2003 c 111 s 406;

(10) RCW 29A.16.110 (Polling place--May be located outside precinct) and 2003 c 111 s 407 & 1965 c 9 s 29.48.005;
(11) RCW 29A.16.120 (Polling place--Use of county, municipality, or special district facilities) and 2003 c 111 s 408;
(12) RCW 29A.16.130 (Public buildings as polling places) and 2004 c 267 s 316 & 2003 c 111 s 409;
(13) RCW 29A.16.140 (Inaccessible polling places--Auditors' list) and 2003 c 111 s 410;
(14) RCW 29A.16.150 (Polling places--Accessibility required, exceptions) and 2003 c 111 s 411;
(15) RCW 29A.16.160 (Review by and recommendations of disabled voters) and 2003 c 111 s 412;
(16) RCW 29A.16.170 (County auditors--Notice of accessibility) and 2003 c 111 s 413;
(17) RCW 29A.24.151 (Notice of void in candidacy) and 2004 c 271 s 163;
(18) RCW 29A.24.161 (Filings to fill void in candidacy--How made) and 2004 c 271 s 164;
(19) RCW 29A.40.030 (Request on behalf of family member) and 2003 c 111 s 1003;
(20) RCW 29A.40.040 (Ongoing status--Request--Termination) and 2003 c 111 s 1004;
(21) RCW 29A.40.061 (Issuance of ballot and other materials) and 2009 c 369 s 38 & 2004 c 271 s 134;
(22) RCW 29A.40.061 (Issuance of ballot and other materials) and 2009 c 415 s 6 & 2004 c 271 s 134;
(23) RCW 29A.40.080 (Delivery of ballot, qualifications for) and 2003 c 111 s 1008;
(24) RCW 29A.40.120 (Report of count) and 2003 c 111 s 1012;
(25) RCW 29A.40.140 (Challenges) and 2006 c 320 s 8 & 2003 c 111 s 1014;
(26) RCW 29A.44.010 (Interference with voter prohibited) and 2003 c 111 s 1101;
(27) RCW 29A.44.020 (List of who has and who has not voted) and 2003 c 111 s 1102, 1977 ex.s. c 361 s 83, & 1965 c 9 s 29.51.125;
(28) RCW 29A.44.030 (Taking papers into voting booth) and 2004 c 267 s 317 & 2003 c 111 s 1103;
(29) RCW 29A.44.040 (Official ballots--Vote only once--Incorrectly marked ballots) and 2004 c 267 s 318 & 2003 c 111 s 1104;
(30) RCW 29A.44.045 (Electronic voting devices--Paper records) and 2005 c 242 s 2;
(31) RCW 29A.44.050 (Ballot pick up, delivery, and transportation) and 2003 c 111 s 1105;
(32) RCW 29A.44.060 (Voting booths) and 2003 c 111 s 1106;
(33) RCW 29A.44.070 (Opening and closing polls) and 2003 c 111 s 1107;
(34) RCW 29A.44.080 (Polls open continuously--Announcement of closing) and 2003 c 111 s 1108;
(35) RCW 29A.44.090 (Double voting prohibited) and 2003 c 111 s 1109, 1987 c 346 s 13, & 1965 c 9 s 29.36.050;
(36) RCW 29A.44.110 (Delivery of supplies) and 2003 c 111 s 1110;
(37) RCW 29A.44.120 (Delivery of precinct lists to polls) and 2003 c 111 s 1111;
(38) RCW 29A.44.130 (Additional supplies for paper ballots) and 2003 c 111 s 1112 & 1977 ex.s. c 361 s 82;
(39) RCW 29A.44.140 (Voting and registration instructions and information) and 2003 c 111 s 1113;
(40) RCW 29A.44.150 (Time for arrival of officers) and 2003 c 111 s 1114;
(41) RCW 29A.44.160 (Inspection of voting equipment) and 2003 c 111 s 1115;
(42) RCW 29A.44.170 (Flag) and 2003 c 111 s 1116;
(43) RCW 29A.44.180 (Opening the polls) and 2003 c 111 s 1117;
(44) RCW 29A.44.190 (Voting devices--Periodic examination) and 2003 c 111 s 1118;
(45) RCW 29A.44.201 (Issuing ballot to voter--Challenge) and 2004 c 271 s 136;
(46) RCW 29A.44.205 (Identification required) and 2005 c 243 s 7;
(47) RCW 29A.44.207 (Provisional ballots) and 2005 c 243 s 6;
(48) RCW 29A.44.210 (Signature required--Procedure if voter unable to sign name) and 2003 c 111 s 1120, 1990 c 59 s 41, 1971 ex.s. c 202 s 41, 1967 ex.s. c 109 s 9, 1965 ex.s. c 156 s 5, & 1965 c 9 s 29.51.060;
(49) RCW 29A.44.221 (Casting vote) and 2004 c 271 s 137;
(50) RCW 29A.44.225 (Voter using electronic voting device) and 2005 c 242 s 4;
(51) RCW 29A.44.231 (Record of participation) and 2004 c 271 s 138;
(52) RCW 29A.44.240 (Disabled voters) and 2003 c 111 s 1123, 2003 c 53 s 180, 1981 c 34 s 1, 1965 ex.s. c 101 s 17, & 1965 c 9 s 29.51.200;

(53) RCW 29A.44.250 (Tabulation of paper ballots before close of polls) and 2003 c 111 s 1124 & 1990 c 59 s 54;

(54) RCW 29A.44.260 (Voters in polling place at closing time) and 2003 c 111 s 1125;

(55) RCW 29A.44.265 (Provisional ballot after polls close) and 2004 c 267 s 501;

(56) RCW 29A.44.270 (Unused ballots) and 2003 c 111 s 1126, 1990 c 59 s 52, 1977 ex.s. c 361 s 84, 1965 ex.s. c 101 s 6, & 1965 c 9 s 29.54.010;

(57) RCW 29A.44.280 (Duties of election officers after unused ballots secure) and 2003 c 111 s 1127 & 1990 c 59 s 53;

(58) RCW 29A.44.290 (Return of precinct lists after election--Public records) and 2003 c 111 s 1128;

(59) RCW 29A.44.310 (Initialization) and 2003 c 111 s 1129;

(60) RCW 29A.44.320 (Delivery and sealing) and 2003 c 111 s 1130;

(61) RCW 29A.44.330 (Memory packs) and 2003 c 111 s 1131;

(62) RCW 29A.44.340 (Incorrectly marked ballots) and 2003 c 111 s 1132;

(63) RCW 29A.44.350 (Failure of device) and 2004 c 267 s 320 & 2003 c 111 s 1133;

(64) RCW 29A.44.410 (Appointment of judges and inspector) and 2003 c 111 s 1134, 1991 c 106 s 1, 1983 1st ex.s. c 71 s 7, 1965 ex.s. c 101 s 1, & 1965 c 9 s 29.45.010;

(65) RCW 29A.44.420 (Appointment of clerks--Party representation--Hour to report) and 2003 c 111 s 1135, 1965 ex.s. c 101 s 2, & 1965 c 9 s 29.45.020;

(66) RCW 29A.44.430 (Nomination) and 2003 c 111 s 1136, 1991 c 106 s 2, 1987 c 295 s 16, 1965 ex.s. c 101 s 3, & 1965 c 9 s 29.45.030;

(67) RCW 29A.44.440 (Vacancies--How filled--Inspector's authority) and 2003 c 111 s 1137;

(68) RCW 29A.44.450 (One set of precinct election officers, exceptions--Counting board--Receiving board) and 2003 c 111 s 1138, 1994 c 223 s 91, 1973 c 102 s 2, 1965 ex.s. c 101 s 4, & 1965 c 9 s 29.45.050;

(69) RCW 29A.44.460 (Duties--Generally) and 2003 c 111 s 1139;
1 (70) RCW 29A.44.470 (Application to other primaries or elections) and 2003 c 111 s 1140;
2 (71) RCW 29A.44.480 (Inspector as chair--Authority) and 2003 c 111 s 1141 & 1965 c 9 s 29.45.070;
3 (72) RCW 29A.44.490 (Oaths of officers required) and 2003 c 111 s 1142;
4 (73) RCW 29A.44.500 (Oath of inspectors, form) and 2003 c 111 s 1143;
5 (74) RCW 29A.44.510 (Oath of judges, form) and 2003 c 111 s 1144;
6 (75) RCW 29A.44.520 (Oath of clerks, form) and 2003 c 111 s 1145;
7 (76) RCW 29A.44.530 (Compensation) and 2003 c 111 s 1146, 1971 ex.s. c 124 s 2, & 1965 c 9 s 29.45.120;
8 (77) RCW 29A.46.010 ("Disability access voting location.") and 2004 c 267 s 301;
9 (78) RCW 29A.46.020 ("Disability access voting period.") and 2006 c 207 s 5 & 2004 c 267 s 302;
10 (79) RCW 29A.46.030 ("In-person disability access voting.") and 2004 c 267 s 303;
11 (80) RCW 29A.46.110 (When allowed--Multiple voting prevention) and 2006 c 207 s 6 & 2004 c 267 s 304;
12 (81) RCW 29A.46.120 (Locations and hours) and 2004 c 267 s 305;
13 (82) RCW 29A.46.130 (Compliance with federal and state requirements) and 2004 c 267 s 306;
14 (83) RCW 29A.48.010 (Mail ballot counties and precincts) and 2009 c 103 s 1, 2005 c 241 s 1, & 2004 c 266 s 14;
15 (84) RCW 29A.48.020 (Special elections) and 2004 c 266 s 15;
16 (85) RCW 29A.48.030 (Odd-year primaries) and 2003 c 111 s 1203;
17 (86) RCW 29A.48.040 (Depositing ballots--Replacement ballots) and 2003 c 111 s 1204, 2001 c 241 s 18, & 1983 1st ex.s. c 71 s 3;
18 (87) RCW 29A.48.050 (Return of voted ballot) and 2006 c 206 s 8 & 2003 c 111 s 1205;
19 (88) RCW 29A.48.060 (Ballot contents--Counting) and 2003 c 111 s 1206, 2001 c 241 s 20, 1993 c 417 s 5, 1990 c 59 s 76, 1983 1st ex.s. c 71 s 5, & 1967 ex.s. c 109 s 7;
20 (89) RCW 29A.52.311 (Notice of primary) and 2004 c 271 s 145;
21 (90) RCW 29A.52.351 (Notice of election) and 2004 c 271 s 175;
22 (91) RCW 29A.60.030 (Tabulation continuous) and 2004 c 266 s 16 & 2003 c 111 s 1503;
(92) RCW 29A.60.080 (Sealing of voting devices--Exceptions) and 2004 c 266 s 17 & 2003 c 111 s 1508;
(93) RCW 29A.84.525 (Electioneering by disability access voting election officer) and 2004 c 267 s 309;
(94) RCW 29A.84.670 (Unlawful acts by voters--Penalty) and 2003 c 53 s 181 & 1965 c 9 s 29.51.230;
(95) RCW 29A.84.670 (Unlawful acts by voters) and 2003 c 111 s 2134 & 1965 c 9 s 29.51.230; and
(96) RCW 29A.84.740 (Returns and posted copy of results--Tampering with) and 2003 c 111 s 2140.

NEW SECTION. Sec. 87. RCW 29A.46.260 is recodified as a section in chapter 29A.04 RCW.

NEW SECTION. Sec. 88. Sections 53 and 58 of this act take effect July 1, 2013.

NEW SECTION. Sec. 89. Sections 52 and 57 of this act expire July 1, 2013.

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