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ENGROSSED SUBSTITUTE HOUSE BILL 2852

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State of Washington

64th Legislature

2016 Regular Session

By House State Government (originally sponsored by Representatives Hudgins, S. Hunt, and Stanford)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to establishing standards for election data and  
2 reporting; amending RCW 29A.60.160; and adding new sections to  
3 chapter 29A.60 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.60  
6 RCW to read as follows:

7 (1) The secretary of state must develop statewide election data  
8 and reporting standards for how election-related data is maintained  
9 and reported by each county auditor. The secretary may make  
10 reasonable rules as necessary to develop statewide standards.

11 (2) The statewide standards should focus on the goals of  
12 improving:

13 (a) The types of data files and procedures used to collect and  
14 maintain election information;

15 (b) The public's access to election data collected, reported, and  
16 made available by each county auditor including, but not limited to:

17 (i) Records of voters who were issued a ballot and voters who  
18 voted in an election, pursuant to RCW 29A.40.130;

19 (ii) Tabulation results made available pursuant to RCW  
20 29A.60.160; and

1 (iii) Information collected and reported in the county election  
2 reconciliation report, pursuant to RCW 29A.60.235; and

3 (c) The efficient compilation of data from all counties for  
4 research and analysis of election practices and trends at a statewide  
5 level.

6 (3) The secretary of state may convene a work group, including  
7 county auditors and other interested stakeholders to evaluate how  
8 county election data is collected and maintained and to develop and  
9 recommend ways for improving election data reporting.

10 (4) The statewide standards must be made public with ongoing  
11 analysis on whether counties are in compliance with current  
12 standards.

13 **Sec. 2.** RCW 29A.60.160 and 2013 c 11 s 62 are each amended to  
14 read as follows:

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

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

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

27 (4) Tabulation results must be made available to the public  
28 immediately upon completion of the canvass. Records of ballots  
29 counted must be made available to the public at the end of each day  
30 that the county auditor has processed ballots during and after an  
31 election.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 29A.60  
33 RCW to read as follows:

34 Every odd-numbered year, the secretary of state must conduct and  
35 publish a statewide survey of voted ballot rejection rates and the  
36 reasons for those rejections by county auditors and canvassing  
37 boards. The secretary of state must collect data from reconciliation  
38 reports and county auditors in order to compare county and statewide

1 averages for rates of rejected ballots and reasons for those ballots  
2 being rejected. The data collected must include rejection rates and  
3 reasons for rejection of voted ballots for all elections. The survey  
4 must include an analysis of current practices by county auditors and  
5 canvassing boards in the acceptance and rejection of ballots, and  
6 include recommendations for improvements that minimize rejections in  
7 those practices, with a goal of statewide standardization where  
8 applicable. The results must also be analyzed and compared with  
9 available national data and recognized best practices. The secretary  
10 of state's recommendations and reports must be made available to the  
11 public.

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