

---

HOUSE BILL 2387

---

State of Washington

65th Legislature

2018 Regular Session

By Representatives Hudgins, Tarleton, and Young

Prefiled 01/04/18. Read first time 01/08/18. Referred to Committee on State Govt, Elections & IT.

1 AN ACT Relating to mandatory election audits of ballot counting  
2 equipment; and amending RCW 29A.60.170.

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

4 **Sec. 1.** RCW 29A.60.170 and 2011 c 10 s 55 are each amended to  
5 read as follows:

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

17 (2) The counting center is under the direction of the county  
18 auditor and must be open to observation by one representative from  
19 each major political party, if representatives have been appointed by  
20 the respective major political parties and these representatives are  
21 present while the counting center is operating. The proceedings must

1 be open to the public, but no persons except those employed and  
2 authorized by the county auditor may touch any ballot or ballot  
3 container or operate a vote tallying system.

4 (3) A random check of the ballot counting equipment (~~((may))~~) must  
5 be conducted (~~((upon mutual agreement of the political party observers~~  
6 ~~or at the discretion of the county auditor))~~). The random check  
7 procedures must be adopted by the county canvassing board prior to  
8 the processing of ballots. The random check process shall involve a  
9 comparison of a manual count to the machine count and (~~((may involve))~~)  
10 must include up to either three precincts or six batches depending on  
11 the ballot counting procedures in place in the county. The random  
12 check will be limited to one office or issue on the ballots in the  
13 precincts or batches that are selected for the check. The selection  
14 of the precincts or batches to be checked must be selected according  
15 to procedures established by the county canvassing board (~~((and))~~). The  
16 random check procedures must include a process for expanding the  
17 audit to include additional ballots when a random check conducted  
18 under this section results in a discrepancy between the manual count  
19 and the machine count. The procedure must specify under what  
20 circumstances a discrepancy will lead to an audit of additional  
21 ballots, and the method to determine how many additional ballots will  
22 be selected. The check must be completed no later than forty-eight  
23 hours after election day.

--- END ---