

# SENATE BILL REPORT

## ESHB 1357

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As of February 9, 2022

**Title:** An act relating to voters' pamphlets for overseas and service voters.

**Brief Description:** Concerning voters' pamphlets for overseas and service voters.

**Sponsors:** House Committee on State Government & Tribal Relations (originally sponsored by Representatives Mosbrucker, Gregerson, Chase and Berry).

**Brief History:** Passed House: 3/3/21, 97-0.

**Committee Activity:** State Government & Elections: 3/17/21; 2/09/22.

### Brief Summary of Bill

- Requires the county auditor to mail statewide and local voters' pamphlets to service and overseas voters who request them.
- Changes the deadline for the Office of Financial Management to submit fiscal impact statements for state ballot measures.

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## SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

**Staff:** Samuel Brown (786-7470)

**Background:** Overseas and Service Voters. Ballots must be mailed to service members and U.S. citizens residing outside the country who are registered to vote at least 45 days before each primary or general election. Overseas and service voters receive a return envelope that enables them to vote postage-free if returned through the U.S. Postal Service, the U.S. Armed Forces Postal Service, or the postal service of a U.S. Foreign Embassy. Overseas and service voters may also return their ballots by fax or email.

Voters' Pamphlets. The Secretary of State must print and distribute a voters' pamphlet to each household in the state, public libraries, and other locations the Secretary of State

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deems appropriate whenever a statewide ballot measure or office is scheduled to appear on the general election ballot. Each county auditor must produce a local voters' pamphlet for the entire county at each election. There is no requirement that voters' pamphlets be mailed to service and overseas voters.

Fiscal Impact Statements. For each initiative and referendum on the ballot, the Office of Financial Management (OFM), in consultation with the Secretary of State and Attorney General, must prepare a fiscal impact statement describing any increase or decrease in state revenues, costs, expenditures, or indebtedness. The statement must include both a summary of up to 100 words and a more detailed statement of the assumptions made to develop the fiscal impacts. OFM must file fiscal impact statements with the Secretary of State by August 10th.

**Summary of Bill: Voters' Pamphlets.** Overseas and service voters may request a statewide and local voters' pamphlet. County auditors must mail voters' pamphlets at the same time as ballots are mailed, or as soon as is practicable thereafter.

Fiscal Impact Statements. The deadline for OFM to submit fiscal impact statements for state ballot measures is moved to July 15th.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Regular Session 2022):** PRO: Military personnel serving abroad have limited time to talk to their families online, if any at all, and would rather spend that time catching up than asking who to vote for. We want to make sure everyone has education around who they choose as a candidate. In my time overseas, there was no guarantee we'd get ballots in the mail, making voting difficult. This makes sense with ballots being transmitted electronically to Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters.

OTHER: Auditors and the Secretary of State support the intent of the bill and getting as much information as possible to UOCAVA voters. An amendment is requested to the deadline for OFM to submit fiscal impact statements on ballot measures, and discussions to find the right date are ongoing. Under the bill's language, OFM would have four days this year to produce fiscal impact statements for ballot measures, which is not enough time to provide a good analysis to allow voters to make informed choices.

Another amendment is suggested to allow auditors to send printable PDF files to UOCAVA voters. The timeline in the bill would make it impossible to edit, print, proof, get feedback on, translate, and then mail voters' pamphlets on time. Most UOCAVA voters receive their ballots electronically and then print them— almost 60 percent in King County, and 95 percent in Chelan County. If the voter has requested electronic delivery of their ballot, we should also allow them to receive the voters' pamphlet electronically.

**Persons Testifying:** PRO: Representative Gina Mosbrucker, Prime Sponsor; Shane Inman, Veterans Legislative Coalition.

OTHER: Brian Hatfield, Office of Secretary of State; Julie Wise, King County Director of Elections; Scott Merriman, Office of Financial Management; Skip Moore, Chelan County Auditor/Washington State Association of County Auditors.

**Persons Signed In To Testify But Not Testifying:** No one.