

WAC 434-250-110 Processing ballots. (1) Ballot processing definitions:

(a) "Initial processing" means all steps taken to prepare ballots for tabulation.

(b) "Final processing" means the reading of ballots by an optical scan voting system for the purpose of producing returns of votes cast, but does not include tabulation.

(c) "Tabulation" means the production of returns of votes cast for candidates or ballot measures in a form that can be read by a person, whether as precinct totals, partial cumulative totals, or final cumulative totals.

(d) "Conditional" means a ballot issued when the voter registration system is unable to process an application submitted in person. The voter is conditionally registered and the voter's current ballot shall be accepted only after the application has been processed.

(2) Prior to initial processing of ballots, the county auditor shall notify the county chair of each major political party of the time and date on which processing shall begin, and shall request that each major political party appoint official observers to observe the processing and tabulation of ballots. If any major political party has appointed observers, such observers may be present for initial processing, final processing, or tabulation, if they so choose, but failure to appoint or attend shall not preclude the processing or tabulation of ballots.

(3) Initial processing includes, but is not limited to:

(a) Identification and receipt of current and suspended ballots:

(i) Current ballots are received and prepared for signature verification;

(ii) Suspended ballots are received and held until the seventh day following election day to allow time for a voter's current ballot to be received.

(b) Sorting of suspended ballots due to voter registration transfers:

(i) In-county suspended ballots are secured and held;

(ii) Out-of-county suspended ballots are sent with expedited shipping to the voter's new county in Washington. The suspended ballot must be sent to the new county as soon as possible, but not more than two business days after receipt. Suspended ballots received between seven days after election day and prior to certification shall be mailed to the voter's new county within one day of receipt. Following certification, suspended ballots are mailed to the voter's new county for retention.

(c) Processing of current and suspended ballots:

(i) If the voter's current ballot is received and accepted for tabulation prior to the seventh day after election day, the suspended ballot becomes invalid;

(ii) If the voter's current ballot is not received prior to the seventh day after election day, duplicate the suspended ballot onto the precinct ballot that matches the voter's current registration record.

(d) Verification of the signature and postmark on the ballot declaration by the county of current registration;

(e) Removal of the security envelope or sleeve from the return envelope;

(f) Removal of the ballot from the security envelope;

(g) Manual inspection for damage, write-in votes, and incorrect or incomplete marks;

- (h) Duplication of ballots;
- (i) Digital scanning and resolution of ballots by batch where tabulation does not take place; and
- (j) Other preparation of ballots for final processing.

(4) Initial processing of voted ballots may begin as soon as voted ballots are received. Initial processing includes digital scanning and resolution of ballots where tabulation does not take place. All ballots must be kept in secure storage until final processing. Secure storage must employ the use of numbered seals and logs, or other security measures which will detect any inappropriate or unauthorized access to the secured ballot materials when they are not being prepared or processed by authorized personnel. The county auditor must ensure that all security envelopes and return envelopes are empty, either by a visual inspection of the punched hole to confirm that no ballots or other materials are still in the envelopes, or by storing the envelopes with a tie, string, or other object through the holes.

(5) Final processing of voted ballots, which may include scanning ballots on an optical scan voting system, may begin after 7:00 a.m. on the day of the election. Final processing may begin after 7:00 a.m. the day before the election if the county auditor follows a security plan that has been submitted by the county auditor and approved by the secretary of state to prevent tabulation until after 8:00 p.m. on the day of the election.

(6) Tabulation may begin after 8:00 p.m. on the day of the election.

(7) In counties tabulating ballots on an optical scan vote tallying system, the vote tallying system must reject all overvotes and blank ballots.

(a) All rejected ballots shall be outstacked for additional manual inspection.

(b) The outstacked ballots shall be inspected in a manner similar to the original inspection with special attention given to stray marks, erasures, and other conditions that may have caused the vote-tallying device to misread and reject the ballot.

(c) If inspection reveals that a ballot must be duplicated in order to be read correctly by the vote tallying system, the ballot must be duplicated.

[Statutory Authority: RCW 29A.04.611. WSR 19-12-115, § 434-250-110, filed 6/5/19, effective 7/6/19. Statutory Authority: RCW 29A.04.611, 29A.24.091, 29A.24.311, 29A.60.021, 29A.60.185, 29A.60.170, 29A.60.110, and 29A.60.235. WSR 19-01-102, § 434-250-110, filed 12/18/18, effective 1/18/19. Statutory Authority: RCW 29A.04.611. WSR 18-10-003, § 434-250-110, filed 4/19/18, effective 5/20/18; WSR 14-06-040, § 434-250-110, filed 2/26/14, effective 3/29/14; WSR 12-14-074, § 434-250-110, filed 7/2/12, effective 8/2/12. Statutory Authority: RCW 29A.04.611, 29A.04.620, and 29A.04.630. WSR 11-24-064, § 434-250-110, filed 12/6/11, effective 1/6/12. Statutory Authority: RCW 29A.04.611. WSR 08-15-052, § 434-250-110, filed 7/11/08, effective 8/11/08; WSR 05-17-145, § 434-250-110, filed 8/19/05, effective 9/19/05.]