

# HOUSE BILL REPORT

## SHB 1367

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As Passed House  
March 9, 1993

**Title:** An act relating to mandatory election recounts.

**Brief Description:** Providing for mandatory election recounts.

**Sponsors:** Representatives Jones, Reams and Kessler.

**Brief History:**

Reported by House Committee on:  
State Government, February 18, 1993, DPS;  
Passed House, March 9, 1993, 97-0.

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### HOUSE COMMITTEE ON STATE GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Anderson, Chair; Veloria, Vice Chair; Reams, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Campbell; Conway; and Pruitt.

**Staff:** Kenneth Hirst (786-7105).

**Background:** The state's Election Code permits a candidate for an office who failed to be nominated or elected at a primary or election to request that the votes for the office be recounted. An officer of a political party may also request such a recount. Such a recount is conducted on a fee-for-service basis unless the recount results in a change in the outcome of the primary or election.

The code requires that a recount be conducted, without charge to the parties involved, if the difference in the votes cast for the top two candidates for an office is not more than 0.5 percent of the total number of votes cast for these candidates. If this difference is less than 0.25 percent of the total votes cast for these candidates, the recount must be conducted manually.

**Summary of Bill:** The provisions of the Election Code are altered which require that a mandatory recount of the votes cast for an office be conducted manually. Such a mandatory recount is conducted manually if the difference in the vote totals for the top two candidates is less than 150 votes and

also less than 0.25 percent of the votes cast for both candidates.

An alternative to the manual method of conducting such a mandatory recount may be requested by the top two candidates. To do so, the candidates must file a signed statement requesting the alternative with the elections official for the office. The recount is to be conducted using the requested alternative if the alternative satisfies certain requirements.

**Fiscal Note:** Available.

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

**Testimony For:** (1) The difference in the vote totals of the top two candidates for a statewide office can be very large and still prompt a statewide manual recount under the 0.25 percent rule of current law. The vote difference triggering a manual recount should be reduced. (2) Five races were recounted manually in Kitsap County last election; the vote margin in not one of those races changed more than two votes as a result of the manual recount.

**Testimony Against:** None.

**Witnesses:** Representative Jones (in favor of original bill); and Karen Flynn, Kitsap County Auditor (in favor of original bill).