

**SSB 5499** - S AMD TO S AMD (KAST HESS 016) **221**  
By Senator Schoesler

NOT ADOPTED 03/11/2005

1 On page 8, after line 19 of the amendment, insert the following:

2 "Sec. 5. RCW 29A.08.625 and 2003 c 111 s 240 are each amended to  
3 read as follows:

4 (1) A voter whose registration has been made inactive under this  
5 chapter and who offers to vote at an ensuing election before two  
6 federal elections have been held must be allowed to vote a regular  
7 ballot and the voter's registration restored to active status.

8 (2) A voter whose registration has been properly canceled under  
9 this chapter shall vote a provisional ballot. The voter shall mark the  
10 provisional ballot in secrecy, the ballot placed in a security  
11 envelope, the security envelope placed in a provisional ballot  
12 envelope, and the reasons for the use of the provisional ballot noted.

13 (3) Upon receipt of such a voted provisional ballot the auditor  
14 shall investigate the circumstances surrounding the original  
15 cancellation. If he or she determines that the cancellation was in  
16 error, the voter's registration must be immediately reinstated, and the  
17 voter's provisional ballot must be counted. If the original  
18 cancellation was not in error, the voter must be afforded the  
19 opportunity to reregister at his or her correct address, and the  
20 voter's provisional ballot must not be counted.

21 (4) The names and addresses of provisional voters is not a matter  
22 of public record, and no one other than an election officer may contact  
23 an individual provisional voter."

24 Renumber the sections following consecutively and correct internal  
25 references accordingly.

26 On page 10, after line 19 of the amendment, insert the following:

1       **"Sec. 7.** RCW 29A.40.130 and 2003 c 111 s 1013 are each amended to  
2 read as follows:

3       Each county auditor shall maintain in his or her office, open for  
4 public inspection, a record of the requests he or she has received for  
5 absentee ballots under this chapter.

6       The information from the requests shall be recorded and lists of  
7 this information shall be available no later than twenty-four hours  
8 after their receipt.

9       This information about absentee voters shall be available according  
10 to the date of the requests and by legislative district. It shall  
11 include the name of each applicant, the address and precinct in which  
12 the voter maintains a voting residence, the date on which an absentee  
13 ballot was issued to this voter, if applicable, the type of absentee  
14 ballot, and the address to which the ballot was or is to be mailed, if  
15 applicable.

16       The auditor shall make copies of these records available to the  
17 public for the actual cost of production or copying. However, these  
18 records may not be used by anyone other than an election officer to  
19 contact an individual absentee voter."

20       Renumber the sections consecutively and correct any internal  
21 references accordingly.

22       On page 12, after line 15 of the amendment, insert the following:

23       "NEW SECTION. **Sec. 10.** A new section is added to chapter 29A.60  
24 RCW to read as follows:

25       If the county auditor receives an absentee or mail ballot in a  
26 return identification envelope on which the voter's signature is  
27 missing, illegible, or does not match the registration file, only the  
28 county auditor or other election officer may contact the voter  
29 regarding the signature. The names of voters in these cases is not a  
30 matter of public record."

31       Renumber the sections following consecutively and correct internal  
32 references accordingly.

**NOT ADOPTED 03/11/2005**

1       On page 22, line 10 of the title amendment, after "29A.04.611,"  
2       insert "29A.08.625," and after "29A.40.110," insert "29A.40.130,"

EFFECT:     (1) Makes names and addresses of provisional voters not  
a matter of public record;

(2) Prohibits any person other than elections officers from  
contacting provisional voters; and

(3) Prohibits the use of absentee voter lists to contact absentee  
voters.

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