

HOUSE BILL REPORT

SB 5565

As Passed House - Amended:

April 13, 2005

Title: An act relating to information for out-of-state, overseas, and service voters.

Brief Description: Informing out-of-state, overseas, and service voters of rights and procedures.

Sponsors: By Senators Schmidt, Kastama, Weinstein, Roach, Keiser, Sheldon, Shin, Rockefeller, Oke and Kohl-Welles.

Brief History:

Committee Activity:

State Government Operations & Accountability: 3/18/05, 4/1/05 [DP].

Floor Activity:

Passed House - Amended: 4/13/05, 96-0.

Brief Summary of Bill (As Amended by House)

- Specifies information required to be sent with out-of-state, overseas, and service voters' absentee ballots.

HOUSE COMMITTEE ON STATE GOVERNMENT OPERATIONS & ACCOUNTABILITY

Majority Report: Do pass. Signed by 9 members: Representatives Haigh, Chair; Green, Vice Chair; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt, McDermott, Miloscia, Schindler and Sump.

Staff: Marsha Reilly (786-7135).

Background:

When mailing absentee ballots, the county auditor includes a security envelope in which the ballot is sealed, and a larger return envelope in which the security envelope is placed. Instructions are included on how to mark the ballot and return it to the county auditor.

The larger return envelope contains a declaration that must be signed by the absentee voter attesting to his or her qualifications to vote and that he or she has not voted in any other jurisdiction, and a summary of the penalties for violating these provisions. The return envelope also contains a space for the voter to indicate the date the ballot was voted and to sign the oath.

The Secretary of State is required to produce and furnish envelopes and instructions to the county auditors for out-of-state, overseas and service voters. For these voters, the signed declaration on the return envelope may constitute the equivalent of a voter registration for the election in which the ballot is issued. Instructions for these ballots must include where to return the ballot, to attach sufficient first class postage, and to mail the ballot no later than the day of the election for which it was issued.

Summary of Amended Bill:

For out-of-state, overseas and service voters, information on the outer envelopes and instructions for absentee ballots, must explain the following:

- return postage is free if mailed through the U.S. Postal Service, U.S. Armed Forces Postal Service, or the postal service of a U.S. foreign embassy;
- the date of the signature is considered the date of mailing;
- the envelope must be signed by election day;
- the signed declaration is the equivalent of voter registration;
- a ballot and the accompanying envelope may be faxed if the voter agrees to waive secrecy;

a ballot may be obtained through electronic mail that the voter may print out, vote, and return by mail.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The Secretary of State's office would ask that some of the required information be placed in the ballot instructions as that would be a more appropriate place, for example information regarding free postage and how to obtain a ballot via email. We would also ask that in subsection 6, the language regarding "fifteen days after the election" be removed since certification dates are being addressed in other bills.

Testimony Against: None.

Persons Testifying: Senator Schmidt, prime sponsor; and Katie Blinn, Office of the Secretary of State.

Persons Signed In To Testify But Not Testifying: None.