

SHB 1654 - S COMM AMD

By Committee on Government Operations & Elections

ADOPTED 04/11/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.60.160 and 2005 c 243 s 15 and 2005 c 153 s 11
4 are each reenacted and amended to read as follows:

5 (1) Except for an election conducted under the instant runoff
6 voting method for the pilot project authorized by RCW 29A.53.020,
7 (~~{and} except Sundays and legal holidays,~~) the county auditor, as
8 delegated by the county canvassing board, shall process absentee
9 ballots and canvass the votes cast at that primary or election on a
10 daily basis in counties with a population of seventy-five thousand or
11 more, or at least every third day for counties with a population of
12 less than seventy-five thousand, if the county auditor is in possession
13 of more than (~~twenty-five~~) five hundred ballots that have yet to be
14 canvassed. (~~The county auditor, as delegated by the county canvassing~~
15 ~~board, may use his or her discretion in determining when to process the~~
16 ~~remaining absentee ballots and canvass the votes during the final four~~
17 ~~days before the certification of election results in order to protect~~
18 ~~the secrecy of any ballot. In counties where this process has not been~~
19 ~~delegated to the county auditor, the county auditor shall convene the~~
20 ~~county canvassing board to process absentee ballots and canvass the~~
21 ~~votes cast at the primary or election as set forth in this section.~~

22 ~~Except for an election conducted under the instant runoff voting~~
23 ~~method for the pilot project authorized by RCW 29A.53.020, each~~
24 ~~absentee ballot previously not canvassed that was received by the~~
25 ~~county auditor two days or more before processing absentee ballots and~~
26 ~~canvassing the votes as delegated by or processed by the county~~
27 ~~canvassing board, that either was received by the county auditor before~~
28 ~~the closing of the polls on the day of the primary or election for~~
29 ~~which it was issued, or that bears a postmark on or before the primary~~
30 ~~or election for which it was issued, must be processed at that time.~~

1 ~~The tabulation of votes that results from that day's canvass must be~~
2 ~~made available to the general public immediately upon completion of the~~
3 ~~canvass-))~~

4 (2) Saturdays, Sundays, and legal holidays are not counted for
5 purposes of this section.

6 (3) In order to protect the secrecy of a ballot, the county auditor
7 may use discretion to decide when to process absentee ballots and
8 canvass the votes.

9 (4) Tabulation results must be made available to the public
10 immediately upon completion of the canvass.

11 **Sec. 2.** RCW 29A.60.160 and 2005 c 243 s 15 are each amended to
12 read as follows:

13 ~~((Except Sundays and legal holidays,))~~ (1) The county auditor, as
14 delegated by the county canvassing board, shall process absentee
15 ballots and canvass the votes cast at that primary or election on a
16 daily basis in counties with a population of seventy-five thousand or
17 more, or at least every third day for counties with a population of
18 less than seventy-five thousand, if the county auditor is in possession
19 of more than ((twenty-five)) five hundred ballots that have yet to be
20 canvassed. ((The county auditor, as delegated by the county canvassing
21 board, may use his or her discretion in determining when to process the
22 remaining absentee ballots and canvass the votes during the final four
23 days before the certification of election results in order to protect
24 the secrecy of any ballot. In counties where this process has not been
25 delegated to the county auditor, the county auditor shall convene the
26 county canvassing board to process absentee ballots and canvass the
27 votes cast at the primary or election as set forth in this section.

28 ~~Each absentee ballot previously not canvassed that was received by~~
29 ~~the county auditor two days or more before processing absentee ballots~~
30 ~~and canvassing the votes as delegated by or processed by the county~~
31 ~~canvassing board, that either was received by the county auditor before~~
32 ~~the closing of the polls on the day of the primary or election for~~
33 ~~which it was issued, or that bears a postmark on or before the primary~~
34 ~~or election for which it was issued, must be processed at that time.~~
35 ~~The tabulation of votes that results from that day's canvass must be~~
36 ~~made available to the general public immediately upon completion of the~~
37 ~~canvass-))~~

1 (2) Saturdays, Sundays, and legal holidays are not counted for
2 purposes of this section.

3 (3) In order to protect the secrecy of a ballot, the county auditor
4 may use discretion to decide when to process absentee ballots and
5 canvass the votes.

6 (4) Tabulation results must be made available to the public
7 immediately upon completion of the canvass.

8 **Sec. 3.** RCW 29A.60.170 and 2003 c 111 s 1517 are each amended to
9 read as follows:

10 (1) The counting center in a county using voting systems is under
11 the direction of the county auditor and must be observed by one
12 representative from each major political party, if representatives have
13 been appointed by the respective major political parties and these
14 representatives are present while the counting center is operating.
15 The proceedings must be open to the public, but no persons except those
16 employed and authorized by the county auditor may touch any ballot or
17 ballot container or operate a vote tallying system.

18 (2) In counties in which ballots are not counted at the polling
19 place, the official political party observers, upon mutual agreement,
20 may request that a precinct be selected at random on receipt of the
21 ballots from the polling place and that a manual count be made of the
22 number of ballots and of the votes cast on any office or issue. The
23 ballots for that precinct must then be counted by the vote tallying
24 system, and this result will be compared to the results of the manual
25 count. This may be done as many as three times during the tabulation
26 of ballots on the day of the primary or election.

27 (3) In counties using poll-site ballot counting devices, the
28 political party observers, upon mutual agreement, may choose as many as
29 three precincts and request that a manual count be made of the number
30 of ballots and the votes cast on any office or issue. The results of
31 this count will be compared to the count of the precinct made by the
32 poll-site ballot counting device. These selections must be made no
33 later than thirty minutes after the close of the polls. The manual
34 count must be completed within forty-eight hours after the close of the
35 polls. The process must take place at a location designated by the
36 county auditor for that purpose. The political party observers must

1 receive timely notice of the time and location, and have the right to
2 be present. However, the process must proceed as scheduled if the
3 observers are unable to attend.

4 (4) In counties voting entirely by mail, a random check of the
5 ballot counting equipment may be conducted upon mutual agreement of the
6 political party observers or at the discretion of the county auditor.
7 The random check procedures must be adopted by the county canvassing
8 board prior to the processing of ballots. The random check process
9 shall involve a comparison of a manual count to the machine count and
10 may involve up to either three precincts or six batches depending on
11 the ballot counting procedures in place in the county. The random
12 check will be limited to one office or issue on the ballots in the
13 precincts or batches that are selected for the check. The selection of
14 the precincts or batches to be checked must be selected according to
15 procedures established by the county canvassing board and the check
16 must be completed no later than forty-eight hours after election day.

17 NEW SECTION. Sec. 4. Section 1 of this act expires July 1, 2013.

18 NEW SECTION. Sec. 5. Section 2 of this act takes effect July 1,
19 2013."

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20 On page 1, line 2 of the title, after "ballots;" strike the
21 remainder of the title and insert "amending RCW 29A.60.160 and
22 29A.60.170; reenacting and amending RCW 29A.60.160; providing an
23 effective date; and providing an expiration date."

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