
SENATE BILL 5320

State of Washington 63rd Legislature 2013 Regular Session

By Senators Becker, Benton, Roach, Ericksen, Honeyford, and Shin

Read first time 01/25/13. Referred to Committee on Governmental Operations.

1 AN ACT Relating to ballot drop boxes; and amending RCW 29A.40.160.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 29A.40.160 and 2011 c 10 s 43 are each amended to read
4 as follows:

5 (1) Each county auditor shall open a voting center each primary,
6 special election, and general election. The voting center shall be
7 open during business hours during the voting period, which begins
8 eighteen days before, and ends at 8:00 p.m. on the day of, the primary,
9 special election, or general election.

10 (2) The voting center must provide voter registration materials,
11 ballots, provisional ballots, disability access voting units, sample
12 ballots, instructions on how to properly vote the ballot, a ballot drop
13 box, and voters' pamphlets, if a voters' pamphlet has been published.

14 (3) The voting center must be accessible to persons with
15 disabilities. Each state agency and entity of local government shall
16 permit the use of any of its accessible facilities as voting centers
17 when requested by a county auditor.

18 (4) The voting center must provide at least one voting unit

1 certified by the secretary of state that provides access to individuals
2 who are blind or visually impaired, enabling them to vote with privacy
3 and independence.

4 (5) No person may interfere with a voter attempting to vote in a
5 voting center. Interfering with a voter attempting to vote is a
6 violation of RCW 29A.84.510.

7 (6) Before opening the voting center, the voting equipment shall be
8 inspected to determine if it has been properly prepared for voting. If
9 the voting equipment is capable of direct tabulation of each voter's
10 choices, the county auditor shall verify that no votes have been
11 registered for any issue or office, and that the device has been sealed
12 with a unique numbered seal at the time of final preparation and logic
13 and accuracy testing. A log must be made of all device numbers and
14 seal numbers.

15 (7) The county auditor shall require any person desiring to vote at
16 a voting center to either sign a ballot declaration or provide
17 identification.

18 (a) The signature on the declaration must be compared to the
19 signature on the voter registration record before the ballot may be
20 counted. If the voter registered using a mark, or can no longer sign
21 his or her name, the election officers shall require the voter to be
22 identified by another registered voter.

23 (b) The identification must be valid photo identification, such as
24 a driver's license, state identification card, student identification
25 card, tribal identification card, or employer identification card. Any
26 individual who desires to vote in person but cannot provide
27 identification shall be issued a provisional ballot, which shall be
28 accepted if the signature on the declaration matches the signature on
29 the voter's registration record.

30 (8) Provisional ballots must be accompanied by a declaration and
31 security envelope, as required by RCW 29A.40.091, and space for the
32 voter's name, date of birth, current and former registered address,
33 reason for the provisional ballot, and disposition of the provisional
34 ballot. The voter shall vote and return the provisional ballot at the
35 voting center. The voter must be provided information on how to
36 ascertain whether the provisional ballot was counted and, if
37 applicable, the reason why the vote was not counted.

1 (9) Any voter may take printed or written material into the voting
2 device to assist in casting his or her vote. The voter shall not use
3 this material to electioneer and shall remove it when he or she leaves
4 the voting center.

5 (10) If any voter states that he or she is unable to cast his or
6 her votes due to a disability, the voter may designate a person of his
7 or her choice, or two election officers, to enter the voting booth and
8 record the votes as he or she directs.

9 (11) No voter is entitled to vote more than once at a primary,
10 special election, or general election. If a voter incorrectly marks a
11 ballot, he or she may be issued a replacement ballot.

12 (12) A voter who has already returned a ballot but requests to vote
13 at a voting center shall be issued a provisional ballot. The
14 canvassing board shall not count the provisional ballot if it finds
15 that the voter has also voted a regular ballot in that primary, special
16 election, or general election.

17 (13) The county auditor must prevent overflow of each ballot drop
18 box to allow a voter to deposit his or her ballot securely. Ballots
19 must be removed from a ballot drop box by at least two people, with a
20 record kept of the date and time ballots were removed, and the names of
21 people removing them. Ballots from drop boxes must be returned to the
22 counting center in secured transport containers. A copy of the record
23 must be placed in the container, and one copy must be transported with
24 the ballots to the counting center, where the seal number must be
25 verified by the county auditor or a designated representative. All
26 ballot drop boxes must be secured at 8:00 p.m. on the day of the
27 primary, special election, or general election.

28 (14) Any voter who is inside or in line at the voting center at
29 8:00 p.m. on the day of the primary, special election, or general
30 election must be allowed to vote.

31 (15) For each primary, special election, and general election, the
32 county auditor may provide election services at locations in addition
33 to the voting center. The county auditor has discretion to establish
34 which services will be provided at the additional locations, and which
35 days and hours the locations will be open; provided that the county
36 auditor must establish a minimum of one ballot drop box per twenty

1 thousand residents or one ballot drop box per city with a population
2 greater than one thousand, whichever is greater.

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