
HOUSE BILL 2614

State of Washington

65th Legislature

2018 Regular Session

By Representatives Bergquist, McDonald, Hudgins, and Wylie

Read first time 01/11/18. Referred to Committee on State Govt,
Elections & IT.

1 AN ACT Relating to ballots returned electronically; and
2 reenacting and amending RCW 29A.40.110.

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

4 **Sec. 1.** RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and
5 2011 c 10 s 41 are each reenacted and amended to read as follows:

6 (1) The opening and subsequent processing of return envelopes for
7 any primary or election may begin upon receipt. The tabulation of
8 absentee ballots must not commence until after 8:00 p.m. on the day
9 of the primary or election.

10 (2) All received return envelopes must be placed in secure
11 locations from the time of delivery to the county auditor until their
12 subsequent opening. After opening the return envelopes, the county
13 canvassing board shall place all of the ballots in secure storage
14 until processing. Ballots may be taken from the inner envelopes and
15 all the normal procedural steps may be performed to prepare these
16 ballots for tabulation.

17 (3) The canvassing board, or its designated representatives,
18 shall examine the postmark on the return envelope and signature on
19 the declaration before processing the ballot. The ballot must either
20 be received no later than 8:00 p.m. on the day of the primary or
21 election, or must be postmarked no later than the day of the primary

1 or election. All personnel assigned to verify signatures must receive
2 training on statewide standards for signature verification. Personnel
3 shall verify that the voter's signature on the ballot declaration is
4 the same as the signature of that voter in the registration files of
5 the county. Verification may be conducted by an automated
6 verification system approved by the secretary of state. A variation
7 between the signature of the voter on the ballot declaration and the
8 signature of that voter in the registration files due to the
9 substitution of initials or the use of common nicknames is permitted
10 so long as the surname and handwriting are clearly the same.

11 (4) If the postmark is missing or illegible, the date on the
12 ballot declaration to which the voter has attested determines the
13 validity, as to the time of voting, for that ballot. For overseas
14 voters and service voters, the date on the declaration to which the
15 voter has attested determines the validity, as to the time of voting,
16 for that ballot.

17 (a) Any overseas voter or service voter may return the signed
18 declaration and voted ballot by fax or email by 8:00 p.m. on the day
19 of the primary or election, and the county auditor must use
20 established procedures to maintain the secrecy of the ballot.

21 (b) For ballots returned electronically by a voter who is not an
22 overseas voter or service voter, the signed declaration must be
23 received no later than the day before the county canvassing board
24 certifies the election or primary results. Other than the deadline,
25 the auditor must process a signed declaration the same as for
26 completing an unsigned declaration, as provided under RCW 29A.60.165.

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