
State Government & Tribal Relations Committee

HB 1953

Brief Description: Exempting sensitive voter information on ballot return envelopes, ballot declarations, and signature correction forms from public disclosure.

Sponsors: Representatives Valdez, Volz, Sutherland and Ramel; by request of Secretary of State.

Brief Summary of Bill

- Creates an exemption to the Public Records Act for a voter's signature, phone number, and electronic mail address on a ballot return envelope, ballot declaration, or signature correction form.
- Authorizes the Secretary of State to create rules to allow for in-person inspection of those documents.

Hearing Date: 1/24/22

Staff: Jason Zolle (786-7124).

Background:

The Public Records Act.

The Public Records Act (PRA) generally requires state and local governmental entities to make many government records available to the public upon request. There are, however, over 500 statutory exemptions for certain records or information contained in records. Some of the exemptions prevent disclosure of personal information in governmental files. There are also exemptions to prevent disclosure of information relating to election security.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Vote By Mail.

Every registered voter in Washington receives a ballot in the mail, in addition to a return envelope so that the ballot may be mailed back or deposited into a ballot drop-box. The back of the return envelope includes a declaration that the voter must sign to affirm that the voter meets the qualifications to vote in Washington. There is an optional space on the ballot envelope for a voter to include their electronic mail address or phone number.

Elections officials who process incoming ballots must verify that the signature on the ballot declaration matches the signature in the voter's registration file. If the signature is missing or does not match, the voter is given an opportunity to "cure" the defect by completing the declaration or updating the signature on file.

Summary of Bill:

A PRA exemption is created for a voter's signature, phone number, and electronic mail address on a ballot return envelope, ballot declaration, or signature correction form.

The exemption applies to original documents, copies, and electronic images. Other information on those documents, besides the voter's signature, phone number, and electronic mail address, is not exempt from disclosure.

The Secretary of State (Secretary) may adopt rules to authorize in-person inspection of unredacted ballot return envelopes, ballot declarations, and signature correction forms, but a person may not photocopy or carry devices capable of recording any voter information on the documents.

These exemptions do not prevent election officials from disclosing exempt information for official purposes. The Secretary may adopt rules to identify such official purposes.

These exemptions apply to any public records request made prior to the effective date of this section for which disclosure of records has not already been completed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.