

FINAL BILL REPORT

HB 1953

C 140 L 22
Synopsis as Enacted

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.

House Committee on State Government & Tribal Relations
Senate Committee on State Government & Elections

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 to disclosure for certain records or information contained in records. Some of the exemptions prevent the disclosure of personal information in governmental files. Other exemptions prevent the disclosure of information relating to election security.

State elections laws also contain provisions that concern public access to a voter's personal information. Original voter registration forms are confidential and unavailable for public inspection and copying. However, a voter's name, address, political jurisdiction, gender, date of birth, voting record, date of registration, and registration number are all available to the public. No other information from voter registration records or files is public.

Vote By Mail.

Every registered voter in Washington receives a ballot in the mail, in addition to a return envelope in which 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. There is an optional space on the ballot envelope for a voter to include their electronic mail (e-mail) address or phone number.

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.

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:

A PRA exemption to disclosure is created for a voter's signature, phone number, and e-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 e-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.

Votes on Final Passage:

House	69	26
Senate	38	10

Effective: March 24, 2022