

HOUSE BILL REPORT

SB 5015

As Passed House:

April 5, 2021

Title: An act relating to fraudulent portrayal of ballot drop boxes.

Brief Description: Concerning fraudulent portrayal of ballot drop boxes.

Sponsors: Senators Hunt, Billig, Das, Dhingra, Hasegawa, Keiser, Kuderer, Nguyen and Wilson, C..

Brief History:

Committee Activity:

State Government & Tribal Relations: 3/18/21, 3/22/21 [DP].

Floor Activity:

Passed House: 4/5/21, 92-5.

Brief Summary of Bill

- Establishes a gross misdemeanor for misrepresenting an unofficial ballot collection site or device as an official ballot drop box that has been established by the county auditor.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 4 members: Representatives Valdez, Chair; Lekanoff, Vice Chair; Dolan and Gregerson.

Minority Report: Without recommendation. Signed by 3 members: Representatives Volz, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Graham.

Staff: Jason Zolle (786-7124).

Background:

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.

Ballot Drop Boxes.

Washington elections are conducted by mail, with the county auditor sending each voter a ballot. The auditor must also send voters a return envelope in which they may send their voted ballot back to the county.

The county auditor is also required to establish drop boxes into which voters can deposit their ballots rather than return them by mail. Ballot drop boxes must be established at each voting center opened by the auditor, in addition to at least one location established by the auditor at which people can register to vote in person (e.g., the county auditor's office). Additionally, there must be one ballot drop box per 15,000 registered voters in the county, and one drop box in each city, town, and census-designated place in the county with a post office.

Auditors must prevent overflow of a ballot drop box. At least two people must be involved when removing ballots from a drop box. Ballots are taken from a drop box to a counting center in secured transport containers. All ballot drop boxes must be secured at 8:00 p.m. on the day of the election.

Gross Misdemeanors.

A gross misdemeanor is punishable by a maximum of 364 days in jail, a fine of up to \$5,000, or both.

Summary of Bill:

It is a gross misdemeanor to misrepresent an unofficial ballot collection site or device as an official ballot drop box that has been established by the county auditor.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Other states have had problems when people create bogus ballot drop boxes that look like official drop boxes. All this bill does is prohibit that activity. Who knows where the ballots placed in fake drop boxes end up. Hopefully the state never has to use this crime, but it is good to have protection.

(Opposed) None.

Persons Testifying: Senator Hunt, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.