
SENATE BILL 6269

State of Washington

68th Legislature

2024 Regular Session

By Senators Valdez, Hunt, Kuderer, Nobles, and Saldaña

Read first time 01/17/24. Referred to Committee on State Government & Elections.

1 AN ACT Relating to establishing an alternative voter verification
2 options pilot project; reenacting and amending RCW 29A.40.110; adding
3 a new section to chapter 29A.40 RCW; and providing an expiration
4 date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.40
7 RCW to read as follows:

8 (1) The secretary of state shall establish the alternative
9 verification options pilot project. The purpose of the pilot project
10 is to allow for the development and testing of supplemental methods,
11 other than signature verification, to verify that a ballot was filled
12 out and returned by the intended voter.

13 (2) Any county may apply to participate in the alternative
14 verification options pilot project. The county auditor of any county
15 that wishes to participate in the pilot project must submit an
16 application to the office of the secretary of state. The office of
17 the secretary of state must approve the county auditor's application
18 before the county can participate in the pilot project.

19 (a) The application submitted by the county auditor must include
20 at least the following:

1 (i) A description of the alternative verification method or
2 methods the county auditor plans to utilize and how the method or
3 methods comply with the requirements of (b) of this subsection;

4 (ii) Details on how the proposed alternative verification method
5 or methods will be implemented; and

6 (iii) Which election the county plans to use the proposed
7 alternative verification method or methods in.

8 (b) Each alternative verification method proposed for use in the
9 pilot project must:

10 (i) Allow the voter to submit clear evidence which can be
11 verified by the county auditor indicating that the intended voter was
12 the one who filled out and returned the ballot;

13 (ii) Establish criteria for determining accepted and failed
14 verifications; and

15 (iii) Require the voter to attest to the ballot declaration.

16 (c) Counties may participate in the pilot project during any
17 special election held on the second Tuesday in February or the fourth
18 Tuesday in April as provided in RCW 29A.04.321 and 29A.04.330. A
19 county may not participate in the pilot project during a special
20 election held in a jurisdiction that is not wholly contained within
21 one county, unless all counties involved in the special election
22 agree to participate jointly in the pilot project.

23 (d) Each application to participate in the pilot project shall be
24 limited to the special election or elections held on a single date. A
25 county may participate in the pilot project during multiple special
26 election dates, but the county auditor must submit a separate
27 application for approval by the office of the secretary of state for
28 each special election date.

29 (e) The office of the secretary of state shall review each
30 application, the feasibility of each proposed alternative
31 verification method and whether each proposed alternative
32 verification method complies with the requirements of (b) of this
33 subsection before determining whether to approve or deny the
34 application.

35 (f) The secretary of state may establish additional rules
36 governing application content, application submittal, and the
37 application approval process as necessary, including deadlines for
38 the submittal and approval of applications before each special
39 election.

1 (3) During the special election in which a county is
2 participating in the alternative verification options pilot project,
3 the county may accept and canvass any ballot that can be verified as
4 being returned by the intended voter through an alternative
5 verification method that was approved by the secretary of state for
6 use by that county in the pilot project, even if a signature that
7 matches a signature of that voter in the registration files of the
8 county is not included with the ballot declaration as normally
9 required by RCW 29A.40.110.

10 (a) The county auditor must notify the governing authorities of
11 all jurisdictions with a race or measure on the ballot that the
12 county is participating in the alternative verification options pilot
13 project and provide information on the alternative verification
14 method or methods that have been approved for use as soon as
15 practicable after receiving approval from the secretary of state.

16 (b) Any voter in a county participating in the pilot project must
17 still have their ballot counted if the signature on the ballot
18 declaration matches a signature of that voter in the registration
19 files of the county. The alternative verification method or methods
20 utilized by the county for the pilot project may not entirely replace
21 signature verification.

22 (c) If a voter has returned a ballot attempting to utilize an
23 alternative verification method, but the county auditor is unable to
24 verify that the ballot was returned by that voter, the county auditor
25 shall follow the same procedures as if the voter neglected to sign
26 the ballot declaration as outlined in RCW 29A.60.165.

27 (d) Any information provided by the voter in order to verify that
28 they voted the ballot as part of the pilot project is exempt from
29 public disclosure following the same rules as pertain to voter
30 signatures on ballot return envelopes in RCW 29A.04.260 and
31 42.56.425.

32 (4) (a) The county auditor shall provide a report to the secretary
33 of state on their participation in the alternative verification
34 options pilot project no later than 30 days after the certification
35 of each special election in which their county participates in the
36 pilot project. This report must describe the alternative verification
37 method or methods utilized, the number of voters that used each
38 method, the ballot rejection rate for that election and a comparison
39 to the ballot rejection rate for prior similar elections in that

1 county, and any relevant information related to the administration of
2 each method.

3 (b) The secretary of state shall provide reports on the progress
4 of the alternative verification options pilot project to the
5 governor, appropriate committees of the legislature, and county
6 auditors no later than December 31st of each year. The report must
7 describe the alternative verification methods utilized by each county
8 that year, the number of voters that used each method in each
9 election, the impact of alternative verification methods on ballot
10 rejection rates, and any relevant other findings of the pilot
11 project.

12 (c) The secretary of state shall provide a final report on the
13 alternative verification options pilot project to the governor,
14 appropriate committees of the legislature, and county auditors no
15 later than December 31, 2028. The report must describe all
16 alternative verification methods utilized by each county, the number
17 of voters that used each method in each election, the impact of
18 alternative verification methods on ballot rejection rates, and any
19 other relevant findings of the pilot project.

20 **Sec. 2.** RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and
21 2011 c 10 s 41 are each reenacted and amended to read as follows:

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

26 (2) All received return envelopes must be placed in secure
27 locations from the time of delivery to the county auditor until their
28 subsequent opening. After opening the return envelopes, the county
29 canvassing board shall place all of the ballots in secure storage
30 until processing. Ballots may be taken from the inner envelopes and
31 all the normal procedural steps may be performed to prepare these
32 ballots for tabulation.

33 (3) The canvassing board, or its designated representatives,
34 shall examine the postmark on the return envelope and signature on
35 the declaration before processing the ballot. The ballot must either
36 be received no later than 8:00 p.m. on the day of the primary or
37 election, or must be postmarked no later than the day of the primary
38 or election. All personnel assigned to verify signatures must receive
39 training on statewide standards for signature verification. Personnel

1 shall verify that the voter's signature on the ballot declaration is
2 the same as the signature of that voter in the registration files of
3 the county. Verification may be conducted by an automated
4 verification system approved by the secretary of state. A variation
5 between the signature of the voter on the ballot declaration and the
6 signature of that voter in the registration files due to the
7 substitution of initials or the use of common nicknames is permitted
8 so long as the surname and handwriting are clearly the same. A county
9 that is participating in the alternative verification options pilot
10 project under section 1 of this act may also verify a voter's ballot
11 using an alternative verification method approved by the office of
12 the secretary of state.

13 (4) If the postmark is missing or illegible, the date on the
14 ballot declaration to which the voter has attested determines the
15 validity, as to the time of voting, for that ballot. For overseas
16 voters and service voters, the date on the declaration to which the
17 voter has attested determines the validity, as to the time of voting,
18 for that ballot. Any overseas voter or service voter may return the
19 signed declaration and voted ballot by fax or email by 8:00 p.m. on
20 the day of the primary or election, and the county auditor must use
21 established procedures to maintain the secrecy of the ballot.

22 NEW SECTION. **Sec. 3.** This act expires January 1, 2029.

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