

# FINAL BILL REPORT

## ESHB 1571

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*Synopsis As Enacted*

**Brief Description:** Requiring a recount by hand of election returns that have a difference of less than one-fourth of one percent.

By House Committee on State Government (originally sponsored by Representatives Jones, McLean, Anderson, Hargrove, Ferguson, Phillips and Jacobsen).

House Committee on State Government  
Senate Committee on Governmental Operations

**Background:** The Election Code permits a candidate for an office who failed to be nominated or elected at a primary or election to request that the votes for the office be recounted. An officer of a political party may also request that the votes for an office be recounted. Any group of five or more registered voters may request that the votes for a ballot measure be recounted. The application must be filed within three days (excluding weekends and holidays) of the date that the county canvassing board or the Secretary of State has declared the results of the primary or election to be official.

The applicant must state whether the recount is to be conducted manually or by a vote tallying device. The recount must be conducted within five days of the date the application is filed with the county or, for a multi-county office or issue, within five days of the date the county receives the request from the Secretary of State. Such a recount is provided on a fee-for-service basis, unless the recount results in a change in the outcome of the primary or election.

State law mandates that a recount be conducted, without charge to the parties involved, if the difference in the votes cast for the top two candidates for an office is not more than 0.5 percent of the total number of votes cast for both candidates.

**Summary:** If the difference in the votes cast for the top two candidates for an office is not more than 0.25 percent, the recount mandated by state law must be conducted manually.

A deadline is established by which the Secretary of State must direct the county canvassing boards to conduct a recount of the returns for a multi-county office if the recount is mandated by state law. The secretary must issue the directive within three business days of the date the returns for the office have first been certified by the canvassing boards.

After being counted, the votes cast in any single precinct may not be recounted more than twice.

Repealed is a provision which applies to requests for recounts filed after a recount has reversed the outcome of a primary or election. The repealed provision permits a person or ballot measure's group whose fortunes were reversed by the recount to apply for a recount of only those ballots which have not been recounted.

***Votes on Final Passage:***

House	97	0
Senate	46	0

***Effective:*** July 28, 1991