

SENATE BILL REPORT

SB 5043

AS PASSED SENATE, MARCH 6, 1991

Brief Description: Authorizing facsimile filing of election documents.

SPONSORS: Senators Nelson, Bailey, Vognild and Amondson; by request of Secretary of State.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: Do pass.

Signed by Senators McCaslin, Chairman; Madsen, Matson, and Sutherland.

Staff: Martin Lovinger (786-7443)

Hearing Dates: January 28, 1991; January 31, 1991

HOUSE COMMITTEE ON STATE GOVERNMENT

BACKGROUND:

The state of Washington has no procedure for filing of election documents by facsimile transmission to the Secretary of State or county auditors.

SUMMARY:

Certain election documents may be transmitted by electronic facsimile and shall be accepted and filed by the Secretary of State or a county auditor when the documents are legible, filed on time and satisfy state requirements as to form. The documents that may be filed include declarations and affidavits of candidacy, county canvass reports, candidates' pamphlet statements, arguments for and against ballot measures that will appear in a voter's pamphlet, requests for recounts, certification of candidates and measures by the Secretary of State, direction by the Secretary of State for the conduct of a mandatory recount, requests for absentee ballots, and any other document authorized by rule adopted by the Secretary of State under this act. The Secretary of State shall adopt rules to implement this act and may require that a facsimile transmission be followed within a specified period of time by the original document or the filing will be invalid.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Growing use of electronic transmission is a fact of life. It saves unnecessary travel and is more efficient. Sometimes time factors make electronic transmission the only reasonable method of filing documents.

TESTIMONY AGAINST: None

TESTIFIED: John Pearson, Assistant Secretary of State (pro); Sam Reed, Washington State Auditors (pro); Stan Finkelstein, Association of Washington Cities (pro)

HOUSE AMENDMENT(S):

It is clarified that other documents that may be filed by facsimile must be election related; that documents filed by facsimile must meet requirements of state law as to content, as well as form; and that the Secretary of State shall adopt rules under the Administrative Procedure Act to implement this act.

If the original copy of a document must be signed, the original must be filed subsequent to the facsimile transmission with the official with whom the facsimile was filed by a deadline set by rule.