

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5640

Chapter 259, Laws of 1999

56th Legislature
1999 Regular Session

ELECTIONS--ABSENTEE BALLOTS

EFFECTIVE DATE: 7/25/99

Passed by the Senate April 24, 1999
YEAS 39 NAYS 9

BRAD OWEN
President of the Senate

Passed by the House April 24, 1999
YEAS 93 NAYS 2

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved May 10, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5640** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

May 10, 1999 - 4:49 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5640

AS AMENDED BY THE HOUSE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Gardner and McCaslin; by request of Secretary of State)

Read first time 03/03/1999.

1 AN ACT Relating to elections; amending RCW 29.62.020; and creating
2 new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) The current statute relating to the timing of the primary
6 election may not allow adequate time for absentee voters, especially
7 military personnel living overseas, to review the candidates and issues
8 appearing on the general election ballot before casting their votes;

9 (2) The proliferation of permanent absentee voters presents
10 increasing difficulties for county auditors to canvass ballots in a
11 timely way, which in turn may adversely affect the general election
12 campaign of a candidate involved in a close primary race; and

13 (3) A delay in counting votes and processing ballots negatively
14 impacts the public's right to timely election results and thus harms
15 our electoral process.

16 Therefore, the mission of the task force established by section 2
17 of this act includes, but is not limited to, a review of issues
18 relating to the timing of the primary election, the canvassing of
19 ballots, and the certification of election results. The task force

1 shall consider alternates to the current statutes that relate to these
2 issues, and shall provide recommendations accordingly.

3 NEW SECTION. **Sec. 2.** A task force to study and make
4 recommendations regarding the date for primary elections is
5 established. The task force membership consists of the following
6 thirteen members:

7 (1) Three citizen members from across the state, appointed jointly
8 by the secretary of state, the president of the senate, and the co-
9 speakers of the house of representatives;

10 (2) Two members of the senate, one from each of the largest two
11 caucuses, appointed by the president of the senate, and two members of
12 the house of representatives, one from each of the largest two
13 caucuses, appointed by the co-speakers of the house of representatives;

14 (3) The secretary of state or the secretary's designee;

15 (4) Three county elections officials designated by the Washington
16 Association of County Officials; and

17 (5) A representative of each major political party in the state,
18 appointed by the chair of the state central committee for the party.

19 NEW SECTION. **Sec. 3.** The task force shall report its
20 recommendations to the governor, the secretary of state, and the
21 appropriate standing committees of the senate and house of
22 representatives no later than December 1, 1999. The task force
23 terminates on December 31, 1999.

24 **Sec. 4.** RCW 29.62.020 and 1995 c 139 s 2 are each amended to read
25 as follows:

26 (1) ~~((No later than the tenth day after a special election or
27 primary and no later than the fifteenth day after a general election,
28 the county auditor shall convene the county canvassing board to process
29 the absentee ballots and canvass the votes cast at that primary or
30 election.))~~ At least every third day after a special election, primary,
31 or general election and before certification of the election results,
32 except Sundays and legal holidays, the county auditor shall convene the
33 county canvassing board or their designees to process absentee ballots
34 and canvass the votes cast at that special election, primary, or
35 general election, if the county auditor is in possession of more than
36 twenty-five ballots that have yet to be canvassed. The county auditor

1 may use his or her discretion in determining when to convene the
2 canvassing board or their designees during the final four days before
3 the certification of election results in order to protect the secrecy
4 of any ballot.

5 Each absentee ballot previously not canvassed that was received by
6 the county auditor two days or more before the convening of the
7 canvassing board or their designees and that either was received by the
8 county auditor before the closing of the polls on the day of the
9 special election, primary, or general election for which it was issued,
10 or that bears a date of mailing on or before the special election,
11 primary, or general election for which it was issued, must be processed
12 at that time. The tabulation of votes that results from that day's
13 canvass must be made available to the general public immediately upon
14 completion of the canvass.

15 (2) On the tenth day after a special election or a primary and on
16 the fifteenth day after a general election, the canvassing board shall
17 complete the canvass and certify the results. Each absentee ballot
18 that was returned before the closing of the polls on the date of the
19 primary or election for which it was issued, and each absentee ballot
20 with a date of mailing on or before the date of the primary or election
21 for which it was issued and received on or before the date on which the
22 primary or election is certified, shall be included in the canvass
23 report.

24 ~~((+2))~~ (3) At the request of any caucus of the state legislature,
25 the county auditor shall transmit copies of all unofficial returns of
26 state and legislative primaries or elections prepared by or for the
27 county canvassing board to either the secretary of the senate or the
28 chief clerk of the house.

Passed the Senate April 24, 1999.

Passed the House April 24, 1999.

Approved by the Governor May 10, 1999.

Filed in Office of Secretary of State May 10, 1999.