
State Government Committee

HB 1156

Brief Description: Requiring timely mailing of ballots.

Sponsors: Representatives Miloscia, Armstrong, Ruderman, Hunt, Kenney, Nixon, Shabro, Haigh, Rockefeller, Cairnes, Simpson, McDermott, Tom, Moeller, Anderson, O'Brien, Benson, Carrell, Mielke, Schual-Berke, Wallace, Hudgins, Kessler, Campbell and Upthegrove; by request of Secretary of State.

Brief Summary of Bill

- Requires county auditors to mail absentee ballots at least 18 days before the primary, general election or special election and to certify to the Office of the Secretary of State the dates the ballots were available and mailed.

Hearing Date: 1/28/03

Staff: Marsha Reilly (786-7135).

Background:

Voters may cast their ballots under several different procedures. The most common procedure is for voters to appear at designated polling sites and cast their ballots. Increasingly voters are electing to cast their ballots using absentee ballots. A voter may obtain an absentee ballot for a single primary or election or may become an ongoing absentee voter and automatically obtain an absentee ballot for each subsequent primary or election. County auditors are required to have sufficient absentee ballots ready to mail to absentee voters at least 20 days before any primary, general election, or special election.

A county auditor may designate any precinct having fewer than 200 active registered voters at the time of closing of voter registration as a mail ballot precinct. The county auditor is required to mail or deliver a ballot and an envelope to each active registered voter as soon as ballots are available.

Some special elections may be conducted by mail ballot if it is approved by the county auditor. The county auditor is required to make available to each registered voter a mail ballot 20 days before the date of the election.

Summary of Bill:

County auditors must have sufficient absentee ballots available for absentee voters at least 20 days before any primary, general election, or special election. The absentee ballots must be mailed 18 days before a primary or election to each voter who has requested an absentee ballot at least 19 days before the election. For requests received after the nineteenth day before the election, absentee ballots must be mailed or delivered not later than the next business day.

The county auditor shall make every effort to mail ballots to overseas and service voters earlier than 18 days before a primary or election.

County auditors shall certify to the Office of the Secretary of State (Secretary of State) the dates the ballots were available and mailed.

If absentee ballots are not available or mailed as required, the county auditor must immediately certify to the office of the secretary of state when the ballots will be available and mailed. Copies of this certification will be provided to the county canvassing board, the press, jurisdictions with issues on the ballot in the election, and any candidates.

If absentee ballots are not available and mailed as required, the county auditor will submit a report to the Secretary of State detailing why the deadline was missed and what corrective actions will be taken in future elections to ensure that ballots are available and mailed on time.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.