

HOUSE BILL REPORT

HB 1222

As Reported by House Committee On:
State Government

Title: An act relating to voter accessibility.

Brief Description: Requiring voting devices to be accessible to individuals with disabilities.

Sponsors: Representatives Dickerson, Ruderman, Lovick, Romero, Schual-Berke, Hunt, Nixon, Wood, Conway, Simpson, Chase and Haigh.

Brief History:

Committee Activity:

State Government: 2/13/03, 2/21/03 [DPS].

Brief Summary of Substitute Bill

- Establishes certification standards for visually impaired voting technology and systems.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Haigh, Chair; Miloscia, Vice Chair; Armstrong, Ranking Minority Member; Shabro, Assistant Ranking Minority Member; Hunt, McDermott, Nixon, Tom and Wallace.

Staff: Anne Warwick (786-7291) and Katie Blinn (786-7114).

Background:

Under Title II of the "Help America Vote Act" the U.S. Secretary of Health and Human Services (SHHS) is authorized to administer grants to state and local governments to make polling places accessible to the disabled, including the blind and visually impaired. Grants may also be used to provide information about the accessibility of polling places. Payments are made no later than April 29, 2003. To receive funding under this section, a state or locality must submit an application to the SHHS describing activities for which assistance is sought, and additional information as necessary. States must submit a report to the SHHS not later than six months after the end of each fiscal year on the activities

conducted with the fund.

Currently under Washington law all sensory or physically handicapped voters are assisted at the poll site or at home for an absentee ballot. At a poll site, if the voter declares in the presence of an election official that he or she is unable to vote independently, the voter may designate a person of his or her choice or two election officials from opposite political parties to help record their vote as directed.

Summary of Substitute Bill:

The Secretary of State establishes standards for the certification of voting systems and technology that are accessible to blind and visually impaired voters. All newly acquired voting technology and systems utilized by the state or any county must allow blind and visually impaired individuals with access equitable to those who are not blind or visually impaired. Each polling location must have at least one certified voting unit accessible to those voters which are blind or visually impaired.

Implementation is contingent on available funds. Voting technology and systems purchased prior to the effective date will meet compliance at the time of an upgrade or replacement of existing voting equipment and systems.

Substitute Bill Compared to Original Bill:

The substitute bill clarifies that "blind and visually impaired" excludes persons who are both blind and deaf. Equal access in voting participation is limited to voting at a poll site and does not include absentee voting. The term "upgrade" is specific to an upgrade of technology that is compatible with nonvisual voting technology.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Voting in secrecy is a primary right of voters. It is very important for the blind and visually impaired community to be able to vote privately and independently to assure secrecy in voting. Currently the blind and visually impaired are a disenfranchised voting population. Although there are budgetary constraints, now that the technology is available the voting equipment needs to be made accessible. The county auditors support this bill.

Testimony Against: None.

Testified: Representative Dickerson, prime sponsor; Michael Freeman, Kris Lawrence and Jacob Struiksma, National Federation of the Blind of Washington; Greg Kimsey, Washington State Association of County Auditors; and Gary Burdett, Washington Council of the Blind.