

ESSB 5499 - H AMD TO H AMH (5499-S.E AMH HUNS REIL 151)

By Representative _____

1 On page 3 of the striking amendment, line 35, after "voter."
2 insert "The return envelope must provide a space for the voter to
3 write in his or her birth date or the date of registration as
4 indicated on his or her voter identification card. The envelope
5 must include a space requesting the voter's telephone number so
6 that the auditor could easily contact the voter if there were a
7 problem with the voter's ballot; however, it must be noted that
8 providing this information is optional."

9 On page 3 of the striking amendment, line 37, after "oath."
10 strike "It must also contain a space that the voter may include a
11 telephone number."

12 On page 4 of the striking amendment, line 8, after "signature"
13 insert ", birth date,"

14 On page 5 of the striking amendment, line 28, after "birth"
15 insert "or the date of registration as indicated on the voter
16 identification card"

17 On page 6 of the striking amendment, beginning on line 31,
18 strike all of section 8 and insert the following:

19 "NEW SECTION. **Sec. 8.** A new section is added to chapter
20 29A.60 RCW to read as follows:

21 (1) When processing the outside envelope of an absentee or
22 provisional ballot, the signature on the envelope and the birth
23 date or date of voter registration, as it appears on the voter
24 registration card, shall be matched against the signature and birth
25 date or registration date on the voter's registration file. A
26 signature match by itself is insufficient for proof of

1 identification and the ballot will not be counted unless a birth
2 date or date of voter registration match is also made.

3 (2) If the voter neglects to include his or her birth date or
4 date of voter registration, the auditor shall notify the voter by
5 telephone and advise the voter of the correct procedures for
6 providing the necessary information. If the auditor is not able to
7 provide the information personally to the voter by telephone, then
8 the voter must be contacted by first class mail and advised of the
9 correct procedures for providing the missing information. Leaving
10 a voice mail message for the voter is not to be considered as
11 personally contacting the voter. In order for the ballot to be
12 counted, the voter must either:

13 (a) Appear in person and complete the missing information on
14 the envelope no later than the day before the certification of the
15 primary or election; or

16 (b) Return a copy of the envelope provided by the auditor, and
17 return it with a birth date or voter registration date included to
18 the auditor no later than the day before the certification of the
19 primary or election.

20 (3) If the voter neglects to sign the outside envelope of an
21 absentee or provisional ballot, the auditor shall notify the voter
22 by telephone and advise the voter of the correct procedures for
23 completing the unsigned affidavit. If the auditor is not able to
24 provide the information personally to the voter by telephone, then
25 the voter must be contacted by first class mail and advised of the
26 correct procedures for completing the unsigned affidavit. Leaving
27 a voice mail message for the voter is not to be considered as
28 personally contacting the voter. In order for the ballot to be
29 counted, the voter must either:

30 (a) Appear in person and sign the envelope no later than the
31 day before the certification of the primary or election; or

32 (b) Sign a copy of the envelope provided by the auditor, and
33 return it to the auditor no later than the day before the
34 certification of the primary or election.

35 (4) (a) If the handwriting of the signature on an absentee or
36 provisional ballot envelope is not the same as the handwriting of
37 the signature on the registration file, the auditor shall notify
38 the voter by telephone and advise the voter of the correct
39 procedures for updating his or her signature on the voter

1 registration file. If the auditor is not able to provide the
2 information personally to the voter by telephone, then the voter
3 must be contacted by first class mail and advised of the correct
4 procedures for completing the unsigned affidavit. Leaving a voice
5 mail message for the voter is not to be considered as personally
6 contacting the voter. In order for the ballot to be counted, the
7 voter must either:

8 (i) Appear in person and sign a new registration form no later
9 than the day before the certification of the primary or election;
10 or

11 (ii) Sign a copy of the affidavit provided by the auditor and
12 return it to the auditor no later than the day before the
13 certification of the primary or election. If the signature on the
14 copy of the affidavit does not match the signature on file, the
15 ballot will not be counted.

16 (b) If the signature on an absentee or provisional ballot
17 envelope is not the same as the signature on the registration file
18 because the name is different, the ballot may be counted as long as
19 the handwriting is clearly the same. The auditor shall send the
20 voter a change-of-name form under RCW 29A.08.440 and direct the
21 voter to complete the form.

22 (c) If the signature on an absentee or provisional ballot
23 envelope is not the same as the signature on the registration file
24 because the voter used initials or a common nickname, the ballot
25 may be counted as long as the surname and handwriting are clearly
26 the same.

27 (5) A voter may not cure a missing or mismatched signature for
28 purposes of counting the ballot in a recount.

29 (6) A record must be kept of the date on which the voter was
30 contacted or the notice was mailed, as well as the date on which
31 the voter signed the envelope or a copy of the envelope, or
32 completed the missing birth date or registration date. That record
33 is a public record under chapter 42.17 RCW and may be disclosed to
34 interested parties on written request."

EFFECT: Requires that absentee and provisional voters must include their date of birth or date of voter registration on the outer envelope. The date of birth or the voter registration date must be matched, in addition to the signature, for the ballot to be counted.