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

1   On page 2, line 20 of the striking amendment, after "primary"

2 insert "<u>;</u>

3   <u>(8) "Mark of identification" means any mark, symbol, sign,</u>

4 <u>spot, dot, or speck placed on a ballot that either does not follow</u>

5 <u>the rules of the voting procedure provided for in the voting</u>

6 <u>directions or has the potential to link a ballot to a particular</u>

7 <u>voter. A vote for a candidate on a ballot that fully adheres to</u>

8 <u>the rules of the voting procedure provided for in the voting</u>

9 <u>directions is not a mark of identification;</u>

10   <u>(9) "Ballot enhancement" is the process of adding, modifying,</u>

11 <u>or covering marks of identification on a ballot to ensure that the</u>

12 <u>electronic voting equipment will tally the votes on the ballot in</u>

13 <u>the manner intended by the voter, or as directed by the canvassing</u>

14 <u>board</u>"

15   On page 6, after line 30 of the striking amendment, insert:

16   "<u>NEW SECTION.</u> **Sec. 8.** A new section is added to chapter

17 29A.60 RCW to read as follows:

18   (1) Ballots may not be enhanced, as defined in RCW 29A.04.008.

19 If a ballot is rejected by a tabulating machine during the tallying

20 or machine recount process, the ballot must be separated from all

21 other validly tabulated ballots and later considered by the

22 canvassing board.

23   (2) Any mark of identification that correlates to a candidate

24 or ballot measure on the ballot may not be counted as a vote for

25 the candidate or ballot measure. A ballot may not be duplicated or

26 enhanced with respect to a mark of identification that correlates

27 with a candidate or ballot measure.

28   (3) Except as provided in subsection (4) of this section, a

29 ballot may be duplicated, but not enhanced, with respect to any

1   vote for a candidate or ballot measure cast pursuant to the rules
2   of the voting procedure provided for in the voting directions.
3   (4) Any mark of identification, as defined in RCW 29A.04.008,
4   on a ballot that has the potential to link the ballot to a
5   particular voter invalidates the entire ballot."

6   Renumber the remaining sections consecutively and correct
7   internal references accordingly.

EFFECT: Defines "mark of identification" and "ballot enhancement." Prohibits ballot enhancement or duplication with respect to certain marks of identification; i.e., votes cast inconsistently with the rules of the voting procedures provided for in the voting directions. Allows ballot duplication, but not enhancement, with respect to votes cast pursuant to the rules of the voting procedures provided in the voting directions. Invalidates the entire ballot if a ballot contains a mark of identification that has the potential to link the ballot to a particular voter.