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5743-S.E AMH HUNS REIL 156

**ESSB 5743** - H AMD TO H AMD (5743-S.E AMH HUNS REIL 137)  
By Representative Hunt

1           On page 16 of the striking amendment, beginning on line 20,  
2           strike all of section 20 and insert the following:

3           "**Sec. 20.** RCW 29A.40.091 and 2004 c 271 s 135 are each amended  
4           to read as follows:

5           The county auditor shall send each absentee voter a ballot, a  
6           security envelope in which to seal the ballot after voting, a  
7           larger envelope in which to return the security envelope, and  
8           instructions on how to mark the ballot and how to return it to the  
9           county auditor. The instructions that accompany an absentee ballot  
10          for a partisan primary must include instructions for voting the  
11          applicable ballot style, as provided in chapter 29A.36 RCW. The  
12          absentee voter's name and address must be printed on the larger  
13          return envelope, which must also contain a declaration by the  
14          absentee voter reciting his or her qualifications and stating that  
15          he or she has not voted in any other jurisdiction at this election,  
16          together with a summary of the penalties for any violation of any  
17          of the provisions of this chapter. The declaration must clearly  
18          inform the voter that it is illegal to vote if he or she is not a  
19          United States citizen; it is illegal to vote if he or she has been  
20          convicted of a felony and has not had his or her voting rights  
21          restored; and, except as otherwise provided by law, it is illegal  
22          to cast a ballot or sign an absentee envelope on behalf of another  
23          voter. The return envelope must provide space for the voter to  
24          indicate the date on which the ballot was voted and for the voter  
25          to sign the oath. It must also contain a space that the voter may  
26          include a telephone number. A summary of the applicable penalty  
27          provisions of this chapter must be printed on the return envelope  
28          immediately adjacent to the space for the voter's signature. The  
29          signature of the voter on the return envelope must affirm and

1 attest to the statements regarding the qualifications of that voter  
2 and to the validity of the ballot. The return envelope must also  
3 have a secrecy flap that the voter may seal that will cover the  
4 voter's signature and optional telephone number. For out-of-state  
5 voters, overseas voters, and service voters, the signed declaration  
6 on the return envelope constitutes the equivalent of a voter  
7 registration for the election or primary for which the ballot has  
8 been issued. The voter must be instructed to either return the  
9 ballot to the county auditor by whom it was issued or attach  
10 sufficient first class postage, if applicable, and mail the ballot  
11 to the appropriate county auditor no later than the day of the  
12 election or primary for which the ballot was issued.

13 If the county auditor chooses to forward absentee ballots, he  
14 or she must include with the ballot a clear explanation of the  
15 qualifications necessary to vote in that election and must also  
16 advise a voter with questions about his or her eligibility to  
17 contact the county auditor. This explanation may be provided on  
18 the ballot envelope, on an enclosed insert, or printed directly on  
19 the ballot itself. If the information is not included, the  
20 envelope must clearly indicate that the ballot is not to be  
21 forwarded and that return postage is guaranteed."

**EFFECT:** The declaration on the return envelope must inform the voter of the legality of voting if he or she is not a citizen, has been convicted of a felony, and to cast a ballot on behalf of another voter. A space for the voter to list a telephone number is included, and the secrecy flap must cover the voter's signature and optional telephone number.