

SB 5744 - H COMM AMD

By Committee on State Government Operations & Accountability

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 29A.48.010 and 2004 c 266 s 14 are each amended
4 to read as follows:

5 (1) Before January 1, 2012:

6 (a) With express authorization from the county legislative
7 authority, the county auditor may conduct all primary, special, and
8 general elections entirely by mail ballot. The county legislative
9 authority must give the county auditor at least ninety days' notice
10 before the first election to be conducted entirely by mail ballot.
11 If the county legislative authority and the county auditor decide
12 to return to a polling place election environment, the county
13 legislative authority must give the county auditor at least one
14 hundred eighty days' notice before the first election to be
15 conducted using polling places. Authorization under this
16 subsection must apply to all primary, special, and general
17 elections conducted by the county auditor.

18 (b) The county auditor may designate any precinct having fewer
19 than two hundred active registered voters at the time of closing of
20 voter registration as provided in RCW 29A.08.140 as a mail ballot
21 precinct. ((The county auditor shall notify each registered voter
22 by mail that for all future primaries and elections the voting in
23 his or her precinct will be by mail ballot only.)) Authorization
24 from the county legislative authority is not required to designate
25 a precinct as a mail ballot precinct under this subsection. In
26 determining the number of registered voters in a precinct for the
27 purposes of this section, persons who are ongoing absentee voters
28 under RCW 29A.40.040 shall not be counted. Nothing in this section

1 may be construed as altering the vote tallying requirements of RCW
2 29A.60.230.

3 (c) If the county legislative authority and county auditor
4 determine under (a) of this subsection, or if the county auditor
5 determines under (b) of this subsection, to return to a polling
6 place election environment, the auditor shall notify each
7 registered voter, by mail, of this and shall provide the address of
8 the polling place to be used.

9 (2) Effective January 1, 2012, all primary, special, and
10 general elections must be conducted entirely by mail ballot. A
11 county legislative authority may petition the secretary of state to
12 conduct elections in a polling place environment for up to two
13 years after January 1, 2012. The secretary of state may allow such
14 a county to conduct elections in a polling place environment for
15 any period of time up to January 1, 2014, after which the county
16 must conduct all elections entirely by mail ballot.

17 (3) Before changing a county or precinct from a polling place
18 election environment to an all-mail election environment, the
19 county auditor shall notify each affected registered voter by mail
20 that for all future primaries and elections the voting will be by
21 mail ballot only. The auditor shall mail each active voter a
22 ballot at least eighteen days before a primary, general election,
23 or special election. The auditor shall send each inactive voter
24 either a ballot or an application to receive a ballot at least
25 eighteen days before a primary, general election, or special
26 election. The auditor shall determine which of the two is to be
27 sent. If the inactive voter returns a voted ballot, the ballot
28 shall be counted and the voter's status restored to active. If the
29 inactive voter completes and returns an application, a ballot shall
30 be sent and the voter's status restored to active. The
31 requirements regarding certification, reporting, and the mailing of
32 overseas and military ballots in RCW ((29.36.270)) 29A.40.070 apply
33 to elections conducted by mail ballot ((precincts)).

34 ~~((If the precinct exceeds two hundred registered voters, or the~~
35 ~~auditor determines to return to a polling place election~~
36 ~~environment, the auditor shall notify each registered voter, by~~
37 ~~mail, of this and shall provide the address of the polling place to~~
38 ~~be used.))~~

1 (4) All vote by mail elections must provide voting access to
2 individuals with disabilities as provided in chapter 29A.46 RCW."

EFFECT: Requires all elections to be conducted by mail beginning January 1, 2012. Allows a county legislative authority to petition the Secretary of State to extend this date for up to two years. Requires all elections conducted by mail to provide voting access to individuals with disabilities.