

# FINAL BILL REPORT

## HB 1749

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Synopsis as Enacted

**Brief Description:** Strengthening review and correction of county election procedures.

**Sponsors:** By Representatives Green, Nixon, Hunt, Shabro, McDermott, Haigh, Moeller, Campbell, Simpson, Sells, Schual-Berke and Linville; by request of Secretary of State.

**House Committee on State Government Operations & Accountability**

**House Committee on Appropriations**

**Senate Committee on Government Operations & Elections**

**Background:**

Reviews of election-related policies, procedures, and practices in a county must be conducted if the unofficial returns of a primary or general election indicate that a mandatory recount is likely for a state legislative position or a federal office or in a statewide election. Reviews are also to be conducted periodically in a county after a primary or election at the direction of the Secretary of State or at the county auditor's request.

These post-primary or post-election reviews are conducted by the election review staff of the Office of the Secretary of State in conformance with rules adopted by the Secretary and the Election Administration and Certification Board. A review may not include an evaluation, finding, or recommendation regarding the validity of any canvass of returns or of the outcome of a primary or election. The staff must provide a report of its findings and recommendations to the county's auditor and canvassing board.

**Summary:**

Reviews of election-related policies, procedures and practices must be conducted in a county at least once every three years, or as often as possible dependent upon staffing or budget levels. The county auditor or the county canvassing board must respond to the review report in writing listing steps to be taken to correct any problems. Before the next primary or general election, the Secretary must visit the county and verify that the corrective action was taken.

**Votes on Final Passage:**

House	95	1
Senate	42	0

**Effective:** July 24, 2005