

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6181

Chapter 308, Laws of 2008

60th Legislature
2008 Regular Session

COUNTY CANVASSING BOARD--MEMBERSHIP

EFFECTIVE DATE: 06/12/08

Passed by the Senate February 18, 2008
YEAS 31 NAYS 17

BRAD OWEN

President of the Senate

Passed by the House March 5, 2008
YEAS 65 NAYS 31

FRANK CHOPP

Speaker of the House of Representatives

Approved April 1, 2008, 3:41 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6181** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 2, 2008

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6181

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By Senate Government Operations & Elections (originally sponsored by Senators McDermott, Oemig, Fairley, and Kohl-Welles)

READ FIRST TIME 01/24/08.

1 AN ACT Relating to county canvassing board membership; and
2 amending RCW 29A.60.140.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29A.60.140 and 2005 c 274 s 250 are each amended to
5 read as follows:

6 (1) Members of the county canvassing board are the county auditor,
7 who is the chair, the county prosecuting attorney, and the chair of the
8 county legislative body. If a member of the board is not available to
9 carry out the duties of the board, then the auditor may designate a
10 deputy auditor, the prosecutor may designate a deputy prosecuting
11 attorney, and the chair of the county legislative body may designate
12 another member of the county legislative body or, in a county with a
13 population over one million, an employee of the legislative body who
14 reports directly to the chair. An "employee of the legislative body"
15 means an individual who serves in any of the following positions:
16 Chief of staff; legal counsel; clerk of the council; policy staff
17 director; and any successor positions to these positions should these
18 original positions be changed. Any such designation may be made on an
19 election-by-election basis or may be on a permanent basis until revoked

1 by the designating authority. Any such designation must be in writing,
2 and if for a specific election, must be filed with the county auditor
3 not later than the day before the first day duties are to be undertaken
4 by the canvassing board. If the designation is permanent until revoked
5 by the designating authority, then the designation must be on file in
6 the county auditor's office no later than the day before the first day
7 the designee is to undertake the duties of the canvassing board.
8 Members of the county canvassing board designated by the county
9 auditor, county prosecuting attorney, or chair of the county
10 legislative body shall complete training as provided in RCW 29A.04.540
11 and shall take an oath of office similar to that taken by county
12 auditors and deputy auditors in the performance of their duties.

13 (2) The county canvassing board may adopt rules that delegate in
14 writing to the county auditor or the county auditor's staff the
15 performance of any task assigned by law to the canvassing board.

16 (3) The county canvassing board may not delegate the responsibility
17 of certifying the returns of a primary or election, of determining the
18 validity of challenged ballots, or of determining the validity of
19 provisional ballots referred to the board by the county auditor.

20 (4) The county canvassing board shall adopt administrative rules to
21 facilitate and govern the canvassing process in that jurisdiction.

22 (5) Meetings of the county canvassing board are public meetings
23 under chapter 42.30 RCW. All rules adopted by the county canvassing
24 board must be adopted in a public meeting under chapter 42.30 RCW, and
25 once adopted must be available to the public to review and copy under
26 chapter 42.56 RCW.

Passed by the Senate February 18, 2008.

Passed by the House March 5, 2008.

Approved by the Governor April 1, 2008.

Filed in Office of Secretary of State April 2, 2008.