

CERTIFICATION OF ENROLLMENT

SENATE BILL 5017

Chapter 103, Laws of 2009

61st Legislature
2009 Regular Session

INACTIVE VOTERS

EFFECTIVE DATE: 07/26/09

Passed by the Senate March 3, 2009
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 7, 2009
YEAS 97 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 16, 2009, 3:31 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 **SENATE BILL 5017** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 17, 2009

**Secretary of State
State of Washington**

SENATE BILL 5017

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senators McDermott, Parlette, Fairley, Oemig, Hatfield, Shin, Honeyford, and Haugen

Read first time 01/12/09. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to inactive voters; and amending RCW 29A.48.010.

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

3 **Sec. 1.** RCW 29A.48.010 and 2005 c 241 s 1 are each amended to read
4 as follows:

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

16 (2) The county auditor may designate any precinct having fewer than
17 two hundred active registered voters at the time of closing of voter
18 registration as provided in RCW 29A.08.140 as a mail ballot precinct.
19 Authorization from the county legislative authority is not required to

1 designate a precinct as a mail ballot precinct under this subsection.
2 In determining the number of registered voters in a precinct for the
3 purposes of this section, persons who are ongoing absentee voters under
4 RCW 29A.40.040 shall not be counted. Nothing in this section may be
5 construed as altering the vote tallying requirements of RCW 29A.60.230.

6 (3) The county auditor shall notify each registered voter by mail
7 that for all future primaries and elections the voting will be by mail
8 ballot only. The auditor shall mail each active voter a ballot at
9 least eighteen days before a primary, general election, or special
10 election. ~~((The auditor shall send each inactive voter either a ballot
11 or an application to receive a ballot at least eighteen days before a
12 primary, general election, or special election. The auditor shall
13 determine which of the two is to be sent. If the inactive voter
14 returns a voted ballot, the ballot shall be counted and the voter's
15 status restored to active. If the inactive voter completes and returns
16 an application, a ballot shall be sent and the voter's status restored
17 to active.))~~ The requirements regarding certification, reporting, and
18 the mailing of overseas and military ballots in RCW 29A.40.070 apply to
19 elections conducted by mail ballot.

20 (4) If the county legislative authority and county auditor
21 determine under subsection (1) of this section, or if the county
22 auditor determines under subsection (2) of this section, to return to
23 a polling place election environment, the auditor shall notify each
24 registered voter, by mail, of this and shall provide the address of the
25 polling place to be used.

Passed by the Senate March 3, 2009.
Passed by the House April 7, 2009.
Approved by the Governor April 16, 2009.
Filed in Office of Secretary of State April 17, 2009.