

SENATE BILL REPORT

SB 5019

As Reported by Senate Committee On:
State Government, February 8, 2017

Title: An act relating to prepaid postage for primary and general election ballots.

Brief Description: Providing prepaid postage for primary and general election ballots.

Sponsors: Senators Hasegawa, Palumbo, Hunt, Keiser, Pedersen, Conway, Wellman, Rolfes and Frockt.

Brief History:

Committee Activity: State Government: 1/11/17, 2/08/17 [DPS-WM, w/oRec].

Brief Summary of Substitute Bill

- Requires that counties include prepaid postage on return envelopes for all elections, with costs to be reimbursed by the state.

SENATE COMMITTEE ON STATE GOVERNMENT

Majority Report: That Substitute Senate Bill No. 5019 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Miloscia, Chair; Hunt, Ranking Minority Member; Kuderer and Pearson.

Minority Report: That it be referred without recommendation.

Signed by Senator Zeiger, Vice Chair.

Staff: Samuel Brown (786-7470)

Background: All counties in the state conduct elections entirely by mail. County auditors must send each voter a ballot with a voter declaration that must be signed, a security envelope to conceal the ballot after voting, and a larger envelope to return the security envelope. The voter also must receive instructions on how to obtain information about the election, how to complete the ballot, and how to return the ballot to the county auditor.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

For a ballot to be counted, the voter must either return the ballot to the county auditor no later than 8:00 p.m. election day or mail the ballot to the county auditor with a postmark on the larger envelope, dated no later than election day. Many county auditors provide ballot drop boxes at sites, in addition to the county auditor's office, where voters may return completed ballots.

Summary of Bill (First Substitute): Return envelopes for primary and general election ballots must include prepaid postage. The state must reimburse counties for the cost of placing prepaid postage on mail and absentee ballots in primary and general elections.

EFFECT OF CHANGES MADE BY STATE GOVERNMENT COMMITTEE (First Substitute): Return envelopes for all ballots must include prepaid postage. The state must reimburse counties for the cost of placing prepaid postage on mail and absentee ballots in all elections.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: With all vote-by-mail, requiring postage to return a ballot is a barrier to voter participation. In some places, voters had to put two stamps on a ballot to return it at the last election. The law does not require the Postal Service to deliver ballots mailed without postage. Requiring voters to pay the postage constitutes a de facto poll tax. Making sure the proper return date is stamped is a bureaucratic barrier that can be easily overcome. It's important to make sure our less privileged citizens have a voice. Millennials conduct most of their activities online, and stamps are becoming a thing of the past. Students may have difficulty getting stamps due to economic and time constraints. We would support an amendment to provide prepaid postage at all elections. This is a better time and resource investment than additional ballot drop boxes.

OTHER: The most economical way to accomplish this would be through business reply mail. However, some post offices don't reliably postmark business reply mail, which would create difficulties in determining whether ballots were mailed on time. Some people vote from out of state, so unless there's national action on this issue, it won't necessarily lead to greater enfranchisement. This is a reimbursement statute, and there's no guarantee the funding for the counties won't get swept. Counties would prefer direct funding by the state, rather than reimbursement. We also would want prepaid postage to be available at all elections.

Persons Testifying: PRO: Senator Bob Hasegawa, Prime Sponsor; Charles Adkins, Geoduck Student Union of the Evergreen State College; Brooks Salazar, WFSE; Elissa Goss, Washington Student Association; Nora Selander, Associated Students of Western Washington

University.

OTHER: Monty Cobb, WA Assoc. of County Officials; David Elliott, Toni McKinley-Camp, Secretary of State.

Persons Signed In To Testify But Not Testifying: No one.